

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Prosperous Communities Committee held in the Council Chamber - The Guildhall on 15 March 2022 commencing at 6.30 pm.

Present: Councillor Owen Bierley (Chairman)
Councillor Mrs Tracey Coulson (Vice-Chairman) and
Councillor John McNeill (Vice-Chairman)

Councillor Stephen Bunney
Councillor Michael Devine
Councillor Mrs Jessie Milne
Councillor Jaime Oliver
Councillor Roger Patterson
Councillor Mrs Mandy Snee
Councillor Trevor Young

In Attendance:
Ady Selby Assistant Director of Commercial and Operational Services
Diane Krochmal Assistant Director Homes and Communities
Shayleen Towns Senior Community Action Officer
Katie Storr Democratic Services & Elections Team Manager
Ele Snow Senior Democratic and Civic Officer
Andrew Warnes Democratic and Civic Officer

Apologies: Councillor Christopher Darcel
Councillor Jane Ellis
Councillor Steve England
Councillor Jim Snee

66 PUBLIC PARTICIPATION

The Chairman explained there were four registered speakers for the Public Participation, with three addressing the Committee in person and one having submitted a statement to be read on his behalf. The Chairman invited the first speaker, Mark Blackbourn, to address the Committee. He made the following statement and question.

“Question regarding claims that a high percentage of PRS houses in the SW ward are predicted to have a CAT 1 hazard - A serious or immediate risk to a person's health and safety that is related to housing. Most professional landlords would welcome effective, consistent, inclusive and fair regulation throughout the PRS sector which holds to account not only landlords, but local authorities and the tenants themselves to improve the quality of the housing stock and the communities we live in.

The SW ward has been the subject of a 5 year licensing scheme, paid for by landlords and it

has generally not been seen, by landlords, tenants and some local Councillors, as the success that is being hailed by WLDC. There is much concern that inspections for compliance of HHSRS, for example, over that 5 year term were often inconsistent and incorrect. However, it is generally recognised that the standard of homes provided by PRS in SW ward is higher having been subject to yearly inspections and any hazards identified being dealt with, within a mandatory time period.

Many Landlords however, are concerned that some CAT1 hazards, which may have been counted in the justification report to re-new the scheme in the SW ward may in fact be ‘hazards’ that are measured against modern day standards and cannot be resolved in a 100 year old plus house. An example of this would be that several houses were identified as having a CAT1 hazard which was actually the measurement of the stair tread depth and width on the original stairs which cannot be changed. To mitigate any risk of falling, every property was or has been fitted with an appropriate hand rail but this would still remain a CAT1 hazard. It has been conceded by enforcement officers that this can’t be changed but can be managed. I am not aware of any accidents or injuries having being caused by the stair installations.

Justification to renew the Selective Licensing scheme in the SW ward relies heavily on data published in the report by Metastreet. It is acknowledged that 98% of the PRS landlords in the area complied with the scheme and some 2196 HHSRS compliance checks were carried out of 809 properties, yet it is predicted that 792 CAT1 hazards still exist in these previously licensed properties.

Could we please see a full breakdown of what these CAT1 hazards are ‘likely’ to be and why is it such a high number, an average of one CAT1 hazard per licensed property, after a ‘successful’ scheme implemented over the last 5 years?”

The Chairman thanked Mr Blackbourn and invited the second speaker, Emma Bailey, to address the Committee. Ms Bailey made the following statement and question.

“The towns neighbourhood plan talks about encouraging investors, which landlords are a large part of within this area, whether that be 1 property or 20 properties. No where in the 11 objectives does it say how you propose to improve the SWW and deal with the issues it has, other than using SL.

The issues in this area are many and when the council already have legislation that deals with rogue landlords it appears as a council you are discouraging landlord investors within the area by having this scheme. The Selective Licensing scheme was not intended to be used as a tool to identify bad properties and landlords. An alternative would be that rent benefit would only be paid to landlords that have completed some checks on a register, so any rogue landlord would not get their money unless they brought their properties up to standard.

In your plan there is not a specific “project” for this area when it has been identified as such a problem area, the only way you are looking at dealing with anything is through SL. The plan also states that 17% of houses are in poor condition, it does not however, state what proportion of that is private rented.

The previous scheme has not addressed the issues of ASB of tenants and it has not helped

landlords in taking action on AS offenders, 5 years on if the same issues still apply the scheme is not effective. It is not the role of the landlord to control ASB or crime or littering as examples, as these are completely out of their control. The UK crime statistics do not reflect the issues with ASB that WLDC claim to have, the data gathering does not appear to be transparent.

