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Housing Scrutiny Committee

HSC/1

Tuesday, 12 March 2024

HOUSING SCRUTINY COMMITTEE

12 March 2024

5.30 - 7.48 pm

Present: Councillors Pounds (Chair), Robertson (Vice-Chair), Griffin, Holloway, Martinelli, Swift, Thittala Varkey, Tong and Porrer

Councillor Pounds left the meeting before the consideration of item 24/18/HSC.

Executive Councillor for Housing and Homelessness: Bird

Tenant/Leaseholder Representatives:

Diane Best (Leaseholder Representative), Mandy Powell-Hardy (Tenant Representative) and Diana Minns (Tenant Representative)

Officers:

Director, Communities Group: Sam Scharf

Assistant Director, Housing and Homelessness: Samantha Shimmon

Assistant Director, Development: Ben Binns

Committee Manager: Sarah Steed

Meeting Producer: Boris Herzog

Present virtually:

Head of Finance and Business Manager: Julia Hovells

Strategic Delivery Manager: Sean Cleary

City Services Director: James Elms

FOR THE INFORMATION OF THE COUNCIL

24/11/HSC Apologies

Apologies were received from Councillor Lee and Councillor Porrer attended as alternate.

Tenant Representative Christabella Amiteye also sent apologies.

24/12/HSC Declarations of Interest

Name	Item	Interest
Councillor Porrer	24/18/HSC	Personal: Was a member of Planning Committee. Noted that the report related to the HRA

		budget implications and would only discuss issues in relation to this.
Councillor Porrer	24/17/HSC	Personal: A friend was a Davy Road resident and could be affected by any Council decision regarding Davy Road.
Councillor Tong	24/17/HSC	Personal: Was a member of Unite.
Councillor Thittala Varkey	24/16/HSC	Personal: Was a Council Tenant.

24/13/HSC Minutes

In advance of the meeting Councillor Bennett raised a concern with the phrase contained within minute reference 24/9/HSC point ii - 'Water consumption was expected to be restricted to 99 litres per person per day'. Officers suggested revised wording to replace this sentence so that it read 'Policy 28 of the Local Plan sets a water efficiency target of 110 litres per person per day. For Newbury Farm, the water efficiency targets are 99 litres per person per day'.

The minutes of the meeting held on 23 January 2024 were approved subject to the amendment detailed above as a correct record and were signed by the Chair.

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used their discretion to alter the order of the agenda items. However, for ease of the reader, these minutes will follow the order of the published agenda.

24/14/HSC Public Questions

Question 1

We are the Save Ekin Road community group, and we are writing to you regarding Cambridge City Council's proposals for Ekin Road. We are a group of 60 council tenants, leasehold and freehold residents. As done in the past, we wish to express our concerns regarding the investigation work and potential development of our estate.

We note the release of the "Ekin Road Options Appraisal" report by JLL, and associated statement by the Council accepting those findings, on 26 February.

We completely disagree with the conclusions of that report, and strongly object to the Council only taking forward the full demolition option to public consultation. Indeed, the JLL report itself describes that option as being the “least worst” option, which is hardly a compelling case for it.

We do, however, wish to express our tentative support for the partial demolition option, as presented in the JLL report. That option preserves 24 of the 32 houses on the estate, and achieves the same outcomes desired by the council in a near-identical way. We believe that this should have been the starting point for the public consultation, and that this option could, under an “emerging designs” approach and with close engagement with affected residents, be made to work well, for the residents, and for the council.

Nonetheless, we remain concerned by many aspects of the JLL report, by the option being taken forward for public consultation, and by the overarching processes within this project. As such, we wish to ask the following questions to you today:

Who made the decision to proceed with a public consultation on (only) a full demolition option, and why was this not brought to the Housing Scrutiny Committee to decide on? The council statement accepting the findings of the JLL report was unsigned.

