

JOINT HOUSING & ENVIRONMENT
OVERVIEW AND SCRUTINY COMMITTEE
28 APRIL 2014

Minutes of the meeting of the Joint Housing & Environment Overview and Scrutiny Committee of the Flintshire County Council held at County Hall, Mold on Monday, 28 April 2014

PRESENT:

Councillors: Haydn Bateman, Amanda Bragg, David Cox, Peter Curtis, Rosetta Dolphin, Ian Dunbar, Jim Falshaw, Veronica Gay, Ron Hampson, George Hardcastle, Cindy Hinds, Brian Lloyd, Nancy Matthews, Mike Reece, Gareth Roberts, Paul Shotton and Matt Wright

ALSO PRESENT:

Cabinet Member for Housing

The following Councillors attended as observers:-

Councillors: Chris Bithell, Kevin Jones and David Mackie

APOLOGIES:

Councillors: Ron Davies, Chris Dolphin, Ray Hughes and Carolyn Thomas
Director of Community Services

CONTRIBUTORS:

Head of Housing and Housing Regeneration & Strategy Manager

IN ATTENDANCE:

Housing and Learning Overview and Scrutiny Facilitator, Environment and Social Care Overview and Scrutiny Facilitator, Interim Public Protection Manager and Committee Officer

1. APPOINTMENT OF CHAIRMAN

The Housing and Learning Overview and Scrutiny Facilitator sought nominations for a Chairman for the meeting. Councillor George Hardcastle nominated Councillor Ron Hampson which was duly seconded and supported by the Committee.

RESOLVED:

That Councillor Ron Hampson be appointed as Chairman for the meeting.

2. DECLARATIONS OF INTEREST

No declarations of interest were made.

3. TACKLING LONG TERM VACANT PRIVATE HOMES

The Head of Housing introduced a report to provide Members with an understanding of the mechanisms available to tackle long term vacant private

homes; an update on the progress of the Welsh Government (WG) Houses into Homes Scheme and to introduce to Members a proposed enforced sales policy, and to seek support for its use.

The Head of Housing detailed the background to the report and explained that the number of vacant homes had been reducing over the last two years and the figure was now approximately 450 long term vacant private homes. An annual review was undertaken and homeowners of empty properties were contacted to establish whether the Council could give them advice or guidance on how to bring their property back into use. A small budget of £0.200m had been in place for empty homes but this had now significantly increased due to WG making available £20m of funding for the Houses into Homes Scheme across Wales. The scheme was being delivered on a regional basis and Flintshire County Council was the lead authority for the scheme in North Wales. Flintshire had so far claimed £0.950m and distributed that money by way of loans to bring homes into use and the Head of Housing spoke of six terraced properties in Flint which had been brought back into use as a result of the scheme. The original aim of the loans was that they be repaid in two years if the owner wanted to sell the property, or in three years if the property was to be let.

Councillor Rosetta Dolphin spoke of some large properties in Flintshire which had been vandalised and set on fire and too much work was now required by the owner to bring the properties back into use. She also commented on other properties that had been refused planning permission to amend or demolish the property. The Housing Regeneration & Strategy Manager said that he was aware of the properties that Councillor Dolphin had referred to and that the Council was working proactively with the owners to try and bring the houses back into use, but added that lack of planning permission could be a barrier to moving forward and that it was hoped that this could be overcome by closer working with colleagues in Planning.

Councillor Gareth Roberts referred to properties in his ward which were a blight on the community and the residents of the next door property. He highlighted paragraph 3.06 and welcomed that the Housing Act had introduced the power to serve an Empty Dwelling Management Order (EDMO) which allowed the Council to service Notice on the owner of a long term vacant property, stating that it intended to take over all responsibility for the property, renovate it and let it out. The Housing Regeneration & Strategy Manager responded that each case would be looked at on its own merits. Councillor Paul Shotton sought clarification on the timescales involved and the Housing Regeneration & Strategy Manager explained that when owners had access to a Houses into Homes loan, work had to commence within 12 months of receiving the loan and the owner would have to provide evidence of works carried out before the next tranche of monies would be released.

In response to a question from Councillor David Cox about whether there were many empty homes within Flintshire where the owner could not be traced, the Housing Regeneration & Strategy Manager said that there were some and that the new measures identified in the report could be used if a

property had been abandoned. Councillor Nancy Matthews asked about houses that were empty but were not finished and properties that were for sale but empty and, in referring to properties which could not move forward because planning applications had been refused, asked whether closer working with Planning colleagues could be ensured. The Housing Regeneration & Strategy Manager advised that officers from Housing and Planning were working closely together and referred to a recent workshop which had been held where colleagues from Housing and Planning had attended. He explained that it was more difficult to bring homes which were for sale but empty back into use, however, the owner would be advised of different options which could help them achieve a sale. For properties which were not quite finished, the Council could work with the owner to establish whether there was any reason for it not being completed such as financial difficulties or refusal of a planning application.