Many landlords have been told by their tenants they have been advised by WLDC to claim squatters' rights when they have been issued with an eviction notice forcing the landlord to put them through court at an extra cost, all the while not receiving rent or trying to deal with those tenants causing ASB. There is a consensus between landlords that they are going to sell up due to lack of support from the council, if this was coordinated and proceed on mass this would cause a large increase in social housing supply or incompetent landlords. We are yet to see evidence of any research that was obtained on the effects and consequences of this scheme when rents are raised.

The ongoing costs to a landlord are not appreciated. Many have spent a considerable amount of money improving properties and still have not had a return on their investment particularly with the increase in mortgages, erosion of tax relief on mortgages, insurances, legislative requirements and ongoing maintenance costs.

Housing associations are exempt from the scheme which is very topical at the moment in the media and will be contributing to the figures and data. It is however, interesting that representatives from housing associations are sitting on focus groups already established for the SWW but there is not a representative from the private sector!

The consultation has not been fully informative for all people that are affected in these areas. Key players in the community have not been made aware of the scheme so how are the average person meant to know about and understand what the scheme is for. Homeowners should be aware that they are supposed to inform their mortgage lenders, this can have an impact on lending and in turn effect house prices.

The WLDC survey was leading, so the results would look favourable, I challenged Andy Gray on this and his response was "point taken".

Communication between residents in SWW and authorities is poor through fear of retribution or lack of interest and action from authorities. Furthermore the level of inspections border on harassment on a tenant.

Landlords are still in the dark about where our money was spent improving SWW and what it was spent on that council tax does not cover.

WLDC officers appear not to have not listened to landlords over the last 5 years in relation to making improvements to the scheme

My question is when a scheme has run for 5 years and has not been successful in dealing with many of the reasons it was put in place for, why would you run it again, is it the case that WLDC are seeking to marginalise and reduce PRS in order for housing associations, companies and charities to take over such as Leap, P3, ACIS and East Midlands Homes Cooperative when these are all exempt from Selective Licensing?"

The Chairman thanked Ms Bailey and invited the next speaker, Joanne Chapman, to address the Committee. She made the following statement and question.

“I have been a Landlord in Gainsborough for 28 years, investing in empty homes, refurbishing to a high standard and bringing them into the Private Rental Sector. I have been in the construction industry for 42 years, bar a 14 year career with Lincolnshire Police. On the whole I have maintained a very good relationship with my tenants and my rents are more than 25% below market average.

I would like to relate 2 of many personal experiences which demonstrate why this scheme is not fit for purpose. I received a letter asking to inspect one of my properties as the house next door was experiencing damp and the problem was thought to be originating in my house. I knew there was no damp in my house as I had done the damp proof course myself. After 2 inspections and 2 lists of remedial works I completed, predictably the problem was not solved. A third inspection, this time a damp specialist attended. My house was given a clean bill of health, no damp at all.

No doubt this totally unnecessary work will be a tick in the box for a house that has been improved, maybe 2 ticks as I was given 2 lists of remedial works to do. My tenant was disturbed 5 times, 3 times for inspections and twice for unnecessary work to be carried out.

The second instance was a very terse email giving me a strict time limit to ensure a 3 piece suite was removed from my tenants front yard. It turned out that she had paid the Council 2 weeks previously to collect it and was still waiting.

I would not mind so much if the scheme I was funding was efficient and effective, this is neither, and in my experience implemented shambolically at times. On average I get a call or message every 3 weeks asking if I have any properties to rent in Gainsborough. Now I tell them I am selling all my Gainsborough properties. Last year I sold 5 to a corporate Landlord who immediately increased rents by an average of 33%.

Another Landlord is in the process of buying 50 houses in Gainsborough with the intention of re-housing people from Glasgow and London. Those who remember Park Springs in the 70's will know how well that is likely to turn out. I still look for property investment opportunities but now I look outside the West Lindsey area. Two other Landlords I know are evicting their tenants and selling up. I will be selling one more this year which falls in the extended area.

Selective Licensing is honourable in its intent but I fear that it will have the opposite affect with many more small landlords selling and exiting the market or reinvesting out of the area thus reducing private rental housing stock.

I would like to ask what research has been done on the effects and consequences for tenants in relation to increased rents and loss of housing stock as a result of the Licensing scheme.”

The Chairman thanked Ms Chapman and requested the Democratic Services Officer read aloud the final statement and question from the fourth registered speaker, Mr David Masters. The following was read aloud.

