

## **BATH AND NORTH EAST SOMERSET COUNCIL**

### **HOUSING AND MAJOR PROJECTS POLICY DEVELOPMENT AND SCRUTINY PANEL**

Tuesday, 23rd September, 2014

**Present:-** Councillors Eleanor Jackson (Chair), Steve Hedges (Vice-Chair), Gerry Curran, June Player, David Veale and Tim Warren (In place of Brian Simmons)

**Also in attendance:** Graham Sabourn (Head of Housing), Lisa Bartlett (Divisional Director, Development), Katherine Coney (Senior Environmental Health Officer), Emily Price (Senior Development Officer) and Richard Walker (Planning Officer)

**Cabinet Member for Homes & Planning:** Councillor Tim Ball

#### **24 WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting.

#### **25 EMERGENCY EVACUATION PROCEDURE**

The Chair drew attention to the emergency evacuation procedure.

#### **26 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Councillor Brian Simmons had sent his apologies to the Panel and Councillor Tim Warren was present as his substitute for the duration of the meeting.

The Cabinet Member for Sustainable Development, Councillor Ben Stevens had also sent his apologies to the Panel as he was away on Council business.

#### **27 DECLARATIONS OF INTEREST**

Councillor Steve Hedges declared an 'other' interest to the Panel as his son works for Curo.

#### **28 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was none, but a member of the public was going to raise an issue she considered worthy of urgent consideration.

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

David Redgewell, South West Transport Network addressed the Panel. He said that he welcomed the installation of new bus shelters as part of the Bath Transport Package, but stressed the need to have a budget to keep all shelters clean and in a safe condition.

He also spoke of the need to rectify continuing problems at the Bath Bus Station. He said that the problems included access to the toilets, the lack of a café, some station doors not working properly and issues around signage. He stressed the need for a real station manager.

He summed up by expressing his concern that Mendip Council may be considering the removal of some of their rail tracks near to the land of the Norton Radstock Regeneration.

The Divisional Director for Development replied that she was not aware of the operations of the station, but was willing to talk with officers in Highways & Transport to see if any problems could be resolved.

Councillor Gerry Curran questioned the need for so many agencies to be involved at the bus station and said that it was clear that a lead needed to be taken by somebody on these matters.

Vicky Drew addressed the Panel, a copy of her statement can be found on the Panel's Minute Book, a summary is set out below.

In early September I was concerned to receive an email from B&NES Homesearch team informing myself, and all others on the Housing list that Curo, our local Housing Association would now be carrying out credit checks on potential, and indeed current tenants at the point of nomination for its affordable rented properties. The report will contain information that will help Curo confirm an applicant's identity and assess if they are financially reliable.

Curo may also ask for rent in advance. If rent paid weekly, this will be a week's rent and if rent paid monthly this will be a month's rent." Of this there was no warning, no discussion and not even to my knowledge an approach to tenants and those on the housing list to ascertain what the effect of this might be.

Many of those in dire need of social housing will have been trapped in a private rental system for years in a City that can boast to be among the least affordable to buy or rent a home in the country. Many will have run up bad debts, defaulted on loans, survived on credit while they struggled with low wages to feed their families and pay these astronomical rents for a basic and insecure private property.

It is fairly obvious that Curo have envisioned the problems these raft of changes will bring to those people affected and have acted accordingly to protect their investment.

So what if these housing applicants, these families, their children, these often vulnerable single men and women of all ages..... What if they fail their credit checks?

It is of great concern that this direction by Curo may lead to desperate housing applicants being deterred from the process, leading to some of those feeling unable to bid on housing they are entitled to and need. And just where are these people supposed to find rent in advance for our increasingly marketised and market driven Charitable Housing Trust?

I would ask why, if ..... and how the Charity Commission have allowed Curo to take these actions? I would ask this Panel to help those in desperate need, those people who have struggled to do their best to keep their families fed and clothed while keeping a roof over their heads, people like me. Please speak up for us and help end this housing discrimination against the poor.

The Chair then read aloud a response that she had received from Julie Evans, Director of Neighbourhoods, Curo.