Given the £300,000 expense to the Council of these investigatory works and reports, why is the Council not consulting residents on all of the investigated options from the JLL report, or at least the two “viable” options of partial, and full, demolition? It seems illogical, and wasteful, to commission all this costly work and then not make full use of it.

Why do the remaining options for the estate have no provision for additional social housing above current numbers? One of the main selling points of this project, and justification for the massive ensuing resident disruption, was the creation of additional social housing. But neither the full, nor partial, demolition option adds a single extra social-let dwelling.

How is it acceptable that the preferred option reduces the number of social-let 3 and 4 bedroom houses on the estate from 22 to just 6? There is an acute shortage in Cambridge of council houses of that size, and yet the preferred option proposes to slash the number on the estate. By comparison, the partial demolition option would retain at least 14 such houses.

Given the long timescale of this project, what urgent repair work and resident rehousing is taking place in council housing on the estate? A decant of residents in stage 1 of either option would take years, and for those in stage 2 could extend to 2030. That is far too long for many of the residents to wait; those in sub-standard or overcrowded dwellings need repairs or rehousing immediately.

Councillors, it seems clear that there are now two distinct choices for the final direction of the project. One of these presents a future for the estate that is acceptable and appreciated by practically all residents, while at the same time addressing the key issues and concerns that brought the council to consider works on Ekin Road in the first place. The other presents a future for the estate marred by conflict, delays, legal challenges, political turmoil, and ultimately uncertainty for everyone - residents and the council alike.

The Council now stands on this precipice, and thus now is the final opportunity to act. The next time we meet, a final decision will have been made. We pray that it is a good one, and that the Council uses the coming months wisely.

The Executive Councillor for Housing and Homelessness responded:

- i. It was agreed by the Leadership Team and Executive Councillor to consult residents on an emerging mixed tenure full redevelopment option.
- ii. Thanked JLL for producing their report, which had considered the outcome of the consultation with residents on the estate.
- iii. The report noted that none of the options available to the council were financially risk-free.
- iv. The JLL report assumed a net gain of social housing for the partial redevelopment (55) and full redevelopment option (114) in the 100% affordable options.
- v. The report also recommended that the council should consider alternative development or delivery options with a development partner.
- vi. The emerging design for Ekin Road which was currently being consulted on had 46 3 and 4 bed council homes, and the tenure mix was still being considered.
- vii. Officers planned to bring a report on Ekin Road to the June Housing Scrutiny Committee. Officers were meeting with tenants and leaseholders to understand individual circumstances.

Supplementary Question:

- i. Remained concerned by the Executive Councillor's response. Queried who was leading the Ekin Road project the Executive Councillor or

Officers. Did not want a bad decision – full demolition / redevelopment – to occur. If this option was pursued, residents would fight the council's decision.

The Executive Councillor for Housing and Homelessness responded:

- i. Wanted new homes for tenants who were on the housing waiting list. There were over 2000 people waiting for a property.
- ii. When redevelopment was being considered the council spoke with residents to ensure that they understood the process.
- iii. They had met with the member of the public and attended Liaison Group meetings. They were due to attend further meetings later that week.
- iv. Noted there were tenants who wanted to move out of accommodation at Ekin Road.

The Assistant Director of Development responded:

- i. As public servants, officers make recommendations to the Executive Councillor based on considered advice. Reports are brought to Housing Scrutiny Committee to be publicly scrutinised. The Executive Councillor can then choose to make a decision at this meeting.

Question 2

1. on 23rd January Cllr Bird reported that of the 72 flats damp and mouldy on Ekin Road, 5 were vacant (void works) and 67 were occupied, could she please update the meeting on how many are currently vacant and occupied.
2. on 3rd December it was reported in the Cambridge News based on information supplied by the "Action on empty homes" campaign group that within the city there were 2,437 properties classed as second homes and 131 houses that are categorized as long term empty, does the city council agree with these figures? Can the city council supply accurate current numbers for second homes and long term empty houses in the city?