"The previous WLDC Selective Licence Scheme ran for 5 years. A sum of in excess of £300,000 was collected from Private Sector Landlords to fund the scheme. The accounts / usage of the money has not been made easily publicly available to the service receivers, i.e. the landlords, to justify the expense.

Anti-social behaviour (ASB) was one of the key areas that the previous scheme was, and now proposed scheme is supposed to tackle. ASB was and is supposed to be a partnership approach between landlords and other "Stakeholders" within the scheme. Landlords have received little and more often no help in addressing ASB of their and neighbouring tenants. Good landlords will always ensure that ASB clauses feature within tenancy agreements and will speak with their relevant tenant offenders. ASB is traditionally reduced through regular gainful employment of individuals, which could not be within the general remit of any landlord.

Evidence has also not been produced as to from where ASB manifested, i.e. was it from within Private Rental Sector (PRS) habitations, privately owned properties, shopping and public areas? How do we reasonably know it is manifested from within tenanted properties of Selectively Licensed Landlords? According to national crime statistics it also appears that ASB has fallen and is not a problem within the South West Ward of WLDC, the previous and proposed target area for Selective Licencing.

Therefore, bearing in mind the afore mentioned information my question is - How can a new scheme be legally and ethically justified when a previous scheme failed to provide financial and physical evidence tackling ASB issues, when in fact it may not actually be a Selective Licence issue and perhaps more of a Police enforcement issue for which residents pay Council Tax for anyway?"

The Chairman thanked all speakers for their attendance and participation and explained that, following the decision at Full Council on 7 March 2022, the consultation and any subsequent action in relation to Selective Licensing had been halted and as such, there would need to be further consideration given to any future plans. He stated that any comments submitted through the course of the consultation would be answered in due course and that this Committee would receive a further report on the matter at the next meeting. The Chairman added that written responses to the received questions would be shared with participants and Members after the meeting.

A point of information was raised by Councillor T. Young, stating that the participants had submitted their questions in sufficient time and it had been expected that an answer would be provided on the night. The Chairman reiterated his earlier comments.

Vice Chairman J. McNeill raised a point of order in that, the earlier point of information was not made according to the Rules of Procedure and as such should not be minuted. Having sought advice from the Democratic Services and Elections Team Manager, the ruling on a point of order was a decision for the Chairman. The Chairman therefore declared that the comments as made would be included in the minutes

NOTE: Councillor T. Young left the meeting at 6.50pm

67 MINUTES OF PREVIOUS MEETING

RESOLVED that the Minutes of the Meeting of the Prosperous Communities Committee held on 25 January, 2022 be confirmed and signed as a correct record.

68 MEMBERS' DECLARATIONS OF INTEREST

There were no declarations made at this point in the meeting.

69 MATTERS ARISING SCHEDULE

With no comments or questions, the contents of the Matters Arising schedule were duly **NOTED**.

70 WEST LINDSEY HOUSING STRATEGY REFRESH

Members heard from the Assistant Director Homes and Communities regarding the updated West Lindsey Housing Strategy 2022-2024 and seeking approval to extend the Homelessness and Rough Sleeping Strategy. It was explained that the West Lindsey Housing Strategy 2018-2022 had the vision “Everyone has access to good quality housing which meets their housing need and aspiration, in a pleasing environment which enables a healthy lifestyle”. To achieve the vision, three key strategic themes were identified:

- Driving Housing Growth to meet housing need
- Improving homes and transforming places
- A partnership approach to support choice, wellbeing and independence

The current West Lindsey Housing Strategy was due to expire in 2022. A review of this strategy began in mid-2021 which determined that even though there had been a significant amount of work undertaken to meet the aspirations of the strategy, the key themes were still as relevant today as they were back in 2018 when they were adopted. This led to a process which looked to refresh the existing strategy and extend out a further two years to allow for more work to be undertaken to realise the vision. A new West Lindsey Corporate Plan would be delivered in 2023. This approach would enable the Housing Strategy to contribute to delivery of a new corporate plan.

It was explained that new sections of the strategy were introduced to acknowledge the changes that had occurred over the past 4 years and to understand what challenges and opportunities those changes brought. The following sections had been added to the strategy:

- Levelling up
- Covid-19

- Climate change
- Selective Licensing

The current Lincolnshire Homelessness and Rough Sleeping Strategy approved by Prosperous Communities Committee in November 2017, covered the period up to the end of 2021. The strategy had an action plan to underpin the priorities and had been led by the Homelessness Lead Officers of the seven Local Authorities across Lincolnshire. The authorities had recently contributed to a joint Strategic Lead post, hosted by North Kesteven District Council, as a dedicated resource to lead and coordinate the delivery of this associated strategy.

