



Cllr Adeleke declared that he occupied a Council garage.

**81**                    **PUBLIC PARTICIPATION**

None

**82**                    **CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO CALL-IN**

None

**83**                    **BUDGET MONITORING Q2**

F Jump presented the quarter two budget information and asked Committee for any questions.

The Chairman arrived.

Cllr England mentioned that we discussed garages in September but there was similar pressure against income but the maintenance was still continuing a little bit better than it seems to have been done in the intervening period. Cllr England asked about the timescales of all of this because we seem to be haemorrhaging a little bit of money but I can't see how quickly we are addressing this. F Williamson advised that a project manager that was mentioned, in respect of someone coming in to oversee the garage project has started. He joined us on Monday and has already compiled a lot of information in respect of the condition of the garages coming through to the stock condition survey, but we are also looking at demand. Next week we will be undertaking telephone survey of all the people who have registered an interest in garages to get further information on that, with the aim of trying to get as many garages let to those people who are already interested. Following on from that he's got another recommendation that will be going to Corporate Management Team next week. L Roberts added that for the period of time that he's here he will be reporting to her, because he has been brought in under the New Normal banner. He's a very experienced consultant, very enthusiastic and making good progress. Also she has mentioned before that there is some analysis that's already in the budget so he will be making use of that as well as interrogating some of the data that they are due to collect in the next coming weeks. L Roberts confirmed that she and F Williamson are working very closely on the project, so it's one of our top priorities at the moment.

Cllr England asked for clarification that we are now listing live availability of garages. L Roberts confirmed that we are.

Cllr Freedman queried where almost all lines of the capital project lives in the slippage and asked if there was a way we could alter it so that effectively if you need to phase it to when the Council needs to have the resources available to be able to build things, but we had another part on the realistic expectation on the side, would help to be able to read this. If that's not possible maybe having something that would actually giving predictions of any actual overspends, the way I'm reading this at the moment, every time I'm seeing the slippage, I'm thinking there's potentially bad news that we're not going to see until the last year that something is reported. It might make the report a little bit easier. F Jump said we can certainly address those points,

in the capital information you are presented, it's not necessarily that straightforward to analyse. We do try and identify the in year variance, so you're right we do the in year variance, but where there is slippage if there was an issue you wouldn't necessarily see that until future financial years. F Jump will look at how possible it is to actually report on future year variances, because at this point if we are expecting expenditure to take place in the future it might be difficult to actually quantify if there is an issue regarding an overspend.

The Chairman understood that the format that you're after is actually the format that's submitted in Finance and Resources, so don't know if there is some marrying up on that. F Jump said there is potential but the format of the actual information that's provided is the same across all Overview and Scrutiny Committees, it's just what you see here is just the schemes that relate to this Committee area, so there is potentially some adjustment that we could do to this report. The Chairman did not want Officers doubling up if one of your colleagues is already doing it. F Jump will have a look at doing it.

Cllr Freedman said that a simple narrative will probably going to fine. The whole point of seeing a slippage and it saying, we anticipate we will have an actual overspend of £50k for example, it might not be committed but it tells us what we're expecting, whatever is the easiest way to do it, for other people to understand as well.

Cllr Mahmood asked for clarity when something slips from one year to the next does that mean that the following years budget we spent any more money forward and are we saving money. F Jump advised that with slippage we are talking about expenditure that has been approved or ready, it's just a timing matter, if we don't spend in this year we are bringing it to a future financial year, but it's the actual total financial envelope is not changing for that particular scheme. Cllr Mahmood said my question was if we had spent it in the year it was supposed to be spent we might have had more money to do other things and wondered whether if it got put to the back and spent the previous years money so we can't spend this years money.

The Chairman asked everyone to switch their microphones on as they don't seem to be switched on.

F Jump clarified that if the money is spent in the current financial year it won't affect the approved budget for future financial years because the total amount that's been approved for a particular scheme is agreed, it wouldn't change what's available. If anything else was sought then that would need to go to an additional approval process. Cllr Mahmood said that he was thinking of the person looking after the budget and resource allocation, given the slip it might mean more resources and delays. Contractors are probably costing us more because they are longer on the job. F Jump said that it would depend on the situation. With some slippage there may be an associated additional cost, if there was that would need to be addressed as part of the ongoing budget setting process and go through the necessary approval process. In some cases of slippage, it will be just that, it will be similar levels of expenditure, just the occurrence of it would have moved.

Cllr Griffiths mentioned that any project that is starting to go over budget, can't go over budget without approval of Cabinet or Council. Therefore if slippage has started it will be fed through in the report to this Committee. There was an update from the

Housing perspective on project that were in train, it said there that one of the projects, Corn Mill Court, has had an overspend, but there is a lot of work going on with the contractor, issues that the Committee were kept up to date with all through the issue. If there is slippage and it's going to mean more money is needed on the development, certainly from a housing perspective it will come back to this Committee.

Cllr Mahmood asked if we are managing it properly in terms of the person in charge, if things are slipping I think they're taking longer, it's costing someone more money to do the same job. Maybe the management of the process is lacking, that's why we're slipping. We are getting slippages quite regularly and is just trying to get to the bottom of it, is it the management or for technical reasons. Cllr Griffiths highlighted that it can be down to we've put a process in place, but you have to do consultation, you're buying sites etc, some of it is just the process we go through. We've got quite an aggressive programme of building, we're working to the best capacity we can, within the resources available and some of it will be the way the Council works, perhaps the results don't come back the way we're expecting. You can do a consultation, which perhaps needs to modify the plan again and then you need to consult again, so it can be lots of different reasons, but they are all reported back here and the budget is set for that project, so if there is a bigger spend, the one that springs to mind the one we retrofitted water sprinkler system on Kyna Court, that was obviously an overspend on that and it caused slippage because we asked them to stop while we put in the sprinklers. That was a decision of this Council, that's what we wanted to do. Quite often it's actually our fault that it slips because we suddenly want something done that wasn't in there originally. We are up to capacity in what we are building at the moment, in both terms of finance and in terms of the staffing. It's a case of planning all of that, there's nobody sitting around twiddling their thumbs.

F Williamson said that all of the projects are looked at on an individual basis and go to Performance Board, where all of the projects and the reasons for any delays are taken into account there. In terms of the project management, F Williamson didn't feel that was the issue, sometimes it's because we've allocated a budget in a given year and for those unforeseen circumstances or for longer consultation or potentially planning issues, it means that it can take longer to start on site. Also once we're on site, in terms of Christmas shutdown period, the decision was made to delay Northend and Westerdale until after January so that we didn't have them start on site at the beginning of December, have a shut down period and then restart. Some of them are strategic decisions that are made, but it's not really project management issues as such.

The Chairman questioned the work that was previously done by Osborne and it's now down with Clean, Safe and Green, she just wanted to know a little bit more about that and wanted to know a little bit more about that, if that's a continuing trend or decision that we've made. F Williamson advised that was in relation to garden clearances, Clean, Safe and Green indicate that they had some capacity within one of their teams to be able to undertake garden clearances, because they did have spare capacity, it's using existing resource and they were able to generate the income so it was a transfer to HRA to the General Fund to Clean, Safe and Green. The problem that we've been having with some of the delays that Osborne are created awaiting their clearance contractors and also they were using skips to dispose of garden waste, which was not the most economic way of doing so. The Chairman mentioned that it was quite a big saving.

