

BATH AND NORTH EAST SOMERSET COUNCIL

HOUSING AND MAJOR PROJECTS POLICY DEVELOPMENT AND SCRUTINY PANEL

Tuesday, 19th November, 2013

Present:- Councillors Rob Appleyard (Chair), Steve Hedges, Brian Simmons, Gerry Curran, June Player, David Veale and Douglas Nicol (In place of Nathan Hartley)

Also in attendance: Derek Quilter (Divisional Director for Project Management) and Graham Sabourn (Head of Housing) and Emma Bagley (Policy Development & Scrutiny Project Officer)

Cabinet Member for Homes & Planning: Councillor Tim Ball

Cabinet Member for Sustainable Development: Councillor Ben Stevens

27 WELCOME AND INTRODUCTIONS

The Chairman welcomed everyone to the meeting.

28 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

29 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Nathan Hartley had sent his apologies to the Panel. Councillor Douglas Nicol was present as his substitute for the duration of the meeting.

30 DECLARATIONS OF INTEREST

Councillor Douglas Nicol declared a personal and non-prejudicial interest in agenda item 9 (Recommendations Response to Boat Dwellers & River Travellers Task & Finish Group). He stated that his wife worked for the Canal & River Trust at one of their marinas.

31 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

The Chairman announced that he had agreed for the Medium Term Service & Resource Plan in relation to Housing to be debated later in the meeting. Previously this was to be solely discussed by the Wellbeing Scrutiny Panel.

32 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

Michael Carley, Bath Against Cuts made a statement to the Panel on the subject of the Bedroom Tax. He asked the Council to consider adopting a no evictions policy in relation to the tax as under the Housing Act it has an obligation to protect the vulnerable.

He expressed his concern over the prospect that the tax would force people out of their homes even though in some cases the 'spare' room may hold medical equipment, such as dialysis.

The Chairman thanked him for his statement and said he was aware that meetings had been held between the Council and the largest social housing provider in the area on the matter.

David Redgewell, South West Transport Network made a statement to the Panel. He said that he was grateful for the recent developments at Southgate relating to the Travel Centre, Toilets and Bus Shelters. He added that he felt further signage should be in place in relation to the car park at Bath Spa station and that a height bar should also be introduced.

He commented that a detailed transport framework was required to enable the work associated with Bath Western Riverside and the Core Strategy.

He asked for it to be noted that he was disappointed that the format of reporting Major Projects had changed and asked if that could be reconsidered for future meetings of the Panel.

The Chairman thanked him for his statement.

Councillor Eleanor Jackson addressed the Panel. She wished to ask two questions and make a statement. A copy of both can be found on the Panel's Minute Book, a summary is set out below.

- 1) I would like to know what can be done about the appalling conditions in damp in the maisonettes in Springfield Crest, Tynning, Radstock? The matter has been raised with Curo, but seemingly to no effect although the tenants are keeping their homes in an exemplary state of tidiness and decoration. Damp is everywhere, water is running down the walls and I think the housing inspector should call.
- 2) In the national press the situation has been highlighted where a quota of affordable housing has been agreed but then, after the planning consent has been given, the developer reneges on the commitment to 35% or whatever the authority concerned's policy is. What is happening in B&NES? Do we have a shortfall in properties not being built when they should be?

'The river and canal dwellers are B&NES residents, as much as those dwelling in houses. I want to see pioneering new local government policies both for those who

choose this way of life, because of its freedom and closeness to nature, and those who need a more settled existence because of ill health or their small children but cannot afford rents and mortgages on land.

I am therefore disappointed that although the Cabinet Members accept much of the case made in this report, and some of its recommendations, so much of the thrust of the recommendations is deferred. I appreciate that the Council has limited resources but deferring matters until April 2015 before the next elections is unacceptable.

We have here the opportunity to innovate to help those who live afloat or just want to enjoy the scenery at weekends – and building their needs into the Placemaking Plans, the SMAA and economic development is something this Panel ought to drive forward.'

Councillor Tim Ball replied that he had passed Councillor Jackson's concerns relating to Springfield Crest, Radstock to the Housing Team. He added that he would prepare a response to the January meeting relating to the % of affordable houses being built within the Council.