The Executive Councillor for Housing and Homelessness responded:

- i. There were 70 flats at Ekin Road and Ekin Walk in Council ownership; 67 were occupied and 3 were vacant.
- ii. The figures quoted of 2437 second homes and 131 long term empty homes in the Cambridge News article were correct but were a snapshot of data on the 2 October 2023. These figures changed constantly so on 31 January 2024 they had changed to 1353 second homes and 224 long term empty.

- iii. The Council's second home figures were affected by the number of student accommodation properties which changed category once occupied for the student year. This notification was not always immediate, hence the figures from 2 October 2023 being much higher than in January 2024.
- iv. A long-term empty home is defined as one which has been empty for 6 months or more for Council Tax purposes. The Empty Homes Officer has been working with many of the owners of these long-term empty homes and has advised 12 are being refurbished, 5 are awaiting planning permission, 3 will be going to the market and 4 are sold subject to contract. It was the Council's intention to work with owners to get long-term empty homes back into occupation.

Supplementary Question

- i. Sought clarification that there were 224 long term empty houses in Cambridge (as at January 2024) and there were residents living in damp and mouldy flats at Ekin Road. These residents should be able to be moved out of their flats into the second homes. The Council should pursue the owners of the second homes to take these properties into council ownership.
- ii. During the last 3 months none of the tenants had been moved out of the damp and mouldy flats at Ekin Road.
- iii. Asked for the redevelopment proposals to be stopped.

The Executive Councillor for Housing and Homelessness responded:

- i. Noted the comments made by the public speaker.
- ii. Options for tenants would become clear once a decision had been made regarding the area.

The Assistant Director of Development responded:

- i. The Council could explore purchasing empty homes as an option. There was a legal process to follow which incurred expenditure and would take time. It was more practical to consider options over the council's existing estate as the council already owned the land / properties.
- ii. Some of the tenants at Ekin Road were actively looking on HomeLink to be rehoused, some weren't, and some were waiting until the council made a decision regarding Ekin Road, which was expected at the June Housing Scrutiny Committee.
- iii. If the redevelopment option was approved, tenants would be given emergency band status giving them a priority housing need.

24/15/HSC Compliance Report

This item was chaired by Diana Minns (Vice-Chair Tenant Leaseholder Representative).

Matter for Decision

The report provided an update on the compliance related activities delivered within the City Services Compliance Team, including a summary on gas, electrical, fire, lifts, legionella and asbestos.

Decision of Executive Councillor for Housing and Homelessness

- i. Noted the progress of the compliance related work detailed within the report.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the City Services Director.

The Strategic Delivery Manager and Assistant Director for Housing and Homelessness said the following in response to Members' questions:

- i. Officers were engaging with Residents Associations to understand how the council could engage better with residents. Officers would make more use of the Open Door publication.
- ii. Advised that if residents did not have access to an electronic device, they could ask the Customer Services Team to fill in forms / complete consultations on the resident's behalf.
- iii. Advised that one leaseholder had reported damp, mould, and condensation (DCM) concerns to the council.
- iv. In response to a query whether more resource was required to deal with reports of DCM, advised that the nature of the issue meant that there would always be seasonable pressure on the Team. Consideration would also need to be given to resource levels with the increase in council housing stock through the new build programme. There was existing budget to meet the DCM demand; budgets could also be moved around without a detrimental impact on other services.
- v. Officers were working with the Housing Development Agency to ensure accurate reporting of DCM reports.

The Committee unanimously resolved to endorse the recommendation.

The Executive Councillor approved the recommendation.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

24/16/HSC HRA Provisional Carry Forwards 2023/24

This item was chaired by Diana Minns (Vice-Chair Tenant Representative).

Matter for Decision

The report presented details of anticipated variances from budgets, where resources were requested to be carried forward into the 2024/25 financial year in order to undertake or complete activities anticipated to have taken place in 2023/24.

Decision of Executive Councillor for Housing and Homelessness

- i. Agreed the provisional carry forward requests, totalling £731,520 as detailed in Appendix A, subject to the final outturn position.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Head of Finance and Business Manager.