The Chairman asked about the strategic acquisitions, if that was part of the buy back scheme that the property was purchased. F Williamson confirmed that we do not have an acquisition policy, there is under the right to buy scheme the covenant whereby properties have to be offered to us on a first refusal basis. The details of the background were provided and due to the circumstances and looking at it from business case, because it's a two bed property which is in high demand, the actual cost to purchase that back is lower than our current development costs, because there were a number of factors that influenced the decision, we took the decision to purchase the property back.

Cllr Adeleke confirmed the recommendations that Committee note the report and it was agreed.

The Chairman apologised to Committee for not being here at the start of the meeting.

## **84                    HOUSING Q2 PERFORMANCE REPORT**

F Williamson updated Committee on the quarter two performance report for Housing and asked if there were any questions.

Cllr Hollinghurst queried the 90 people could have been made homeless due to having an order or an action Fire and Rescue Service, of course nobody wants anybody to be temporarily or otherwise put out of their dwelling, there must have been a reason for that and at first sight it would appear that 90 people were judged to be at some additional risk of fire hazard. Cllr Hollinghurst said that he's not saying the incorrect decision was taken but he is asking that if during the period it took from the Fire Services order until the work was actually completed, whether any mitigating actions taken by the Council for example, were Fire Wardens provided in respect of those properties. F Williamson clarified that the Council's involvement in this was that we worked very closely with the Fire Service because, in terms of our statutory obligations we would be in a position to take enforcement action if the landlord didn't undertake suitable and appropriate measures to ensure the safety of the residents. The initial action that was taken by the landlord was to set up waking watches and then the fire alarm system in the block has been upgraded, there were a number of leaseholders within the block so they had to make contact with them to gain access to their premises as well. The landlord worked tirelessly to undertake that part of the work and also the remainder of the work that the Fire Service have identified is already underway, because they have engaged with us and have put the necessary level of measures in place, we haven't had to take enforcement action and the Fire Service have been working very closely with us and praised the actions of the Enforcement Team in terms of making sure all actions were proportionate that reduced that risk.

Cllr Pringle said that it was mentioned that an increasing number of people were presenting as homeless and they were increasingly vulnerable and would like to explore the nature of the vulnerabilities, is it particular disabilities or age and is it related to a systemic difficulty accessing systems, whether it's applying for houses, applying for universal credit, some people don't have the concentration span or the ability to navigate complex systems, is it to do with private landlords tenants being more vulnerable, what is the driver and is there anything seasonal about it or is it actually more than what would be expected seasonally. F Williamson highlighted this

is a countywide issue, the reports are showing that a percentage of homeless presentation in various groups, there has been an increase in single people who are presenting homeless, a number of those have either drug or alcohol dependency, a number have mental health issues. With some it's a very complex set of circumstances, so it can be a relationship breakdown, a loss of job and therefore income and people can get into debt situations very quickly, so a number of factors make these cases very complex.

Cllr Pringle mentioned that those are sorts of things that you would expect individuals to have, you know there have been drug and alcohol use around for a while, so is there something that has changed that is driving this. F Williamson advised that it would be useful if Natasha could bring a report to Scrutiny around the findings that came out of the workshop. As well as the local findings from Dacorum and Hertfordshire, HMCLG had a representative at the event who was able to give the national picture as well, it does vary region by region. Some of them because there has been a reduction in the funding for some of the mental health care teams and some of the support services, often had there been earlier intervention, then potentially they may not have ended up homeless. At the point of presentation as the Housing Service, whilst we work with the other agencies if we're not aware of each individual case, because that would become unmanageable, then we just have to deal with the case as presented. The duty to refer does provide us with additional information from other agencies as to why they believe that somebody is going to present homeless with us, because they have a duty to refer that information to us and details of the client that they hold.

Cllr Pringle asked if we keep data where the homeless person came from, where their last fixed abode was, or the circumstances were and if it's anyway connected to pressure and the flexible tenancy for example. It would be useful to know the route into homelessness and if we have that information can we have more on it and if we don't can we potentially collect it. F Williamson confirmed that we collect all of that information in respect of the reasons why people have become homeless and also their last registered address. Probably best if Natasha provides an update to Scrutiny on the outputs from the Forum, some of the actions that we're going to undertake following on from that, in terms of recommendations and it's really just ensuring that we use that data to try and inform other decisions around our allocations policy, around our tenancy sustainment team and understanding also within the private rented sector, we had another case where the Private Rented Sector Team notified us of the fact that they working with a couple who were very vulnerable, living in the private sector but were eligible for sheltered accommodation and as a result of the work with that couple they now have been housed in one of our sheltered schemes. Because we have the opportunity to work within the private sector as well as the social housing sector with the PRS team, it means that we are identifying issues around potential rogue landlords.

The Chairman wanted clarity on the complexity of people that presenting now are adding to these difficulties in homelessness. When we had Youth Connections we've had a couple of other people that have been, not just funding, but also just the complexity that didn't used to be the norm say 20 years ago. F Williamson said that certainly the complexity of people presenting as homeless, but also the complexity of needs of some of the people that we're housing through our allocations route, the homeseekers, that's why the work of the tenancy sustainment teams is so important, because they can deal with people who come from fairly chaotic circumstances and

really try and support them to get their lives back on track as well as sustaining a tenancy.

Cllr Freedman praised the report. There was lots of data and really easily you can get a lot through on the challenges, the actions and the strategies, so he thought it was great. Cllr Freedman felt that the approach to things looks fairly consistent, it looks like you were trying to do more things because you've got huge statutory challenges, he couldn't see any change to bring in the environmental concerns or even beginning on the strategy, would he be correct in thinking that you haven't started thinking about how we can achieve environmental targets in the Borough, by the Housing Strategy yet, or is there some stuff that you just haven't been able to highlight in there. F Williamson replied that in terms of housings approach the starting point is the Corporate Plan and we have just provided the information for the collation of the Corporate Plan which will be drafted to go to this next Scrutiny. Once the Corporate Plan, which does have a large section in terms of what we are proposing to do in respect of the climate emergency agenda, within housing we have already produced a report that looks at what actions we have already taken, addressing fuel poverty and some of the properties that have a lower energy performance. I am happy to circulate that to Members of Scrutiny so that you can see the work that we've done to date, but obviously that's going to be enhanced as we look at what else we can do going forward. We are also making sure that anything we are looking at corporately aligns with the Corporate Plan, which is why that's the starting point. The current Corporate Plan runs to 2020 so we've just started the draft that will follow that.

Cllr Freedman wanted to make sure he had understood, he said you are trying to provide information to change things on the Corporate Plan, but right at this moment you're not being able to take any actions, even small ones until that Corporate Plan changes. F Williamson said that wasn't the current position, we've always, had in terms of managing the housing stock, just the required standards for thermal performance have always informed our decisions in respect of investment. We've looked at external wall insulation projects, where we've been able to access government eco funding to supplement our own budgets to ensure that we can roll out as many energy performance and efficiency measures as possible. It's always been within the approach that we've taken in terms of the asset management element of housing, it's now around what else we can do to support the residents who are tenants and leaseholders so that they have additional information to help make the right choices as well as what we can do to the fabric of the building.