Members heard that the strategy was due to be reviewed in 2021, however Covid-19 presented many challenges and workstreams were re-prioritised. The focus on ensuring the 'Everyone In' campaign and vulnerable people were able to access accommodation and advice throughout the pandemic was prioritised. The recruitment process to the aforementioned new post had also created further delays. A review of the existing strategy would take place to update on progress on previous highlighted priorities and shape workstreams to fit within pandemic recovery plans, and would be undertaken by the seven local authorities in Lincolnshire.

The purpose of the review was to:

- establish the current level of homelessness across the county,
- project its likely growth (or decline) in future years,
- identify what was currently being done and by whom,
- identify the level of resource available to prevent and tackle homelessness in the future
- identify gaps and what needed to be done to ensure a robust and sustainable response to homelessness.

It was explained that, in order for a comprehensive review of the homelessness strategy to be completed, it was requested that Members endorsed the existing strategy for a further 12 months to comply with the statutory requirements.

Members thanked the Officers involved for their work and widely supported the content of the report and approach towards the review of the strategy. There were concerns raised regarding access to help from relevant teams and it was explained that each district had their own team, with the new post holding a strategic role across the county, not to be replacing the individual teams. Members discussed the need for a holistic approach to homelessness, requiring the involvement of health and wellbeing services as well as the housing teams.

A Member of the Committee suggested there needed to be greater importance attached to climate and sustainability considerations with regard to housing solutions and new

developments in the district. It was recognised that the review of the Central Lincolnshire Local Plan made some steps to address this but it was suggested that the strategy could go further. These comments were acknowledged and it was noted that the review of the strategy would cover this aspect.

In relation to the statistics included in the report regarding Selective Licensing, a Member of the Committee referenced the speakers from earlier in the evening and enquired whether the information contained within the report where accurate. It was confirmed that at the time of writing the report, the statistics were accurate and that the information contained within the strategy was more generic and did not need to be amended at this point.

It was noted that it was intended to bring an annual report to the Committee to chart the progress and success of the work around the strategy, in the district and across the county.

Members of the Committee enquired as to how the housing of Ukrainian families in the area was being managed and whether there was any indication of how many families or individuals would be located in West Lindsey. It was explained that work was underway to offer homes however the details of such arrangements were still being worked out and it was such a rapidly moving situation, it was not yet possible to provide concrete figures. Members of the Committee recognised the difficulty of the circumstances and thanked Officers for their work.

Having been moved and seconded, it was

RESOLVED that

- a) the progress made against the previous Housing Strategy be accepted; and
- b) the revised Housing Strategy 2022 – 2024 be approved and adopted; and
- c) the Lincolnshire Homelessness and Rough Sleeping Strategy be endorsed for a further 12 months to 31 December 2022.

71 LINCOLNSHIRE PREVENTING DOMESTIC ABUSE STRATEGY

The Committee gave consideration to a report presented by the Assistant Director Homes and Communities, introducing the duties required as a result of the Domestic Abuse Act 2021 and the Lincolnshire Preventing Domestic Abuse Strategy. It was explained that the governance around the domestic abuse agenda in Lincolnshire had been reviewed in response to the Domestic Abuse Bill and a partnership consultation that took place in 2020. As a result of this, and following the enactment of the Domestic Abuse Act in April 2021, Lincolnshire had developed a Domestic Abuse partnership that sat alongside the Safer Lincolnshire Partnership, the Lincolnshire Safeguarding Children's Partnership and the Lincolnshire Safeguarding Adults Board, putting Domestic Abuse at the core of the safeguarding agenda and ensuring it received the focus and dedication it required. The partnership was made up of multi-agency representatives, including Lincolnshire Police, NHS services, County Council services, district councils, amongst others.

The strategy was published in January 2022 in line with Lincolnshire County Council's new statutory responsibilities under the new Act and set out the shared ambition and key priorities for the Lincolnshire Domestic Abuse partnership in tackling domestic abuse and outlined the key areas of action over the coming three years.