The Head of Finance and Business Manager said the following in response to Members' questions:

- i. In response to a question regarding work the council had undertaken in preparation for the council becoming regulated by the Housing Regulator:
 - a. referred to the Rent Regulation Error Refund / Remediation report (minute reference 24/20/HSC) where the council had reported rent errors to the regulator and would be correcting the errors from April 2024; and

- b. referred to the Compliance Report (minute reference 24/15/HSC) and noted that data needed to be held in a particular format so work was being undertaken to streamline the way the council held data to ensure the council could respond to queries from the Regulator.
- ii. The Council could be inspected by the Regulator at any point and the Council had put a project in place to ensure that the council was compliant with recently published consumer standards and actions were put in place where improvement was needed.
- iii. The Transformation Fund was set up to allow the Housing Service to be able to respond to changes in legislation, requirements from the Regulator and to allow the Housing Revenue Account (HRA) to contribute to the corporate costs of transformation as part of the Our Cambridge programme. Delegated authority was given to Directors to spend this fund. Officers approved the funding of two temporary fixed term posts (Housing Improvement Manager and Housing Improvement Officer) to deliver a restructure of the City Services Group to improve services in the Estates and Facilities repairs area.
- iv. DCM work was being picked up by a variety of officers; a vacant post was used to combine the work into one job role.
- v. Officers would provide information on what categories of expenditure the transformation fund was being used for within the HRA Outturn Report.

The Committee resolved (by 9 votes to 0 with 3 abstentions) to endorse the recommendation.

The Executive Councillor approved the recommendation.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

24/17/HSC Update on New Build Council Housing Delivery

This item was chaired by Councillor Pounds.

Matter for Decision

The report provided a regular quarterly update on progress for the City Council's new housing delivery and development programme.

Decision of Executive Councillor for Housing and Homelessness

- i. Noted the continued progress on the delivery of the approved housing programme.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Assistant Director Development and a correction was made to section 5.3 on p38 of the agenda; the Fanshawe Road development should have included 39 market rent homes instead of 0.

Post meeting note from the Assistant Director Development: The St Thomas's proposals were approved at the September 2021 Housing Scrutiny Committee and were brought back to Housing Scrutiny Committee in September 2022 with a further recommendation to 'Note the further review of budget and housing mix required to be undertaken at St Thomas Road, with a further update to be brought to the Committee as design work progresses'.

Following a regular briefing with the Executive Councillor for Housing and Homelessness on all development projects, including St Thomas's there was a clear steer to officers to review the St Thomas proposals because of residents' concerns regarding open space and planning policy on open space. Officers will undertake a review of what development, if any, is possible, that keeps the current open space. This review will be brought back to Housing Scrutiny Committee in June or September for members to vote on the next steps in line with the recommendations stated in the June 2022 Housing Scrutiny Committee report. In the meantime, as stated in the March 2024 Housing Scrutiny Committee, the current proposals are on hold.

The Assistant Director Development said the following in response to Members' questions:

- i. The design proposals for Ekin Road which were currently being consulted on were for the full redevelopment of the area with a mixed tenure scheme. The JLL report explained that consideration needed to be given not only to financial considerations but also to other benefits. The partial redevelopment option did not meet the 11 'critical success factors' that the full redevelopment option would. A report on Ekin Road would be brought back to the June Housing Scrutiny Committee.

The Executive Councillor for Housing and Homelessness responded:

- i. In response to a question regarding whether it was possible to bring the consultation for Davy Road proposals forward; advised that it took time to review areas for redevelopment. Officers would contact residents to advise when the consultation would take place.

The Committee resolved by 6 votes to 1 with 2 abstentions to endorse the recommendation.

The Executive Councillor approved the recommendation.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

24/18/HSC Purchase of New Affordable Housing - ATS & Murketts, 137 & 143 Histon Road

Councillor Pounds left the meeting before the consideration of this item and Councillor Robertson as Vice-Chair (Councillor) chaired this item.