Cllr Mahmood asked about the red indicator for adapted properties, they normally take seven months, obviously that one instance it took longer and wondered if someone is looking for an adapted property, obviously they wait so long that they drop off, he knew someone who waited a year and a half to get into an adapted property. Cllr Mahmood didn't understand why it takes so long, we have the same adapted properties, are you re-letting adapted properties and you know if they've got a ramp or stairlift or walk-in-shower, so why does it take so long. F Williamson confirmed that with adapted properties we have a direct offer list and anyone time there's usually 20 plus households looking for adapted properties, the needs of each of those households can differ greatly, so a property that may be suitable for one may not be suitable for another. Through the process that we've got, we look at the property and everyone who's on the direct offer list, but we also look at those that have been on there the longest, so chronology is one of the criteria that we would

use, in terms of how long someone has been waiting. If the property just isn't suitable for their needs, but is suitable for another family, then it does mean that some people have been on the direct offer list for some time. We are looking at what scope we've got to use modern methods of construction and potentially using pods so that we can adapt a larger number of properties, but we've also found that where we've adapted properties in the new build, we've had a few ground floor adapted properties in Kylina Court, and we now have a resident that's moving into one of those that we're going to have to almost take out 50% of those adaptations because they are not suitable for that particular applicants needs. It's quite a difficult balance to strike and I appreciate there are concerns over the length of time, but we have a limited number of properties that suitable for adaptations and it would be wrong of us to adapt all of those to generic standard because we could find that we are spending more money going in and then making subsequent alterations.

Cllr Mahmood said it just seems to be over the years, these adapted properties have been an issue and you've got x percentage of people on that adapted properties list and some of them if they don't come round they do fall by the wayside, which is sad. It seems to be a long time knowing these are the people they must be generic adaptations which will work for many, why don't we go with generic. You could have something adapted, he didn't know why we had to deconstruct to the exact needs, it would make the process a bit quicker. F Williamson said that we are bound by undertaking the work the Occupational Therapist stipulate because they are the medical professionals and if we don't follow their guidelines and someone was to have an accident we would be liable, so we have to make sure that those adaptations are suitable. One of the things that we're currently working on is looking at the disabled facilities grant for private sector, which historically was quite prescriptive, but because it comes under better care funding, there is now some scope to look at that in a different way and to provide grant options for people who are in the private sector. So it may mean that some of those people who are potentially on the direct offer list we would be able to assist in other ways through the private sector DFG grants.

Cllr England questioned if it's known how many properties there are in the Borough, which are very specialised adapted as opposed to being generically adapted. F Williamson confirmed we do not have absolute data on where every adapted property is. We do have categories of adapted, so properties that we know are adapted, adaptable, these are properties that in terms of the access and leave the building safely and it can be adapted. Some of our properties the way that the estates were built, the gradient to or from the property is so great that you can't get compliant ramps, so some properties are designated as not adaptable for that reason. We've got these categories that we are putting in all our property information into, but it's really a question of when they become void that assessment is made. We also hold a database on all of the adaptations that have been undertaken to properties, but some of those if they're a straight stairlift may have been removed when that tenant leaves the property, especially if it's an old stairlift. That's why that record may not have been updated at that point.

Cllr Adeleke asked about sheltered properties and the discussion we had on it, was that more and more tenants are refusing or they are not that keen to go into and he wondered if there was a stigma attached to sheltered accommodation. L Warden highlighted that Oliver Jackson came to the last meeting to talk about sheltered housing, the main issue is specific schemes, people may be looking for something

close to family and friends or support network. It may be that the actual property itself isn't quite what they're after. It may be that there's something not necessarily about stigma but more about people not understanding what sheltered housing is about. They might not feel old enough to go into sheltered housing and there's an element of that, but at the moment we are doing quite a lot of work to try and understand that demand and that need because it's more of a complex thing, there's certain issues around particular schemes where there is higher demand than others and we want to try and understand that personal choice or something to do with the fact the buildings are quite old, they may need some maintenance or actually is it the location, that there's already maybe three schemes not too far from each other and there's not enough demand in that particular area. It's a combination of things that we're looking into at the moment to try and get a better understanding and make informed decisions about what we do going forward.

Cllr Adeleke said that we call them sheltered accommodation, what do the tenants call them. L Warden said that it was a mix, some say sheltered, some say supported, some say warden managed or warden controlled for those that have lived there for a long time. Cllr Adeleke said perhaps we should look for a fancy name or an attractive name to attract people. L Warden advised there is a discussion with Herts County Council at the moment about things like, what's classed as a residential care home, what is classed as extra-care, flexi-care and sometimes when we are communicating about something in a slightly different way, so it can be understandable that some of our tenants aren't entirely sure what that means, for them it's actually about I want somewhere I can get around safely, I can afford to pay the rent and I've got the support of the community or someone to help me as and when I need assistance.

Cllr Freedman said looking at the risk registers and there are a number of categories that look a bit challenging, in particular ones where we've got recent statutory requirements and they've been flagged up as a huge inherent risk, with some small bits of mitigation, it kind of reads that we don't have that much confidence with what we've got in place, would that be a correct assumption. Do we need to worry about some risks in any of those areas or is it just maybe a more pessimistic person that's scoring the risk registers. F Williamson asked if that was specifically on the health and safety. Cllr Freedman confirmed there were a number of them, the homelessness service and the private landlords, they are ones that stood out to me, the ones where the risk is 12 but you've only been able to bring that down to an amber residual by the impacts. Cllr Freedman asked if this is because we are pessimistic or because we're just starting out and not sure or are we thinking we've got a potential problem. F Williamson replied that in terms of some of them, there's the element of controllable and uncontrollable, so that's where the mitigations are designed to deal with the controllable element of those risks, but some of the external factors that are influencing homelessness, whilst you can work with other agencies to try and prevent or to identify earlier on in the process, we are not always able to control all of the circumstances. Similarly with things like health and safety and changes in legislation and increasingly onerous requirements coming out of things like the Hackett Review, it's really a question of ensuring the mitigations provide us with an ongoing assessment. These are reviewed on a quarterly basis, if there are other mitigations that we can implement that would reduce that risk score, that's what we are always aiming to do.

Cllr Freedman asked if there were any things in place to do that, try to influence central government, if some of these risks around reputational damage to Council, lots of the factors on that are things that we can't control, surely as well as controlling what we can should be trying to influence other bodies that we can, if we're looking at homelessness and trying to the government to have less causes of homelessness, would it be able to help. Also in future the Council is not the sole fall guy if there are targets missed. F Williamson said that we do respond to any consultation on any of our statutory obligations, that's one opportunity where we can provide the evidence to support any lobbying is made to central government in respect of changes to legislation. Outside of that some of the officers attend Chartered Institute of Housing regional events and they are one of the professional bodies that also provides information and professional advice to central government. We try wherever possible to raise the concerns and challenges that we're facing at local level through the appropriate channels.

The Chairman mentioned that Elliott Brooks, especially with Cllr Griffiths and myself, prepared some recommendations which we took straight to central office and about 90% of them were adopted at the time, so where we have a voice we will always use it and our experience and expertise of officers to ensure that we're holding government to account or giving information where it's lacking.

Cllr Adeleke said that politically you can also get your Lib Dem representative for the Local Government Association who can make a representation to the government, that is what it's there for. Cllr Freedman recognised that, he said he used Central Government as an example, and that he was more concerned about the exposure of the Council. Cllr Freedman was reading the risk report that's saying there's lots we need to do but we haven't been able to do everything we want because some of those things aren't the remit of the Council. Not all of it's going to be Central Government, there's other things and he was nervous because with those numbers it almost makes me think that eventually if something is going to go wrong because we haven't been able to cover the risks and mitigations so far, just trying to get some reassurance that I'm being pessimistic or if it's something else.