33 MINUTES - 23RD JULY 2013 & 17TH SEPTEMBER 2013

The Panel confirmed the minutes of the two previous meetings as a true record and they were duly signed by the Chairman.

34 CABINET MEMBER UPDATE

Councillor Ben Stevens, Cabinet Member for Sustainable Development addressed the Panel. He stated that he had nothing further to add to the document that had been circulated to the Panel.

Councillor June Player asked if he could comment on any future plans for Roseberry Place, Bath.

Councillor Stevens replied that no decision had yet been made and that any decision would look to maintain employment within the local area.

Councillor Gerry Curran commented that the Secretary of State was due to make a decision on the future of the former Bath Press site on December 16th 2013. He suggested that Councillors and officers associated with the decision have a joined up meeting regardless of the decision to discuss a way forward.

Councillor Ben Stevens replied that he agreed with that proposal.

Councillor Tim Ball, Cabinet Member for Homes & Planning addressed the Panel. He stated that he had nothing further to add to the document that had been circulated to the Panel.

The Chairman thanked them for their updates.

**35 CABINET RESPONSE TO POLICY DEVELOPMENT AND SCRUTINY
RECOMMENDATIONS - BOAT DWELLERS AND RIVER TRAVELLERS TASK
AND FINISH GROUP REVIEW**

Sally Ash, Head of Boating, Canal & River Trust addressed the Panel. A copy of her statement can be found on the Panel's Minute Book.

The Chairman asked what part the Trust played in the removal of vessels from the river.

Sally Ash replied that the Trust does monitor certain areas licences and for vessels adhering to licence conditions. She added that if a boat was found to be causing an offence they would be sent up to three formal warnings across the space of 28 days and then the case would be referred to their solicitors. County Court proceedings would then follow and may result in the licence being revoked and the boat being removed from the water.

She stated that only a small number of cases are taken this far and that the Trust would never seek to make people homeless.

The Chairman asked if the Trust was aware of any Local Authority that was working with local communities with regard to moorings.

Sally Ash replied that the Trust was in dialogue with a number of Local Authorities in London and was in a position to offer advice to both the developer and the Local Authority.

Councillor Dave Laming addressed the Panel. He said that he was thankful to the Cabinet for their efforts in providing the River Corridor with funding. He stated that it was critical to have a co-ordinating body on this matter and welcomed the creation of the River Regeneration Trust.

The Chairman then posed the following series of questions to the Cabinet Member for Homes & Planning on behalf of the Panel.

Recommendation 1 and 1.1

There is no mention of key information (i.e. timescales, required action) that would explain the decision and offer options for the way forward.

- What does 'significant officer time' mean?
- Have you assessed how much work would be involved, i.e. FTE?
- Where could funding for the additional/seconded post come from?
- When do you envisage this piece of work starting?
- Has contact with other teams to be involved yet been made, i.e. scope of the work, involvement, options for lead/support staff?

Recommendation 1.3

It could be argued that this particular piece of work would not take up 'significant officer time' if treated as a standalone piece of work, separate from the wider review proposed at recommendation one.

- Have you assessed how much work would be involved?
- Could this be carried out separately from the wider review?

Recommendation 2

Welcome this action, however the equalities lead officers will need to be involved to support the CRT and enable endorsement of the strategy.

Recommendation 3

The response confirms the recommendation cannot be achieved through the Strategic Housing Marketing Assessment (SHMA). However, whilst 'a different approach' is acknowledged, no solution appears to have been sought. It therefore seems unrealistic to make mention of 'significant officer time' as a barrier when the approach is unknown.

- What different approaches to the SHMA are there?
- What would be the feasibility of each of these approaches, i.e. impact, officer time, etc?
- What is the likely delivery timescales of these other approaches?

Recommendation 3.3

The lack of relevant 'document or mechanism' needs further clarification to ascertain whether this is a barrier, or whether this could be resolved.

- Is there anything actively preventing this action, i.e. legislation?
- Can a policy/mechanism be put in place that will enable it?

Recommendation 3.4

Similarly to the responses to rec 1, there is no mention of possible timescales and/or action to better enable implementation at a later date.