Councillor Veronica Gay referred to a farmhouse owned by Flintshire County Council that was in need of repair and asked whether it would be covered by the scheme. The Housing Regeneration & Strategy Manager advised that there was a need to work with colleagues in Valuations and Estates and to sell the property if it was no longer needed by Flintshire County Council as it was an asset of the Council.

On the new measures available to the Council, the Housing Regeneration & Strategy Manager spoke of the proposed Enforced Sales Policy which was attached to the report. The Policy explained that if it was not possible to work in partnership with the owner, then there may be a requirement for the Council to carry out works to secure a property or deal with specific issues, with a debt then being owed to the Council for the works carried out to secure the property. The methods of selling the empty property to recover the debt were detailed in the policy.

The Housing Regeneration & Strategy Manager also referred to the EDMO highlighted earlier by Councillor Gareth Roberts but explained that due to the severity of the measure there were many restrictions to its use. An EDMO would initially operate for 12 months during which time the Council or its managing agent could renovate the property and let it out. The cost of the work to bring the property back to a habitable standard could then be recovered through rental income. After the 12 months, the Council must decide whether to give the property back to the owner or apply to extend the order for a six year period. The owner must demonstrate that they had done everything possible to bring the property back into use. The Council must also make its case to the Residential Property Tribunal which was an independent tribunal set up to resolve disputes relating to private rented and leasehold properties. EDMOs were not extensively used as it could take some time for the EDMO to be granted and the Council would need to provide money upfront to bring the property back into use.

In response to a query from Councillor Cindy Hinds, the Housing Regeneration & Strategy Manager said that if a property was vacant, the Council could take steps to bring it back into use, and added that this could

still be undertaken if the owner of the property was paying Council Tax. Councillor Matt Wright welcomed the two new measures and the information provided by the Housing Regeneration & Strategy Manager and asked whether a workshop could be arranged for the measures to be explained to all Members. Councillor Rosetta Dolphin raised concern about whether the new powers would be used. The Head of Housing explained that one of the reasons for the report was because of the concern that the Council was not doing enough. She added that the two measures were not new but had not previously been used by Flintshire County Council.

Councillor Amanda Bragg asked why the EDMO had not been used in the past by Flintshire County Council and queried how successful the scheme had been in England. The Housing Regeneration & Strategy Manager said that a number of local authorities had been successful in gaining orders but it was currently difficult to assess whether they had been able to recoup all of the monies as the ability to serve an EDMO had only been in place since 2006. However, he added that as part of the scheme, properties had been brought back into use. Councillor Kevin Jones said that it was clear from the report that a significant level of criteria applied to obtaining an EDMO. He concurred that a workshop should be arranged to explain to Members what powers the Council had and whether they were used or not and to provide further details of the new opportunities that the Council may be able to use in the future to bring properties into use.

In response to a question from Councillor Mike Reece about a property in his ward, the Housing Regeneration & Strategy Manager said that an enforced sale for the property could be considered. Councillor Chris Bithell felt that a list should be compiled of empty properties in Flintshire and suggested that a report be submitted to a future meeting about what was being undertaken to bring properties back into use and the measures that could be used. The Housing Regeneration & Strategy Manager explained that a list of the 450 vacant properties indicated in the report had been compiled and he suggested that Members bring details to the workshop of the properties in their wards that were causing concern so that determination could be made of the measures that could be considered to identify a solution.

Councillor Ian Dunbar raised concern about an empty property in his ward where vermin were becoming a nuisance and asked whether the owners of the neighbouring properties would incur costs if there was a need to undertake work to repair a problem which was damaging an adjacent property from the empty dwelling. The Housing Regeneration & Strategy Manager spoke of two pieces of legislation (Environmental Protection Act and Housing Act) which could be used. He explained that the local authority could serve notice under the Environmental Protection Act and insist that any necessary repairs be undertaken, but if they were not carried out, then the Council had the right to undertake the work and bill the empty homeowner for costs and under the Housing Act, the Council could serve an improvement notice on the owner.

Councillor Jim Falshaw asked whether the proposed measures could be used on listed buildings. The Housing Regeneration & Strategy Manager explained that these were more of a challenge and there was a need to ensure that discussions took place with colleagues in Conservation or Planning to ensure that appropriate standards were met.

RESOLVED:

- (a) That the mechanisms for returning long term vacant private homes back in to use be noted;
- (b) That the progress the Council has made in delivering the Welsh Government Houses into Homes Scheme be noted;
- (c) That the proposed enforced sales policy and its use in Flintshire be supported; and
- (d) That an all Member workshop be arranged to consider the policies available to tackle long term vacant private homes in Flintshire.

4. PRIVATE SECTOR HOUSING RENEWAL

The Head of Housing introduced a report to introduce the proposed revisions to the Private Sector Renewal and Improvement Policy, along with the rationale for these revisions and to seek support for the changes proposed.

She detailed the background to the report and explained that the current Private Sector Renewal and Improvement Policy were approved in 2012. The report covered three areas of change which she detailed. Flintshire County Council already had a scheme in place for property appreciation loans which was a long term programme but the Welsh Government (WG) scheme required repayment within a fifteen year period. The Head of Housing added that the scheme could provide additional opportunities for homeowners to improve homes.