Cllr Griffiths sympathised exactly where Cllr Freedman was coming from but she has learnt over the years, because these scores have come down, not necessarily on these particular ones, but on the general risk register because things have changed, you do realise that a lot of bucks do stop with us here. For instance every time at Full Council I used to read out the percentage of the gas certificate, that's because as Councillors we are all corporately liable for that information, so if something happens to one of our residents because we haven't got the certificate and haven't kept it up to date, we are liable. All the risks are tried to be mitigated by the fact that we have a contractor that goes out making sure that everything is done. With people where we have difficulty getting into their property, they are able to put in a device that turns off the gas in future if the certificate is not renewed, so because sometimes it's access that's the issue. There is always a chance that we won't get access and something will slip through the net, so there is always a risk, some of them you can mitigate, some of them are totally outside your control and you can't, it's a case of balancing that between, is this a fair assessment of what's been written, it's very much do you view it as a positive, half full or half empty. It's important that Members get to grips with the risk register because a lot of them the buck does stop with us, it's a case of are you able to sleep at night. Cllr Freedman felt that was a pretty good summary of things, there's definitely a few things that does make me slightly worried.

Cllr Griffiths said if any Member wants to go in and speak to the department or the people that are pulling this together, they would love the input because I know when they come to Cllr training before, a lot of people have glazed over when they are doing it, but it is important and I'm sure any department would value any Cllr wanting further information, coming in doing a 1 to1. Cllr Freedman said that while he's asking for information he can't offer any suggestions.

The Chairman reminded everyone to put their microphones on otherwise it will not be recorded accurately and the meeting minutes will reflect that.

Cllr England wanted to mention the information that Members see when they come to Scrutiny. It would be absolutely fair to Cllr Griffiths as Portfolio Holder for this service over a long period of time, for at some point when we come to Scrutiny for Members just be surprised by a longer look so that we see what you've just said that these numbers were higher in the past. Cllr England has been a Cllr for three years and I haven't seen that information yet, I know it's available to me if go and try and compile it, but the day job gets in the way. It would be really good for Cllrs if at some point in the future we looked at this. Cllr Griffiths said the historic information is on Dennis and you can go back over the years.

Cllr England said that if there's historical context to this then I think it's really important that we have that when were at the meeting.

Cllr Mahmood said it was a good point, the risk perception of change over time as well, what was risk now with risk in the past. Cllr Mahmood mentioned HMO's, we had 13 people last year came on to the register and we did a lot of legislation in the previous years, BRE's report said there is 100's we don't know about and queried how these people are coming forward. F Williamson replied that in the main people are applying for their licences, the majority of the licenced HMO's have come to us, some of them are re-licences and we've also been doing work with the landlords forum, raising awareness and we've done some publicity, central government also did some publicity about the changes in the definition of HMO's. We do have some that are reported to us, neighbour concerns, number of cars, number of individuals going to and from a property, Members have reported potential HMO's. Linked to the licensing of HMO's we've also been working with Environmental Health on a premise that needs a food inspection, if they have any concerns about people living above food outlets, so we get it from a number of sources, then it's really about trying to ensure the officers time is spent wisely because private rented sector team is also dealing with other enforcement activity as well, such as the fire risks that were identified. There is a variety of methods that we are identifying HMO's, in terms of the BME we think that it is probably somewhere between the number that have been stated by central government for a district of our size and the BRE's assessment. We are in the process of getting a private sector survey undertaken which again may provide further information in respect of the whereabouts of any unlicensed HMO's.

Cllr Mahmood said if there was an incident with an unidentified HMO would we be liable as a Council for not actually seeking it out and doing some work, where would we stand legally if there's an incident and what our risk is. F Williamson replied that in terms of statutory risk, if we're not aware the onus remains with the landlord to get the property licensed, legal action would be directed initially at the landlord.

Cllr Mahmood asked if they can plead ignorance or say that the Council didn't do enough to publicise. F Williamson said we have done some work around ensuring people are aware of the changes in legislation as did central government and we continue to work with the landlords forum so that we can ensure that we are promoting the support that we give to landlords because this isn't just about enforcement, the team do a lot work to actually work with landlords to provide advice. That's not to generate a fee, that's based on the fact that we want to ensure that across all tenures the quality of accommodation within Dacorum is as good as it can be. It's trying to ensure the resources are targeted.

Cllr England said that he had corresponded with F Williamson about the BRE numbers because certainly looking at the implications for what that would be in my ward, it seems incredibly high and I personally wont be asking Cllr Griffiths in Full Council about this until we've seen the new numbers because my suspicion that those numbers is probably very high over estimate.

The Chairman confirmed the recommendation to note the report.

**85**                    **CHILDREN SERVICES AND COMMUNITY SAFETY PARTNERSHIP, CUSTOMER SERVICES, THE OLD TOWN HALL, COMMUNICATIONS AND COMMUNITY PARTNERSHIPS Q2 PERFORMANCE REPORT**

M Rawdon provided the quarter two update for his services and asked Committee for any questions.

Cllr England said he had recently telephoned the Housing Service and waited 20 minutes and queried if this an example of one, obviously it's not really average, but it was just my experience. Is that typical and is the five minutes an average across all phone calls to the Council. M Rawdon replied that it was an average across all of the phone calls. You have peak periods where you have a wait that could be up to that time and then there are occasions when we can answer within the five minutes to achieve the target, but across the piece that is the average wait time.

Cllr Hollinghurst asked if there are any statistics on the number of calls that people make to the authority that are dropped by the incoming caller. M Rawdon confirmed that we did. Cllr Hollinghurst said perhaps because they were waiting a long time. M Rawdon replied that we have an abandoned rate which is KPI CSU 11 call handling abandoned rate, so we have a target of 20% and this quarter it's 14.7%. We do have the opportunity and we have bought it in within the last six months, where if it is particularly busy we do offer a call back, where there is an opportunity where we have staff available and it's within a certain period of time, we can enable that call back to happen, people can request a call back and we will call back within that working day.

Cllr Mahmood mentioned the Old Town Hall has very good satisfaction rates and everyone seems happy, 90 % range. In terms of numbers attending are there a lot more people attending or has it gone up or down. M Rawdon said that for this quarter it will be particularly low because we are over July and August there's not many live performances, it's about getting the building correctly maintained. We had a presentation at the last Scrutiny and we sent a set of slides out which detailed performance numbers and gave a flavour of how successful it's been. M Rawdon will

re-send if you haven't seen them but believe they were emailed out. Cllr Mahmood said it was something very useful for the community and it's nice to know it is going well and is successful.

Cllr England gave an observation on how the report seems to be like an extended edition of Members News, there's lots of mish mash of the good bits, but in terms of comments on the performance of the service, I probably would have hoped to have the aspirations for improvement or perhaps a reference to the fact that the attendance at the adventure playgrounds is down or a comment. The way it's presented is very fair because it did refer to the things that you want to improve, but actually if you just read the report you wouldn't pick that up. Perhaps include information in the red amber green would it possible to adopt that approach the next time that we have performance information. The Chairman said she was happy to take this offline and have a conversation about the format and then report back to Committee as she didn't want a long discussion at the meeting.

Cllr England said perhaps the Committee might decide they want to do a deep dive or something like that. The Chairman said that we'll compare it with the other reports that we receive and we'll have a review of items that have come and see if this particular report is out of kilter and report back to Committee hence she didn't think it fair to be a discussion tonight, because you won't get the right options and we'll go too far off topic, several of the Officers have given up their time to present their reports. The Chairman asked if Cllr England would be happy with that. Cllr England said he was, as he said it was just an observation where he thought not for tonight but for the future.