- What exactly will require 'significant officer time'?
- When do you envisage this piece of work starting, bearing in mind the Mooring Strategy is currently being developed?
- What can be done to support this to inform the Mooring Strategy?
- Can a partnership approach be utilised to achieve this sooner?

Councillor Tim Ball replied that he would respond to the points raised at the January meeting of the Panel.

Sally Ash commented that the Trust was attempting to develop a mooring plan and would welcome the Council's response to their current consultation. She added that the consultation was due to close on November 28th.

The Chairman asked for this information to be passed to Councillor David Dixon, Cabinet Member for Neighbourhoods. He thanked everyone for their contributions to the debate and said that he was hopeful of some good collaboration work in the future.

36 HOUSING ALLOCATIONS UPDATE

The Head of Housing introduced this item to the Panel. He explained that following extensive consultation the Cabinet decided to restrict access to the scheme to applicants who are resident within Bath & North East Somerset or have a need to reside here, for example, due to employment, social or medical reasons.

They also decided to give priority to applicants who are social housing tenants within Bath and North East Somerset and would like to move because their home is too large for their needs and allow the under-occupation of properties in rural villages where there is a shortage of properties of a particular size.

He then asked the Panel's view on the Government consultation detailed in paragraph 4.9 of the report. He explained that if the guidance were adopted it would "strongly encourage" the existing policy to be amended in the following two areas:

(1) Eligibility: Local connection

- a) Introduce a 2 year residency test – At present we require residency of 3 out of the last 5 years or 6 out of the last 12 months, or
- b) Employed in the district for "a number of years" – At present we simply require permanent employment with no specified term, or
- c) Close family living in the district for a "number of years" - At present we require a person who needs to move to the area to receive or provide support to/from a close relative to support with no specified term.

(2) Publishing information about the waiting list and letting outcomes

The guidance would also require us to publish accurate, up-to-date and anonymised information on household characteristics, including the age, sex, ethnicity and nationality of applicants and new tenants.

The Panel **RESOLVED** to;

- i) Note the issues detailed in the briefing report, and
- ii) Approve the adoption of the "Providing Social Housing for Local People: Strengthening Statutory Guidance on Social Housing Allocations".

37 MEDIUM TERM PLAN AND 2014/15 BUDGET UPDATE

The Head of Housing introduced this report to the Panel. He reminded the Panel that they were only allowed to debate the elements of the plan that related to Housing.

He highlighted some of the efficiency savings and service reductions for them.

£25k saving from ceasing the voluntary Accreditation Scheme for private rented accommodation.

£26k saving from a reduction in staffing capacity in Housing Services.

The Accreditation Scheme provides landlords & tenants with reassurance that a property meets minimum standards. Proposed additional HMO licensing areas cover a significant proportion of the accreditation properties. – as a result, the voluntary scheme will be stopped. Reduction in staffing capacity is likely to result in increased waiting times for some housing services.

£39k worth of savings identified from the customer services work stream which looks at redesigning the customer pathway, making better use of IT systems and implementing streamlined processes (including family information). These savings were predicated on a number of assumptions around the corporate provision of IT systems and other services. So far the delivery of these systems has fallen short of expectations. As such the required saving is unlikely to be made through “efficiency” measures. Plans for delivery of an equivalent saving, through service reductions, are being worked on.

The Panel **RESOLVED** to note the report.

38 PANEL WORKPLAN

The Chairman introduced this item to the Panel. He proposed that they receive a report in January on the matter of Leased Housing Stock. He wanted to explore whether a policy exists on this issue and to ask what happens to the funds if a previously leased property is brought back into the Council portfolio and then sold.

The Head of Housing replied that he believed the majority of these properties would be in the centre of Bath and that he recalled having conversations with Property Services on this matter in the past. He added that he would provide the Panel with a report at their January meeting.

The meeting ended at 7.25 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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STATEMENT FOR Housing and Major Projects Policy Dev scrutiny panel, 19/11/113

Thank you for the invitation to make this short statement in response to your Task and Finish Group report on boat dwellers and river travellers. I believe you already have a copy of our written response to Cllr Jackson, and of the email from our Chief Executive, Richard Parry to Jo Farrar which proposes a high level meeting, to include Tamsin Phipps, the Chair of our Kennet & Avon Canal Partnership, with the purpose of finding a more collaborative way forward for our two organisations.