Matter for Decision

The ATS & Murketts site is being developed by Cambridge Investment Partnership (CIP). The report sought approval for capital budget to purchase 28 affordable homes from the CIP as council homes.

Decision of Executive Councillor for Housing and Homelessness

- i. Approved the purchase of 28 new Council homes at ATS & Murketts and delegate authority to the Assistant Director of Development (Place Group) to approve contract terms with CIP in respect of this transaction.
- ii. Delegated authority to the Assistant Director of Development (Place Group) to agree rental tenures in line with Council Policy and planning consents for the ATS & Murketts Affordable Housing.
- iii. Approved a total budget of £6,788,000 to enable the development of 28 affordable homes at ATS & Murketts.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Assistant Director Development.

The Assistant Director advised that the following sentence on p57 of the agenda paragraph 8c 'Water usage will be restricted to a maximum of 99 litres per person per day, an improvement against current planning policy' should be amended to 'Policy 28 of the Local Plan sets a water efficiency target of 110 litres per person per day. For ATS Murketts, the water efficiency targets are 99 litres per person per day.

The Assistant Director Development said the following in response to Members' questions:

- i. Biodiversity Net Gain (BNG) was calculated through a government formula. The biodiversity on the site would be assessed by an Ecology Consultant before any development was carried out. The legal requirement required development to deliver 10% BNG.
- ii. Planning Officers were keen that the proposed development provided public access to the park; however, there were a number of stakeholder groups that the council would need to work with to come to a solution regarding access to the park.
- iii. The proposal was for 40% affordable housing; viability was challenging. Was aware of the need for more 3 and 4 bed houses. The number of flats had reduced from 78 to 70; it was a balancing exercise. All the flats would be accessible.
- iv. The development would be delivered as sustainably as possible.
- v. Parking provision was one space per house and less for the flats however there were good public transport connections to the site.

The Committee resolved by 5 votes to 0 with 3 abstentions to endorse the recommendations.

The Executive Councillor approved the recommendations.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

24/19/HSC To Note Decision Taken by the Executive Councillor for Housing and Homelessness

9a Social Rents and Service Charges Recalculations 2024

The decision was noted.

24/20/HSC Rent Regulation Error Refund / Remediation Policy

This item was chaired by Councillor Pounds.

The report relates to a key decision that was not included on the Forward Plan for the whole 28-day requirement before the meeting because an urgent decision that now necessitated the report was not made until 26 February 2024 and legal advice was also awaited. With the permission of the Chair of Housing Scrutiny Committee the urgency procedure was invoked to suspend the 28 day requirement so that the item could be considered at Committee so it is open to scrutiny and debate rather than a decision being made through the out of cycle process.

Matter for Decision

In late 2023, the Council identified two breaches of the rent regulations, which resulted in some tenants being historically over-charged, with the need to refund any overpayment.

The report sought approval for a refund policy specific to this issue, to sit alongside any other refund policy, to ensure that there was clarity and consistency in respect of considering and making these refunds.

Decision of Executive Councillor for Housing and Homelessness

- i. Approved the Rent Regulation Error Refund / Remediation Policy as detailed in Appendix A in the officer's report.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Head of Finance and Business Manager.

The Assistant Director of Housing and Homelessness said the following in response to Members' questions:

- i. There was a mechanism with the Policy which would allow joint tenants to be dealt with separately if a need arose; noting concerns raised by members regarding tenants who were victims of domestic abuse.
- ii. Rent Officers can put a mechanism in place to ensure that if a tenant's rent is reduced (to facilitate a rent regulation error refund) that the rent level is restored once the refund is complete. The Financial Inclusion Team would support vulnerable tenants with their rent.

The Committee unanimously resolved to endorse the recommendation.

The Executive Councillor approved the recommendation.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

The meeting ended at 7.48 pm

CHAIR