Cllr Adeleke asked for an explanation on the Community Grants and wanted to know what the criteria is that you base your decision to award the grants as he was familiar with it and had been unsuccessful a few times for his ward. What are the main things that you are looking for and who are the decision makers in terms of awarding the grants. Cllr Adeleke had a grant that was rejected on the basis that grants had been awarded on two previous occasions and wasn't too pleased on the basis that as we had been awarded grants previously and the grants they are now applying for is practical and useful and of benefit, does your remit say there's a limit to the amount of times you can apply for grants. M Rawdon advised that there's lots of set criteria in terms of what the team applies for any application that comes in. I can send you a list of the criteria is, but it would look how it fits in with the corporate objectives, it looks at previous application and awards because it is about supporting projects to kick start them and it's not necessarily in place to help maintain that project for a future long term aspirations. There are other aspects around we mentioned at Committee before, where cultural project applications are awarded more points, there is a whole host of different categories that are scored points against and will happily send through the criteria. The panel is a mix of 7 or 8 officers and they debate around the scoring, which we try and keep as objective as possible and it's led by his team, there is officers from around the Council to support that process.

Cllr Adeleke asked who the Portfolio Holder. M Rawdon replied that it was Cllr Banks.

Cllr Adeleke mentioned that these grants are very valuable in the community and they really appreciate it and it has been quite a lot of people. We as Members we get our ears bent to say we need this or we want this done, where does our involvement

come into it in terms of you setting the criteria. Cllr Griffiths thought Cabinet set the criteria quite a long time ago and it had to be linked to the corporate strategies. M Rawdon confirmed that's correct. Cllr Griffiths said that Council have set the strategy behind the process and linked to the core strategies. The Chairman requested a copy of the criteria is sent to Committee.

**Action: M Rawdon**

Cllr Hollinghurst asked if there is no democratic oversight to this process. M Rawdon advised that there is a Portfolio Holder decision which is published. Cllr Hollinghurst said there is no democratic process. M Rawdon replied yes. Cllr Hollinghurst said he wasn't impressed.

Cllr Banks commented that the process was adopted through Cabinet, through full Council, it's using the objectives that we have set as a Council. Cllr Banks asked what else could be put in place. Cllr Hollinghurst said he would like some sort of Member involvement other than the Portfolio Holder. Cllr Banks highlighted that Members involvement is in promoting within our communities and with our groups, the fact that there is a grant that you can claim. If Members were involved in the process there would be a lot of declared interests, because we are the champions of coming in and claiming the grant.

Cllr Freedman said that the report mentioned improvements to Berkhamsted and wondered what they are. M Rawdon replied that it was mainly around the layout and flow, the positioning of desks, there has been some improvements around the décor. M Rawdon asked if Cllr Freedman had visited recently. Cllr Freedman said that he had but that he is guessing that as he's going there after hours it's probably behind the curtain. M Rawdon confirmed that it was, it was done to make it a little bit more attractive but also around the flow of the set-up of the desks.

Cllr Griffiths advised that if you go to [Dacorum.gov](http://Dacorum.gov) website and put in community grants there is a whole lot of information, tells you what you can apply for, what the policy is and how it all works.

The Chairman mentioned the telephone system and the problems with recognising voices and it often puts me through to housing regardless of which department I've asked for. The Chairman said it had been reviewed before where we've had similar issues, but if there is a way it could be improved, that would be great. M Rawdon said okay.

The Chairman wanted to make sure that we are clear on the question asked by Cllr England earlier about the adventure playgrounds, because she has the reports from the September meeting and the comments you raised about attendance was actually covered in that meeting and her understanding is that she wouldn't be expecting to see it at every meeting, but for it to be reported quarterly and believes it addressed your concerns and it was raised about attendance levels. I wouldn't be expecting to see it in November, I would expect to see an update quarterly on that particular issue, so I don't think that it's been deliberately hidden, but it would be reviewed quarterly. L Roberts advised that it's not just being a specific thing it was more about we have a full picture rather than just an extended Members news, so she is aware of what's being said and will have a look.

V Cunningham gave the update on flexible tenancies and asked Committee for questions.

Cllr Pringle advised she had been reading about the fixed term, it seemed that there was unintended consequences and was a little bit concerned although you are proposing to remove the shorter term and extending it to a fixed term, she is concerned about the criteria if the household had more than £16,000 saving, or a combined income of over £60,000 then they would be required to move on, would that still apply with these longer term tenancies when they came to be reviewed. Cllr Pringle was concerned that families grow up and quite often young adults remain at home because they are saving up for somewhere to move to or to go to University and there could be a perverse incentive that if people have this information, have saved over £16,000 or that their combined income is over £60,000 they maybe they won't save to go to University or improve their life or maybe Mum won't take a promotion at work because their teenage child has started to have an income and they want to keep their income low. It incentivises people not to actually aspire to improving their income. Cllr Pringle asked what complex analysis could be done because for example we talked earlier about complex problems of homelessness, the peak age for developing mental illness is 23 and young adulthood actually a very vulnerable time in peoples lives and it's much more cost effective to have a young adult living in a bedroom in their family home, than to move out and require a one bedroom property. Is it just an absolute this is the combined family income or would the young adults income be considered not to be part of the household income, because quite often you might have a young adult and then primary school children in the same house and the family might become very stressed about what the implications of the young adult continuing to live in the security of the family home. A lot of people will presume that their children will continue to live with them until they were secure from feeling the need to ask them to leave because they jeopardise the loss of the family home. Has this been factored in. V Cunningham advised that the income requirements is just the tenants not the tenants children. Cllr Pringle said it came across as household in the report. V Cunningham highlighted that if it's a joint tenancy or sole tenancy and that's the same that's on the Allocations Policy, so it works hand in hand with that.

L Warden added that if the tenants have over £16,000 at the end of the flexible period will be asked to move out into the private sector, that's the current position that we have, what we are proposing and looking to move forward to is secure tenancies which means that there is no criteria, tenancies will continue for the lifetime while those tenants are happy living in that home, while they are abiding by their tenancy agreement. If they breach the tenancy we can still continue to take action and go down that route if needed but we can't ask them to move out if their income goes over a certain amount. This proposal will give a lot more security to those individuals, part of the reason for making this decision is because we have had a number of individuals who have had to reconsider progressing at work because they know they will need into the private sector, because they tip over that threshold of earnings as a couple, but in this area it's very difficult to rent in the private sector with a low income. If they are earning a very large sum of money then that's absolutely fine and they'll be fine in the private sector, but where somebody just tips over the edge it can then be a disincentive to try and encourage people to progress and to work.

Cllr Pringle asked if this has been done with those income and savings thresholds and because the young adult isn't on the tenancy are they still able to occupy the bedroom. L Warden confirmed they are.

Cllr Hollinghurst said that the explanations are very reassuring, there's one point regarding antisocial behaviour, it's not uncommon for tenants to be very concerned about a neighbouring tenant who's not behaving well, by moving from the flexible tenancy back to the standard tenancy, where you were talking about the five year review, is that going to lead to a lack of flexibility on our part in being able to deal with antisocial tenants. L Warden replied that it shouldn't affect it, we have a number of tools and powers through the Antisocial Behaviour Act, but also through the Housing Act that allow us to take action against our tenants, whether they are secure or flexible tenants. At the moment we wouldn't necessarily look to wait until the end of that five year period before we took action, we would take the action as appropriate at the time. It shouldn't have any impact on our ability to do that.