Canals and rivers are a national treasure and local haven for people and wildlife. It's the job of the Canal & River Trust to care for this wonderful legacy, protecting and improving it for all to use and enjoy. We are keen to inspire and engage with individuals and communities to deliver the economic, social and environmental benefits which waterways have the potential to generate.

When preparing to set up the Canal & River Trust, the Government consulted and determined the objectives for the new charity in conjunction with the Charity Commission. These require us, amongst other things, to maintain our canals and rivers for public benefit, including in particular, public benefit for navigation. Following some debate, an objective to provide homes for people was not included. Notwithstanding this, we believe that residential boaters can be a real asset to the waterways, provided that the boat has a home mooring where it can lawfully be left when not being used for navigation or it 'bona fide' navigates throughout the period of its licence. This is the position set out in the statutory powers and duties which we inherited intact from British Waterways. We are not at liberty to ignore these, nor the newly added obligations to operate within our clearly defined charitable objectives which focus on provision of public benefit, not personal benefit such as provision of moorings for residential use free of charge

We have engaged intensively over the past four years with representatives of boat dwellers along with other types of boater, anglers and local residents in efforts to develop a mooring plan which most fairly balances the strong demand for short term mooring whether by boat hirers, leisure or residential owners with the needs of anglers, local residents and other towpath users. Unfortunately, consensus on a set of rules relating to mooring along the canal towpath has so far eluded us, but we are currently consulting on a mooring plan developed by our local waterway partnership. This closes on 28th November and has so far attracted over 300 responses. We will of course assess any plan for compliance with relevant legislation before implementing it.

At the root of the current tensions of course is the inadequate provision of suitable long term moorings for residential boaters away from the towpath. We would like to see all local authorities which have ad hoc residential communities along the canal towpaths create plans to encourage appropriate residential boat harbours on the non-towpath side or in purpose built basins as part of their housing provision.

We will continue to work in partnership with the local community in all aspects of our management of both canal and river navigation within the city and I hope we can look forward to more sustained dialogue on matters of common interest in future.

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- 1) I would like to know what can be done about the appalling conditions in damp in the maisonettes in Springfield Crest, Tynning, Radstock. The matter has been raised with Curo, but seemingly to no effect although the tenants are keeping their homes in an exemplary state of tidiness and decoration. Damp is everywhere, water is running down the walls and I think the housing inspector should call.
- 2) In the national press the situation has been highlighted where a quota of affordable housing has been agreed but then, after the planning consent has been given, the developer reneges on the commitment to 35% or whatever the authority concerned's policy is. What is happening in B&NES? Do we have a shortfall in properties not being built when they should be? Could I be emailed an answer, please?

Statement

I think that none of us who were present at the Public Enquiry session on the situation of the boat dwellers and river travellers will forget the passion with which the young mother, about to be evicted from her (rented) boat, spoke. Nor will we forget the severely disabled widower who sailed into Bath especially to meet us, nor the young professionals with no other affordable home available to them.

To some extent their problems, as described in this report, are the result of B&NES failure to deliver enough affordable or accessible accommodation on land. The river and canal dwellers are B&NES residents, as much as those dwelling in houses.

We also heard of the problems of the cruising or travelling boat dwellers who need to find satisfactory mooring in the face of CRT's new policies.

I want to see pioneering new local government policies both for those who choose this way of life, because of its freedom and closeness to nature, and those who need a more settled existence because of ill health or their small children but cannot afford rents and mortgages on land.

I am therefore disappointed that although the cabinet members accept much of the case made in this report, and some of its recommendations, so much of the thrust of the recommendations is deferred. Hope deferred deadens the heart. I appreciate that the council has limited resources but deferring matters until April 2015 brings us into the 'purdah period' before the next elections, and is unacceptable.

Too much council policy development is 'stable door shutting' or a response to a demand by central government. We have here the opportunity to innovate to help those who live afloat or just want to enjoy the scenery at weekends – and building their needs into the Placemaking Plans, the SMAA and economic development is something this Panel ought to drive forward.

Cllr Eleanor Jackson

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