She said that it was absolutely not the case that Curo now requires applicants to have a positive credit rating to be considered for re-housing. She added that the Passport to Housing Project is intended to be a positive initiative to support the successful sustainment of tenancies that are at a higher risk of failing due to low levels of financial capabilities / confidence of the applicant.

She stated that a growing number of applicants were suffering severe financial hardship and have problematic debt and that this impacts on their ability to successfully manage a tenancy, particularly as customers are migrating onto Universal Credit where housing costs are no longer paid direct to the landlord.

The purpose of Passport is to work with potential customers early and remove the barriers that might lead to them being declined a tenancy such as problematic debt and high interest loans, encourage them to save and look at ways to get more money in their pockets.

The CAB will complete a success plan with each customer which will address issues of food, furniture, finance, fuel and we are developing our offer around “futures” where we can offer help accessing employment, education and training.

Passport does not affect anyone’s Homesearch application and is about reducing the risk of Curo having to say ‘no’ to applicants who cannot afford the rent.

The Team Manager for Housing Options and Homelessness confirmed that Curo were now asking for rent to be paid in advance. He added that around 200 residents had been written to asking if they wish to take part in the Passport project and that the scheme was voluntary.

He said that officers were looking at whether Curo should be allowed access to the Homesearch database as a matter of data protection.

Councillor Tim Warren asked how much advanced rent were tenants expected to pay.

The Team Manager for Housing Options and Homelessness replied that tenants receiving benefits would be asked to pay a week in advance and those that were working would be asked to pay a month in advance.

The Chair asked if an advance rent fund of any kind was available.

The Team Manager for Housing Options and Homelessness replied that a fund was available to those deemed most vulnerable.

Councillor Steve Hedges commented that he was annoyed with Curo and questioned their title of 'Social Landlords'. He said that Council's role should be to work with Housing Associations to help the vulnerable.

Councillor Gerry Curran commented that he had had some discussions with Curo on these matters and acknowledged that tenants in receipt of benefits would find it difficult to find rent in advance. He added that Curo's goal was to be successful with their tenancies.

He said that he was happy that the CAB were involved in the project and that he did not want to see people barred because of any historical discrepancies.

Councillor David Veale questioned the status of the term Affordable Housing and whether Curo was the right company to take this matter forward.

Councillor June Player asked why Curo were asking for rent in advance and how do they actively assist their tenants.

The Team Manager for Housing Options and Homelessness replied that it was now common practice for Housing Associations to ask for rent in advance in response to the introduction of Universal Credit. He added that the Passport project will look to provide an advice service for first time tenants or those wishing to move.

Councillor Steve Hedges commented that the Passport project sounded like a helpful initiative, but that he would like the Panel to hear more about it from Curo at their next meeting in November.

Councillor Tim Warren stated that he thought the Passport project was a good idea and asked if Curo were in a position to reconsider their decision on rent in advance.

The Head of Housing replied that rent in advance was very much standard practice for Housing Associations and reiterated that it was in response to the welfare reforms and a need to reinforce that it is the tenants responsibility to pay the rent. He said that he felt that the Passport project was a good idea, should support tenants and prevent the cycle of failure, and the principles of the project should be supported by the Council.

The Chair thanked the Panel for the discussion and said she looked forward to receiving further information at the next meeting.

## **30 MINUTES - 29TH JULY 2014**

Councillor June Player said that at some point during the meeting she raised the point about how successful was the role of scrutiny and asked for that comment to be added to the minutes.

Councillor Steve Hedges said that he thinks the comment may have been made just before the discussion regarding the workplan.

The Democratic Services Officer replied that he would discuss the matter with his colleague who took the last set of minutes to see if they had a record of the comment.

The Panel confirmed the minutes of the previous meeting in their current form as a true record subject to the amendment concerning Cllr Player's remarks, which the Chair also recollected, and they were duly signed by the Chair.

### **31 CABINET MEMBER UPDATE**

The Panel welcomed and noted the written submissions from both of the Cabinet Members.