Cllr England wanted to put forward an idea and it's not very well thought through, but some of the best ideas are like that. With the need to think of as many inventive ways as we can to address climate emergency, bearing in mind that we've had comments about people being reluctant to move into sheltered housing, is there anything we can consider in terms of communications and trying to create a mindset, that if you live in any housing you shouldn't be looking at that as somewhere that you would live forever, you should be looking at it as somewhere that is good for your needs right now and consider your needs for the future, if we can incorporate that into our thinking and our advice somewhere, that may have a beneficial effect on sheltered housing but it also might have a beneficial effect on energy efficiency, big empty properties that we suddenly have to insulate when actually what we need to do is just equal out the numbers by having more people live there. L Warden confirmed that this had been discussed earlier today. V Cunningham replied that the idea behind visiting each tenant every five years at least would be to give them advice and to suggest if they no longer need that property to think about moving and let them know what we can do to help them to downsize and if we bring that up at each of our five year visit, it will hopefully change the mindset of people that we do expect them to move, although we're allowing them to have a secure lifetime tenancy, there is an expectation that we would like them to move when they no longer need that property.

L Warden added where we recently had an individual who was moved to a smaller property and sent an email in to praise the housing staff, saying the difference that it has made to them, she was very reluctant to move, but actually now after they've moved they are in a much better position, realising financially they are much happier, it's a weight off their shoulders and that's the kind of thing we can use in our News and Views to promote some of the benefits. We are also reviewing our support to move scheme as well, looking at incentivising moves to smaller homes or moves into sheltered. We are proposing a slight change where instead of just giving them an amount of money for each bedroom you want to downsize, we will give additional benefit to those that are looking to move into sheltered housing because we know that can make quite a difference to help with removals. Those are some of the incentives that we will introduce which we think with the combination of changes that we are making will hopefully encourage people to make sensible choices, but without putting the fear that you have to do this and if your circumstances change there's a

risk to you and your home, we've found a lot of tenants are very anxious around the time when we are doing the review and are in a state of limbo until we give them the results. It removes that whilst still making the best use of our stock.

Cllr Griffiths highlighted that when we first brought out the Housing Strategy, it wasn't just about Council housing it was about the strategy for people generally all sorts of tenures and she specifically remember having a conversation, because the officers were saying that this is a conversation that we should be having in their 50's about downsizing because once the children have left home, that is apparently the prime time to downsize. Once you've got used to that space it becomes the family home, it's gets harder and harder to downsize the longer you're in that property after the nest has flown. Cllr Griffith specifically remembers saying that she is in that category and I don't feel that now is the time I should be moving, but of course, the point is, now is exactly the time I should be moving. It is a conversation that we need to be having as a nation almost and actually something that is quite dear my heart because as a private householder often go into the likes of McCarthy and Stone where exactly do you go, we don't necessarily want to buy a bungalow and there aren't enough bungalows for us to all to buy anyway. What's the next option, it's a really important conversation that the whole nation needs to be having and not just our tenants, but you can only start somewhere.

Cllr Adeleke commented that whilst he's not dismissing any of the questions that is being asked, over the years this is one housing department that if we are going to award a medal, I would give them double gold, they are very innovative and come up with a lot of ideas and when you watch some of these programmes on television showing Council housing, firefighting and so on, this housing department come up with a lot of good ideas, with so many things they go beyond just providing housing and accommodation, we should from time to time commend what they do and Cllr Adeleke wanted that on record.

Cllr Adeleke questioned the MOT for five years, why do you have five years, when the government is asking me to do my car every year, can't you make it sooner. Cllr Adeleke is aware we have resources to think about, the staff, time, cost etc. but five years is a long time and a lot of things can change. L Warden replied that for new tenants we currently do a six weekly home visit, so shortly after they've moved in just to make sure they have settled in okay, we will then go out at around eight months, just to check throughout that introductory period, because we know they are less secure at the beginning of the tenancy, so it's quite important we put more visits in where they need it. The intention is that everybody as a minimum will get one every five years, this equates to, excluding sheltered because the supported housing officers will do those visits, it will be about 143 homes we'll need to visit each month. Looking at current resources and potential additional resources that we need to be able to do that, that's how we've come to five years. Our intention is where people need more frequent visits we will do those, for example our income officers will visit whenever there are rent arrears, our repairs operatives and gas safety officers will still be going out and we have concern cards where they can raise any concerns when they visit homes. We can then go out and carry out an earlier inspection for those, plus then we've got our tenancy sustainment team as well, so there are a number of tenants that are engaging regularly with officers who will be seen more frequently. We also have housing fraud it's quite a big issue, making sure that the right people are using their homes as they should be, so if we get any reports of subletting then straight away one of the housing officers will go out and inspect that,

these are mainly to make sure that we haven't got tenants living in our homes for 10 years, they are good tenants, they always pay their rents, no issues that we know, but actually we don't have a relationship with them, because we haven't seen them for that amount of time and we also don't know if there are other things going on that they may need support or help with, or maybe they are carrying out alterations to their home that we are not aware of, it's to mainly try and capture those to make sure that we have the minimum standard of how frequently we are visiting our tenants. We always have the option to do more and see them more frequently.

The Chairman said this topic has come up twice on the Tenants and Leaseholders Committee and some of these are in consultation with actual tenants and what they've recommended as best practice and are a happy medium what the Council needs and what they as tenants needs, so that's another point that could be definitely commended.

Cllr Griffiths said to follow on from that point, we also need to be aware of is that at the moment we don't have any plan in place to visit every property over any timescale, so there might be some that there have been no reason to contact them, could be 20/30 years really and we never have as a Council visited. There is going to be suspicion but once we get into the flow of it, it will be fine, but certainly at the beginning there will be questions why are coming in, has someone reported me for something and there might be a lot of distrust, so it's a case of building that trust up as well. I'd hate to say we were going to go and see everyone within a year or two years or three years, we will get the momentum going but if we are only halfway through in three years we and now people are saying well you haven't been to see me, don't I matter, so it's striking a balance for those that don't want to see us and those that will be upset that we haven't got round to them yet.

Cllr Mahmood mentioned that 150 houses per month will need 20 working days, seven/eight a day, which isn't going to really happen, unless you have spare resources and budget, it's a big ask. Cllr Mahmood wondered if we had postal contact with people and then visited if needed, because the target we're setting is not going to be achieved unless you have two or three people going round houses, if someone is talkative you could be there for two hours, the five years programme seems ambitious. L Warden confirmed there are 12 housing officers that work in the department, at the moment the majority of them are out and about in our tenants homes, that is their main role is to be visiting our tenants, dealing with issues they have, mutual exchanges, tenant queries, changes of circumstances and so we know just through normal contact, we visit a number of our tenants each year anyway, there will be some that may be quite hard to gain access, so those are the ones that are going to be difficult and will be harder for us to achieve this. We do think it's ambitious but we also think it can be achieved with the right resource and the right focus for those officers to be going out doing these visits. In relation to interchanging a bit, the key thing for us is that we're reflective, so we know that national policy changes, we know the legislation changes, but we also know that the demands from our tenant changes as well, so we made a decision to go down the flexible tenancy route because it sounded like something that could give a lot of flexibility to our tenants and make much better use of our homes. We tried that for a period of time, we've now done some reviews and it's shown that it hasn't had the outcomes, so it's a positive that were are then saying, look we've tried this, it's not been successful as we hoped but we have identified a gap and this is the next focus that we think is needed at the moment. It is hoped that it is something we can achieve but we will be

setting regular targets within the teams so we can monitor how many we are achieving and if there is a chance that it isn't going to be successful then we will review the current resources, review the barriers that we have and try and find ways to get round those.