The Housing Regeneration & Strategy Manager commented on the energy efficiency aspects of the scheme and of the anticipated loans to private homeowners for gas infill and said that it was in the Council's interest to provide assistance to homeowners. It was proposed that two loan types be made available, one with a nominal interest rate at up to 2% for customers in receipt of a means tested benefit or spending more than 10% of their disposable income on fuel, and the other loan with a low interest rate of 6.25% which would cover the cost of administering the loan.

In response to a query from Councillors Rosetta Dolphin and George Hardcastle about whether the rate would be altered during the period of the loan, the Housing Regeneration & Strategy Manager said that even though a customer's circumstances might change, it would not be possible to vary the terms of the loan once it was in place. A charge would also be requested

against the property in case of default of loan repayments and modelling work on the loan schemes had been undertaken to ensure its financial viability. The Housing Regeneration & Strategy Manager added that there was a need to ensure that robust affordability tests were undertaken which would include a customer's income, savings and any regular repayments that they had to make. Work would be undertaken with a local Credit Union to establish which rate of interest was appropriate for each applicant.

Councillor Ian Dunbar spoke of recommendations from the Audit Committee to tighten up on empty homes and the Housing Regeneration & Strategy Manager explained that the rights of the Council hold nominations rights in terms of lettings had not previously been adequately reflected in the policy document.

Councillor Paul Shotton highlighted paragraph 3.06 where it was reported that an annual fuel bill saving per household of £774 in Aston and Mostyn could be achievable as a result of the connection to gas using support from Flintshire County Council. This saving would contribute to the cost of the loan repayments and would allow the householders to heat their homes more comfortably. Councillor Shotton also referred to paragraph 3.21 where it was reported that the Council was expected to receive £0.250m in year 1, £0.500m in year 2 and potentially a further £0.250m in year 3 in the form of funding from the WG for a Property Improvement Loan Scheme. The Head of Housing explained that this was because year 1 would only be for a period of six months, with year 2 being a full year and year 3 being used for 'mop up' claims. On the issue of why Aston and Mostyn had been chosen as the areas to focus the gas infill schemes in, the Head of Housing advised that this was because of the significant number of council owned rental properties in these areas which would enable the Council to give the utility companies a large level of commitment in terms of gas connections. The loan scheme could be used to allow gas connection to private homes which had previously not been connected to the gas main and was an exciting project. However, she added that there could still be rural areas where the costs would be prohibitive.

Councillor Kevin Jones welcomed the initiatives but, in referring to the two rates of interest for the loans scheme, felt that more people would be eligible for the lower rate of interest. In response to a query from Councillor Jones about whether a cost for administering the loan would be added to the proposed 2% nominal interest loan, the Housing Regeneration & Strategy Manager advised that this would be covered by the Utility Company funding, not by those qualifying for the 6.25% loan. Councillor Matt Wright welcomed the steps taken by Flintshire County Council to work with the energy companies to allow provision of gas to rural areas and asked when it was envisaged that the scheme would be rolled out to other areas. The Housing Regeneration & Strategy Manager responded that a number of other areas had been explored and where it was economically viable, it was hoped that the scheme would be rolled out over the next two to three years.

Councillor Dolphin said that the Environment Overview & Scrutiny Committee had been advised of a scheme in South Wales where residents

could achieve lower bills by switching to a new supplier as a group. The Housing Regeneration & Strategy Manager explained that there were benefits to collective switching and that it could be considered in the future. The Head of Housing added that there would be a need to undertake this with a number of other local authorities to get a critical mass and there was a need to look at how this could be addressed. In response to a question from Councillor George Hardcastle about who would be responsible for the costs of converting homes from oil heating to gas heating, the Housing Regeneration & Strategy Manager said that the purpose of the loan was to provide heating to the property and through critical mass the Council had been able to secure a deal which included a 25% reduction in costs for homeowners. Councillor Nancy Matthews said that the Environment Overview & Scrutiny Committee had been expecting an update on the outcome of the energy switching scheme pilot undertaken in Cardiff. The Head of Housing confirmed that she would check whether the results were available.

RESOLVED:

- (a) That the introduction of new Energy Efficiency loan product, to help deliver gas infill in communities across Flintshire, as outlined in the report, be supported;
- (b) That delegated authority to the Head of Housing to operate the Energy Efficiency loan scheme be supported;
- (c) That the introduction of the Welsh Government Property Improvement Loan initiative be supported with the final terms and conditions of the scheme to be delegated to the Chief Officer for Community & Enterprise and Chief Officer for People & Resources; and
- (d) That the additional clauses to be added to the Empty Homes assistance, relating to the minimum period of rental, being two years for a loan and five years for a grant and that the owner must consent to the property being managed by the Council's chosen social lettings agency be supported.

5. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There was one member of the press in attendance.

(The meeting started at 2.00 pm and ended at 3.06 pm)

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Chairman