The Cabinet Member for Homes and Planning said that welcomed the Panel's decision to look more closely at the issues raised by the member of the public earlier regarding Curo.

He said that he had nothing further to add at this stage and would speak later on other agenda items.

### **32 RADSTOCK & WESTFIELD - PROJECTS UPDATE**

The Senior Development Officer introduced this item to the Panel. She explained that the adopted Core Strategy sets out the Council's five year housing land supply and is especially useful for the Somer Valley. She added that it demonstrates that greenfield sites outside the housing development boundary are not required to provide a 5 year housing supply in the area.

She stated that the Placemaking Plan would identify key measures required to achieve the ambition and that the Core Strategy (including the placemaking principles in Policy SV3) set the context for the Placemaking Plan.

She informed the Panel that the Placemaking Plan will allocate key sites in the centre of Radstock and set out the design / placemaking principles for the development of these sites. She said that the sites were likely to include: Charltons, Rymans, the library, Coombend, Old School, Norton Radstock College and St Peter's Factory site (remainder of Local Plan allocation).

She added that it will also consider and identify the infrastructure requirements to support the development of the town centre: employment space, health, community facilities, parking, highways, cycle provision, education, ecology, to ensure the necessary infrastructure is funded and delivered in a timely manner to support new development.

She said that the Former Railway Land, Radstock was granted Outline Planning Consent in June '14, which included detailed planning consent for the B&NES highway works. The Highway works began at the end of July and that work from now until Christmas will focus on building the link road and new roundabout on Frome Road. After Christmas work will focus on the changes to The Street and Fortescue Road and these are scheduled to be completed in Summer '15.

She stated that the Council was looking to expand the car park to the rear of the library and that a planning application for change of use is currently being prepared. In addition, a traffic regulation order process has begun to implement a 5 hour parking restriction in Waterloo Road and the Library car park to ensure there is parking available for shoppers and visitors.

She explained that it is proposed that the Council establishes the Radstock & Westfield Development Advisory Group. The purpose is to ensure that locally elected members (ward members and representatives from the town council) are kept informed on all key developments that take place within the Radstock and Westfield Wards and to provide a clear process of engagement with the local community to avoid duplication and improve communication. She added that this does not replace any statutory consultation required as part of the planning and transportation statutory process.

The Chair asked where the jobs were planned to come from to match up with the housing proposals.

The Senior Development Officer replied that employment sites have been identified within the Core Strategy.

Councillor Gerry Curran commented that the Council were keen to build on brownfield sites. He added that home buyers do not necessarily purchase a house to be near work.

The Chair thanked the Senior Development Officer for her report and for all officers associated with the Core Strategy.

The Panel **RESOLVED** to note the progress on Radstock & Westfield sites and the proposed steering group 'Radstock & Westfield Development Advisory Group'.

### **33 STUDENT ACCOMMODATION**

The Planning Officer introduced this item to the Panel. He explained that planning policy framework has been established in the Core Strategy and is now being implemented. He stated that Planning policy is to provide new accommodation at the same rate as new needs are generated, and to hold student related HMOs at 2011 levels (but not to reduce those levels). He said there was a role for both on-campus and in-city student accommodation in achieving this and that the majority of needs should be met on campus.

He added that permitting too much in city accommodation would not encourage the University of Bath to build further phases of accommodation on-campus and that Planning policy seeks to stop a situation arising whereby on-campus is left undeveloped whilst valuable city centre and Enterprise Area sites are lost as potential housing and employment sites.

He informed the Panel that there are a number of planning applications (736 units) and pre-apps\* (507) in the system at the moment.

- James Street West, 190 bedspaces

- 1-3 James Street West, 115 bedspaces.
- Hartwells, Upper Bristol Road, 431 bedspaces
- \*Transport Depot, Brougham Hayes, 103 bedspaces.
- \*Site of Old Gas Works, Upper Bristol Road, 404 bedspaces.