Cllr Mahmood requested that we also look at the figures for mental health issues and sicknesses from staff doing these visits.

The Chairman mentioned that we could look at the timescale but we had quite a robust discussion about it at tenants and leaseholders and there were a number of reasons why we needed to understand the stock condition of our properties. We've had cultural where tenants aren't used to us visiting and we've needed to visit more to make sure we're keeping our properties in good condition, that was one of the reasons why we wanted the five years and we mustn't lose that, but the Chairman did agree that perhaps five years is a bit ambitious and you might relook at the timescale, because if you say seven years and you get in done in five, that's good, but if someone has waited five years, they'll be ringing Cllr Griffiths saying don't you care about me. I had that with the refurbishment programme if one in the street doesn't need doing, they'll all phone and ask what's happening with my house, so you could very well be having that problem.

The Chairman also said that while you are reviewing this policy can you look at the anomalies with joint tenancies when there is a break up and one person moves, that can cause quite a lot of distress because they both have to surrender the tenancy. If one person surrenders the tenancy the other person is automatically by default surrendered as well, they find themselves in a situation where they are having to move when they don't want to. It's a tricky one, but it would be good if we could try and come up with a way to break that loophole. L Warden advised that one aspect is to review the tenancy agreement relating to secure tenancies, a conversation we are having is what we need to put in the tenancy agreement should we move forward for all, one of the current issues with the flexible tenancies is that both tenants must sign to end the tenancy, so if one person refuses it holds the other to ransom, that's one challenge we have. For secure tenancies unfortunately the Housing Act is very specific that if one party ends a joint tenancy then it ends for both. It's not something that we can change and it's a very difficult situation if both parties want to remain there it can then put a lot of pressure on trying to make a decision about how to progress and move forward. It's probably one of the biggest issues we actually have at the moment and we are speaking to legal. We have cases where we are trying to not have individuals that are not homeless because a partner has moved away and served the notice ending that tenancy. What we mainly advise is for them to get legal advice because we can't be the ones that advise which of them who gets the tenancy, especially in some scenarios where there's misinformation from both parties, it's not for us to be the ones that make that decision, that needs to be something that's sorted out between them as a couple. It is a difficult piece of legislation and unfortunately it's not something we can change but we can look at how we deal with that when that's presented to us, to make sure we deal with as sensitively as possible and getting the right advice.

Cllr Pringle wanted to add that presumably in cases where there's been domestic abuse that would be different, you'd have a special protocol. L Warden confirmed we did.

The Chairman confirmed the recommendations to consider the report.

## **87**                    **RENTS AND OTHER CHARGES**

S Mogan updated Committee on rents and other charges report and asked Committee for any questions.

Cllr Freedman said he was interested in the examples that had been used for service charges in the report, for example you've used sprinkler systems would be considered a service charge because it's a benefit to the tenants. Cllr Freedman felt it was a good example of something that a landlord should be providing and would challenge whether costs like that should be included in the service charges. L Warden replied that there is a list of approved services that are considered under a service charge, at the moment we have very few sprinkler systems, but they require quite a lot of additional maintenance and upkeep and yes it is the responsibility as the landlord to provide that but that doesn't change the fact that we also have pay for that service. That is something that we can pass on to tenants, because otherwise all of our tenants would covering the charges of that through normal rent, but they wouldn't be receiving any of the benefit of that. Where it's specifically just in one block, Kyna Court is an example, that's the only one at the moment that pays any service charge for a sprinkler system maintenance and upkeep. They are receiving the benefit of that, whereas other tenants in other blocks would have to cover the extra amount to cover the cost.

Cllr Freedman said he had used that as an example, but he thinks it's contentious to say that it's a benefit, so I'd be glad to get the list. The question is who has decided the list and has it been held up to scrutiny, probably tenants and leaseholders would be a good place to see that. Cllr Freedman understands it's a cost but we've also seen from previous comments on service charges that the money that we raise on service charges is not reserved for use on these things and therefore right at the moment you are producing a surplus. Cllr Freedman is not arguing about the principle of service charges, but there is some subjectivity on what a tenant is going to consider a service charge, especially given what the private sector would regard a service charge. L Warden advised that the items need to be serviced is reproduced from the service cost for residential premises via statute and case law via the former Institute of Rent Officers Educational Trust 1994, that's the best guidance that's been produced, there's not that much guidance on service charges for tenants, there is a huge list of items, we've made a decision not to apply all of those. We are concerned about making sure that things are affordable for our tenants, that's a priority for us. In relation to recovering the costs we do aim, when we set our charges each year, we look at the cost to us for that exact service and that's the amount that is apportioned between the tenants that gain from that service. For example with cleaning we look at the total cost of the cleaning service, we then work out the amount of time spent on each of those schemes and we proportion that accordingly so the tenants of the blocks will only be paying for the amount of time that a cleaner is on site. The only exception to that is lifts and that's where there is a reserve for replacement, but other than that no other services there is a replacement cost for.

Cllr Freedman asked about refunds, what happens when you've got a block and someone has moved out before a refund would happen, would that just be held by the Council or would it be shared to other tenants, would someone who just moved in, find that their rents gone because a previous years and a lack of service. L

Warden confirmed that any refunds initially ensure that we provide above and beyond, so we make sure that we're providing a superior service rather than going through the administration costs of refunding amounts to each account, then the next step if there is a refund, it would be to provide for the following year, so it would then need to reduce those services so if the tenant was to move out, we can obviously look at it on an individual basis and make a decision about reducing that charge. The initial intention is to always look at reducing the future costs, rather than refunding money back for previous years.

The Chairman asked for a comparison from our service charges versus what they would pay for the equivalent service in the private sector, when speaking with F Williamson previously it was a good education when I was challenging if we are charging the right amounts. F Williamson mentioned this related to leaseholders rather than tenants, in respect of leaseholders, since de-pooling the tenants service charges and working on a cost recovery basis, it's given us greater visibility of the leaseholder recharges as well. Historically some of them were just set at a fixed fee, that was just increased by inflation. If there had been any major changes to the service level in that block it hadn't been uplifted accordingly, so we do have some additional recovery from leaseholders, but if we were looking to compare these recovery rates within our blocks compared to leaseholders in the private sector, they benefit from much lower ground rents, our ground rents are set at £10 annually. Some of the ground rents in the private sector run in to £100's and there's no direct comparison between that and the tenants who don't pay any form of ground rent, they are just paying the service charge on a cost recovery basis.

Cllr Adeleke clarified that with the sprinkler charges is there an obligation to provide this service under health and safety, it's right that we charge for it, the question about whether we charge for it, should be the level at which we charge. The charges that we include, how do they compare with other local authorities, are we on a par, higher or lower. L Warden said we haven't done much comparison, mainly because these are new charge, for example where we've had some of these charges we have a quote from three different providers and identify who will be providing the service for us, we can then divide between the tenants to make sure that we have that cost recovery. It's mainly around making sure we get best value for our tenants for cost of those services. Previously these charges will have been hidden in the rent, the advantages are that these are seen and visible to our tenants is that we are a lot more transparent.

Cllr Arslan asked if there was any control over what's charged by Hightown, it's very high. L Warden highlighted that through our Housing Strategy our responsibility as a local authority is to ensure that housing provided by external providers is also fit for purpose and meets the demands of our residents. While we don't have control over those we have regular conversations, so for example a new Hightown block will be advertised through our choice based lettings system and then if those charges are considerably higher and they are not getting the demand, we will discuss this with Hightown, but unfortunately we can't control those charges. We can try and influence where possible.