Members heard that a delivery plan would be developed in collaboration with the partnership with the aim of addressing the ambitions set out within the strategy. As a partnership it was felt that the strategy should set out the overall ambitions, principles and objectives in tackling domestic abuse, with the delivery plan setting out how to achieve this, ensuring a level of fluidity was built into the process in order to respond to a changing landscape. The strategy and subsequent delivery plan and commissioning plans would address the needs of all victim groups. The Committee was asked to agree the priorities within the strategy, in line with supporting the Domestic Abuse Act 2021.

There was widespread support for the purpose and role of the strategy, as well as recognising the need for an holistic approach, to include work with perpetrators of abuse and appreciate the external influences that may have an impact when supporting victims of abuse.

Having been moved and seconded it was unanimously

RESOLVED that the priorities set out within the Lincolnshire Preventing Domestic Abuse Strategy 2021-2024, which contribute to fulfilling the statutory duties placed on the council to support the Domestic Abuse Act 2021, be agreed.

72 PROPOSALS FOR PLATINUM JUBILEE CELEBRATIONS

The Committee heard from the Senior Democratic and Civic Officer with a report outlining the proposals for commemorating the Queen's Platinum Jubilee and seeking additional funding for the Platinum Jubilee Community Fund. Members heard details of several initiatives, such as the Platinum Pudding, Song for the Commonwealth and The Queen's Green Canopy. It was explained that schools across the district had been approached to be involved in such schemes, with photos and videos of events to be shared across social media as a 'Jubilee montage'. In addition to working with local councils and community groups, it was explained that the Platinum Jubilee Community Fund had received a greater level of interest than anticipated and as such, it was suggested that an additional £20,000 be allocated to the fund. Any allocated funds not awarded by the Platinum Jubilee Community Fund would be returned to the main Community Grants Programme budget.

Vice Chairman J. McNeill, as Chairman of the Platinum Jubilee Working Group, highlighted the community nature of events taking place around the district and brought the Committee's attention to the '70 Acts of Service' detailed within the report. This was a way for individuals to be involved in the commemorations on a more personal level, honouring the Queen as the Head of the Church of England, as well as helping in their local communities and bringing people together with a common cause. The website and suggested list of actions was included in the report.

With further expressions of support from Members of the Committee, and having been

moved and seconded, it was unanimously

RESOLVED that

- a) the proposals for engaging with, and publicising of, district-wide celebrations for the Queen’s Platinum Jubilee, be received; and
- b) a further use of £20k of the Communities Grant Fund, to deliver the West Lindsey Platinum Jubilee Community Fund, be approved under delegated powers.

73 WORKPLAN

The Committee gave consideration to the work plan for upcoming meetings. A Member of the Committee enquired as to whether his suggestion at Full Council on 7 March, in relation to an options paper for Selective Licensing, had been carried forward. The Chairman assured Members that Officers were aware of the suggestion as a potential way forward.

With no further comments, questions, or requirement for a vote, the Work Plan was **DULY NOTED**.

74 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

Note: The meeting entered closed session at 7.59pm

75 HEMSWELL CLIFF MANAGED ESTATES CONTRACT RENEWAL

Members heard from the Senior Community Action Officer, with a report to provide an update on progress with the normalisation and stabilisation strategy at Hemswell Cliff and to seek approval to offer a further five year Managed Estate contract to Hemswell Resident Company.

The history of the site was reiterated for Members, as well as the inception of the Managed Estate Contract and progress achieved in the area to date. It was explained that the report recommended that the Council continued to support Hemswell Residents Company through the next five-year period, which would be particularly aligned with, and supportive of, the realisation of regeneration and growth investment opportunities.

Members of the Committee commended the Officer for her work in the area, as well as recognising the work of the residents and local community, pulling together to make such notable improvements. It was noted that the planned fourth tier government review had been

Prosperous Communities Committee – 15 March 2022
Subject to Call-in. Call-in will expire at 5pm on 27 April 2022

postponed, however, it would provide an opportunity for residents to have a say on how boundaries should be realised, whether they wished to be a sole parish or joint with Hemswell.

With further comments of support, and having been moved and seconded, it was unanimously

RESOLVED that

- a) the proposal to offer a five-year contract to Hemswell Residents Company in respect of Estate Management Services for the period 1 April 2023 to 31 March 2028 be supported and recommended to the Corporate Policy and Resources Committee that approval be given; and
- b) oversight of the contract renewal procedure, including any minor housekeeping changes, be delegated to the Assistant Director of Homes and Communities, in consultation with the Chairman of the Prosperous Communities Committee and the Chairman of the Corporate Policy and Resources Committee.

The meeting concluded at 8.11 pm.

Chairman