He stated that to permit more than about 250 additional in-city bedspaces would have consequences for the implementation of phase 2 on campus at Claverton Down and this would upset the delivery of the spatial strategy. He added that there was already some prospect that the final phase of capacity at Claverton Down might not be built, based on current demand/ growth assumptions. He said that the figures list above should not be read as being acceptable in urban design terms and as applications are being assessed this may reveal the height scale and massing is not appropriate, therefore each site might have the potential to yield less than is stated above.

Councillor June Player asked why the purpose built accommodation was only used by students in Year 1.

The Planning Officer replied that most students find the accommodation convenient and safe for the first year and then seek to house share in Years 2 & 3.

Councillor June Player asked if they could stay on for further years.

The Planning Officer replied that a substantial increase in bed space would be required for that option to be pursued.

Councillor Steve Hedges said that he felt it was ridiculous to give so much brownfield land over to student accommodation. He asked when the limit would be reached.

The Planning Officer replied that he was not aware of any powers to stop the universities from growing. He added that projections show that we could reach a figure of 3,200 over 15 years.

Councillor Gerry Curran said that there was a need to be realistic on this matter and that both universities were proving to be successful. He added that the University of Bath was situated within the Green Belt so it would not be easy to develop on their site. He said that he supported the current sites but had concern over the forthcoming developments.

He asked if the developers held the trump card or does the Council have any powers through the planning process.

The Planning Officer replied that the Council does have some power through Policy B5 of the Core Strategy as that presumes against student accommodation within Bath Western Riverside, the Enterprise Area and the former Ministry of Defence sites. He added that sites on the periphery of the Enterprise Area were vulnerable.

Councillor Tim Warren commented that he wanted officers to ensure that the universities do not rest on their laurels in terms of supplying accommodation as any hole that is left will be attempted to be filled by the private sector.

Councillor Gerry Curran commented that it was a complex issue and that conversations would be required with both universities following the local elections next year.

The Chair said that she thought it would be helpful to receive a similar report in 12 months' time when the impact would be known of the government's decision to allow universities to lift the current cap on their student numbers (the MASM number).

The Panel **RESOLVED** to note that the statutory planning policy approach to this issue is embedded within the Council's Core Strategy (adopted July 10<sup>th</sup> 2014) and that this will inform decision making on planning applications for new student accommodation.

#### **34 LOWER BRISTOL ROAD GYPSIES & TRAVELLERS SITE**

The Head of Housing addressed the Panel regarding this item. He informed them that plans for the site were well underway and making good progress. He explained that a court order had been obtained to claim vacant possession of the site and that an alternative site had been found for seven of the most vulnerable households that were evicted.

He said that the Council had selected Elim Housing Associations as its Management & Development partner and that three separate contracts were due to be exchanged in the next few days. He added that costs had been agreed in line with original estimates.

The Cabinet Member for Homes and Planning wished to thank the Head of Housing for all his hard work on the project.

Councillor Gerry Curran asked if any enabling works had begun on site.

The Head of Housing replied that pre-mobilisation works had taken place which included levelling works, hoardings & providing a site storage facility.

Councillor Tim Warren what were the costs to the Council regarding the site.

The Head of housing replied that around £180,000 had been spent on legal, professional fees and other associated fees. In addition the Council will contribute £870k to the on-site works.

The Chair thanked him for the update on behalf of the Panel.

#### **35 GYPSIES & TRAVELLERS ALLOCATIONS POLICY**

The Head of Housing introduced this item to the Panel. He explained that the policy had been modelled on the Homeseach Policy in that applicants are asked to express an interest in pitches.

He said that pitches will then be offered to the household in the highest group. It should be noted that the Council reserves the right not to nominate. The three bands cover the following categories:



Group A – local households who have a priority need;

Group B – local households who do not have a priority need;

Group C – households who are not local to Bath & North East Somerset

Councillor Steve Hedges commented that he expected the Council's overall Gypsy & Traveller Policy to be changed once the Lower Bristol Road site was up and running.

The Head of Housing replied that the Panel were due to receive a report on the corporate policy soon.

Councillor David Veale asked where the families who had vacated the site had been moved.

The Head of Housing replied that seven households had been moved onto private land agreed with the Council and that the others had gone to unauthorised sites outside of the district.