Cllr Arslan questioned if we should have to pay for safety, like fire doors. Should each individual tenant of the flats where they've bought, should they have to pay for their safety. L Warden advised it was the services provided, so we wouldn't charge for purchasing the individual items, but if someone is coming in to maintain things like

fire doors then those are things that you can apply a service charge. What I would suggest if tenants are unhappy with any of their charges there is the opportunity to contact their landlord to discuss the charges and look at whether that is fair and transparent. The Ombudsmen are there to ensure they can arbitrate over anything where something goes through a complaints process and is still upheld, the tenants have the opportunity to take that further. Personally I'd say we've had a few cases where tenants have contacted us about charges, we've then reviewed those and realised that they may be higher than they should be and can then make adjustments ourselves. In each year when we are setting our charges, so we are just about to start looking at how much we charged everybody last year and how much we are proposing for April 2020, so we can identify anywhere the increase has gone up considerably and can work out where we need to cap that to make sure it's not excessive and it remains affordable. That is our approach because we appreciate financial concerns are quite high on the agenda for our tenants and we want make sure it remains affordable.

The Chairman commented that it's important that we don't confuse what we are obliged to provide and how fund it because as a Council we must absolutely make sure that housing provision is safe, which we do. The issues that have been in the news recently was where the housing wasn't safe, it would be very different conversation if they were just deliberating over how that is funded and we must make sure we don't confuse the two. The Chairman said that she can sleep at night knowing that we've got the right provision, but there is a cost that's passed on, as opposed to it maybe being not as good quality as it should or not being scrutinised properly for the sake of cost saving. We can confidently say with what we are doing now we are doing the right thing. Also we have had opportunities to go to an affordable rent and as a Council we have decided to stay with social rent, which means we get less income, but we want to ensure that everybody in their community is adequately housed and they do have the opportunity to be self-sufficient. If that means they have minimal additional costs like £10 ground rent or other service charges as a Council we have made the right decision. The alternative is to charge a lot lot more which is not the right option and secondly we do need to fund the safety measures, some of that will be passed to tenants. The priorities are that people are safe and lives are not lost.

Cllr Freedman wanted to give clarity on his point, what he is pushing for is the fact that there has been some input from members on to that list of what we think that is fair for a tenant to be charged for and what we think we as a Council should provide. If we as a Council has decided that sprinklers is something that we are happy that individual tenants need to contribute to, then fine. There is a list from 1994, when we are talking to residents and they are asking why they are paying for this, we are not able to say the Council has deemed that you should be paying for that, basically saying there is a document produced by someone else in 1994, that we are using as our list, it's makes it difficult. We are all going to have different views on what the Council should provide and democratically we choose what that is, but even if that happens to be that the Portfolio Holder approves the list and gives it to us through the Cabinet, it's just I don't think there's been a choice on that list yet, I think we've just adopted it and that's what I'm asking us to do.

The Chairman said that we need to be careful with some of these things because definitely there should be as much democracy as possible, but a number of Councillors are not qualified decisions on what should or should not be included in

certain regulations and I certainly don't want that to be something we start to adopt because that is part of the problem with Grenfell, we are unqualified people that are making big decisions on housing and several people lost their lives over it and that's the risk you get if Members have to contribute on absolutely everything, because we are not always qualified enough to be making all of those decisions. If someone who was an expert has done a lot research, provided a paper, people that qualified recommend that, for sure bring it to Committee for discussion sometimes, but those types of things cannot start and end with this Committee because most of us are not qualified to make those decisions.

Cllr Freedman said that we might not be qualified but we can invite the qualified people, the Officers can get that list, bring it to us and say this is our recommendation. I don't want to say that I can choose what those things are but what I'm trying to say is, there should be a process that that has been adopted. That process should stand up to scrutiny. At the moment I'm not saying that we've got it wrong, I'm just saying we've adopted the list without a decision on doing it. All I'm trying to say is maybe we should plan on what that is, basically because of the fact that I think there will be a number of residents that disagree with us, we have a lot that do agree, but there will be a few that disagree.

Cllr Mahmood asked that we remember that we are talking about communal spaces for these leaseholders, with flats it's just the corridors and the gardens. Also bringing some of these to Scrutiny even though we might not be qualified, at least we can comment on them. We should be given the chance to look at the list, it would have been nice to have an appendixes to the charges saying these are things we charge for, sprinklers we should charge for as we are providing a communal safe space for everybody. The issue is that the charges have to be reasonable, we are not out to make a profit on them, they are there to recover our costs of maintenance.

Cllr Adeleke agreed that we should look at the list. Cllr Adeleke said that for people who asked why we have to charge for an item, as a Council we pass on the costs to provide accommodation and if we're supposed to provide 10 items and you want to be democratic and bring it to Scrutiny, which I fully agree with, if out of the 10 items we only approve eight of them, who is going to pay for the remaining two.

Cllr Freedman said that in this case it would be the Council.

Cllr Griffiths confirmed it would be the tenants.

The Chairman highlighted so that it's clear, we're not charging for the installation we are charging for the service and upkeep.

L Warden advised that the list of items that can be charged for is guidance. The list has a large number of things and it tells you what you can charge for and there are items that are not deemed to be services, that's what we could charge for. We have had a working party for the last 12 months between ourselves and finance, involving a number of people from the housing department to look at how we are going to apportion our charges, how to make it fair and transparent as possible and which charges to pass on to our tenants. Just to clarify it is very much that actually we will provide all of these services regardless, service charges are then apportioned just for that particular one thing for that block for that particular service that those tenants pay towards. Anything else that is not a service charge is part of the rent. We

obviously have options in relation to the rent for this year, so from April next year the rents will be able to go up by CPI plus 1%, so that's something we will apply to all of our rents, once we've then worked that figure out, that is how much we have left to provide all these services. We will provide these services regardless, our tenants will pay that through the rent but if we are not applying a service charge for something, something else will have to give through the service, we will have to reconsider things like our replacement of kitchens, bathrooms, etc. The HRA is completely ringfenced, every money from rent and service charge comes in and covers every single service that we have to provide to tenants. The balance here is making sure that the tenants of those particular blocks pay for the services that those blocks receive and the tenants in homes who have no use of any of those communal facilities aren't paying for them or lose additional services within their rent that they are already paying. L Warden confirmed she would be happy to share the list that are deemed to be services for information so you can see the information that we are working on.

**Action: L Warden**

L Warden added that there is not a huge amount of legislative guidance around service charges for tenants, there is a little bit of information around this and we've been taking advice from a consultant about what services we can apply a charge. The other factor is what can we work out, because there are some services that we may say we could apply a service charge for something but how do we identify which blocks get use of that service, some of those is the amount of admin time it would take to calculate that isn't worth the amount we would then charge, that's when some of those decisions can't be made.

Cllr Hollinghurst mentioned that he would associate himself from the thought that there are a class of decisions that Members cannot take because they are perhaps they are not qualified in some technical aspect. We are responsible, you only have to look on Facebook to find that the public certainly think that we as individual Councillors elected to be Members of this authority, we are the people that are responsible and I'm aware that some people are professionally qualified and that we should take due regard to professional advice, fundamentally the buck stops with elected Members, whoever they may be, whatever their background and that includes decisions on something that may be technical or specialised in nature. A very simple example, a Minister of State, who's not a GP, not a doctor, not medically qualified, can be a Minister of Health and be responsible for the working of a highly complex, very technical, very professional health service. The situation is that democratically people who are not specifically qualified do accept and are given the responsibility for keeping the show on the road.

The Meeting ended at 9.55 pm