Councillor June Player asked if the seven households would be placed on the priority list or allowed to move back to the site.

The Head of housing replied that the seven households and one situated in Stowey Lane had shown an interest in the Lower Bristol Road site. He added that no party had been informed of the rent price yet and that a fair way of opening the list needed to be devised.

Councillor June Player asked what would happen if they felt that the rent was too much.

The Head of Housing replied that the seven households were required to move from their current position when the Lower Bristol Road site is complete.

The Chair asked questioned whether travelling families would have the types of references which were to be sought to support applications.

The Head of Housing replied that the Council would show a degree of flexibility and allow personal references.

The Chair asked if those defined as Gypsy & Travellers who currently live in fixed accommodation were allowed to apply.

The Head of Housing replied that the current planning legislation includes Gypsy & Travellers that currently live in bricks and mortar and so were eligible to apply.

Councillor June Player asked if the Council received any money from this process.

The Head of Housing replied that the Council received around £8,000 per pitch under the New Homes Bonus and Council Tax of around £1,000 per year.

## 36 EMPTY PROPERTY INITIATIVE UPDATE

The Senior Environmental Health Officer introduced this item to the Panel. She explained that the recovery of empty homes is eligible for the New Homes Bonus funding (NHB) and that this work stream had already generated cumulative NHB funding of £635,289 over the period 2011/12 to 2014/15 based on the 105 net empty homes brought back into use since the start of the NHB scheme. Future NHB funding will depend on any changes in numbers of empty homes and any changes to the NHB scheme.

She stated that in September 2013, the Council adopted a revised Empty Property Policy. The policy focuses Housing Services resources on those homes which are likely to require intervention to bring them back into use. The policy defines an empty home as one which has been empty for over 6 months and an actionable empty home as one that has been empty over two years. Homes empty less than two years are likely to come back into use without Council intervention. Homes empty over 2 years are subject to a Council Tax charge of 150%. This charge is to encourage owners to bring their empty home back into use and therefore, our resources are aligned to those homes receiving a premium charge. The Policy uses the following twin track approach to bring empty homes back into use:

- Provide advice, assistance and incentives to all empty home owners; and
- Prioritise homes which have been empty for over 2 years (these are known as actionable empty homes).

The Policy further provides that Housing Services will respond to complaints from the public about empty homes.

She informed the Panel that on 11 September 2013, Cabinet authorised the Council's use of a Compulsory Purchase powers for these two properties. Following a significant amount of ground work and preparation the Order was served and advertised on 31 July 2014. The objection period has now concluded and to date the Secretary of State has confirmed that no objections have been received. The Secretary of State will therefore be invited to confirm the Order. Since serving the Order, one owner has contacted the Council with regard to an agreed sale and negotiations are underway.

Councillor Steve Hedges commented that he hoped that the Council would be able to recover any legal fees associated with Compulsory Purchase Orders.

The Senior Environmental Health Officer replied that the Council were liable to all legal fees under the rules of Compulsory Purchase.

The Head of Housing replied that although in isolation the Compulsory Purchase Order process may appear expensive it was important to see it in the wider context. He added that the process is intended to encourage others to bring their properties back into use before action has to be taken.

The Chair commented that she wished the process would cover flats above shops.

The Senior Environmental Health Officer replied that if the flat is a flat in its own right then the department can check if they are residential dwellings and pursue.

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

### **37 PANEL WORKPLAN**

The Chair introduced this item to the Panel. She reminded them of their intention to have a Registered Provider give them a presentation at their next meeting and that they would also like Curo present to discuss the matters of the Passport to Housing project and Advanced Rent.

The Head of Housing requested that the Corporate Gypsy & Travellers Policy be moved to January 2015.

The Chair requested that the Boat Dwellers and Travellers Update be moved to November.

Councillor Gerry Curran asked if the Panel could receive a report on the development of Manvers Street in January 2015.

The Chair asked for the Panel to receive a report on the Saw Close Casino & Hotel in November.

The Panel **RESOLVED** to approve all of the above proposals.

The meeting ended at 7.55 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**