

## **BABERGH DISTRICT COUNCIL**

Minutes of the meeting of the **BABERGH CABINET** held in the Frink Room (Elisabeth) - Endeavour House on Tuesday, 5 July 2022

### **PRESENT:**

|              |                 |                             |
|--------------|-----------------|-----------------------------|
| Councillors: | Jan Osborne     | Clive Arthey (Deputy Chair) |
|              | David Busby     | Jane Gould                  |
|              | Alastair McCraw | Mary McLaren                |

### **In attendance:**

|                |   |
|----------------|---|
| Councillor(s): | Melanie Barrett   |
|                | Simon Barrett   |
| Officers:      | Chief Executive (AC)  |
|                | Monitoring Officer (EY)                                     |
|                | Director – Corporate Resources and Section 151 Officer (ME) |
|                | Director – Housing (GF)                                     |
|                | Director – Assets and Investments (EA)                      |
|                | Director – Environment and Commercial Partnerships (CC)     |
|                | Corporate Manager – Tenant Services (RL)                    |
|                | Corporate Manager – Councils' Companies (HB)                |
|                | Housing and Standards Manager (JK)                          |
|                | Senior Empty Homes Officer (AT)                             |
|                | Senior Governance Support Officer (HH)                      |

### **Apologies:**

John Ward (Chair)  
Elisabeth Malvisi

### **10 DECLARATION OF INTERESTS BY COUNCILLORS**

There were no declarations of interests declared by Councillors.

### **11 BCA/22/5 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 8 JUNE 2022**

#### **It was RESOLVED:**

**That the minutes of the meeting held on the 8 June 2022 be confirmed and signed as true record.**

### **12 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

None received.

### **13 QUESTIONS BY COUNCILLORS**

None received.

**14 MATTERS REFERRED BY THE OVERVIEW AND SCRUTINY OR JOINT AUDIT AND STANDARDS COMMITTEES**

There were no matters referred by the Overview and Scrutiny or Joint Audit and Standards Committee.

**15 FORTHCOMING DECISIONS LIST**

There were no comments for the Forthcoming Decisions List.

**16 BCA/22/6 GENERAL FUND FINANCIAL OUTTURN 2021/22**

16.1 The Chair, Councillor Arthey invited the Cabinet Member for Finance, Councillor Busby to introduce the report.

16.2 The Cabinet Member for Finance provided an overview of the report and moved the recommendations as detailed in the report, which was seconded by Councillor Osborne.

16.3 In response to other Members attending the meeting Councillor Busby detailed the issues with delivery of the Capital Programme and the development currently undertaken by Babergh District Council.

16.4 The Chief Executive provided a response to staff matters and that the budgeting for the staff pay review would be in the budgets set for the 2023-2024 financial year.

16.5 Councillor McLaren referred to paragraph 4.6, page 15 in relation to the reduction of income for garden waste and the Corporate Manager – Finance Operations responded that refunds caused by missed collections during the Covid Pandemic were included in quarter four in this year's Financial Outturn.

16.6 The Director for Environment and Commercial Partnerships added that there was a continued growth in the uptake of the garden waste collections.

16.7 During the debate Councillor Osborne stated that the Sudbury Access point provided a good service to residents and that opening hours of the access point were not a cost cutting measure but were combined with other customer services available to residents including support through the website and direct access through the Customer Service call-centre.

**It was RESOLVED: -**

**1.1 That the 2021/22 General Fund financial outturn of £1.382m surplus as set out in this report be noted.**

**1.2 That the revenue carry-forward requests totalling £420k be noted.**

**1.3 That the following transfers be approved;**

- a) Surplus of £394k be transferred to the Strategic Priorities Reserve**
- b) £500k be transferred to a new Inflationary Pressure Reserve**
- c) £345k to be transferred to the Planning Legal Reserve**
- d) £143k to be transferred to the Waste Reserve**

**1.4 That the total capital carry-forward of £17.306m be noted.**

#### **REASON FOR DECISION**

To ensure that Members are kept informed of the outturn position for both General Fund Revenue and Capital and to approve earmarked reserve transfers.

#### **Alternative Options Considered and Rejected:**

The recommended option is set out in the Recommendations. There are no other available options.

**Any Declarations of Interests Declared:** None

**Any Dispensation Granted:** None

#### **17 BCA/22/7 HOUSING REVENUE ACCOUNT (HRA) FINANCIAL DRAFT OUTTURN 2021/22**

**17.1** The Chair, Councillor Arthey invited the Cabinet Member for Finance, Councillor Busby to introduce the report.

**17.2** The Cabinet Member for Finance provided an overview the report and moved the recommendations as detailed in the report. This was seconded by Councillor Osborne.

**17.3** In response to questions from other Members attending the meeting the Director for Housing outlined the financial details for delivering 65 new homes a year to in the District.

**17.4** Councillor Gould referred to paragraph 13.2 and that air source heat pumps were installed in new homes.

**It was RESOLVED:-**

**1.1 That the 2021/22 HRA financial outturn as set out in this report be noted.**

**1.2 That the transfer of £409k, being the HRA revenue surplus for the year (£282k more than planned) as per paragraph 6.4, to the Strategic**

**Priorities Reserve be approved.**

- 1.3 That the HRA capital carry-forward requests referred to in paragraph 6.19 of this report totalling £5.51m be approved.**

#### **REASON FOR DECISION**

To ensure that Members are kept informed of the outturn position for both Housing Revenue and Capital and to approve earmarked reserve transfers and carry forward requests.

#### **18 BCA/22/8 THE APPROVAL OF THE HOUSING REVENUE ACCOUNT BUSINESS PLAN**

- 18.1 The Chair, Councillor Arthey invited the Cabinet Member for Housing, Councillor Osborne to introduce the report.
- 18.2 The Cabinet Member for Housing provided a detailed introduction to the report and moved the recommendations in the report.
- 18.3 Councillor McLaren seconded the recommendations.
- 18.4 Councillor Osborne thanked the Director for Housing, Gavin Fisk for how he had led the team through the tough covid pandemic, and all his hard work whilst working for the Council and wished him well in his new role.
- 18.5 In response to other Members attending the meeting the Cabinet Member for Housing Councillor Osborne, stated that 98 new homes were delivered last year. The 65 new homes in the report were an aspirational target set for the Council to achieve whilst the HRA Business Plan would be reviewed going forward.
- 18.6 In response to questions from other Members attending the meeting the Director for Housing clarified that Fixed Term Tenancies had not been adopted, however work was being undertaken to review and update the Strategic Tenancy Policy and he would look at the references report and respond further outside of the meeting.
- 18.7 Councillor McLaren queried homes acquired under Section 106 in relation to the new Design guide and the Cabinet Member for Housing responded that the Design Guide would be relevant for the houses built by the Council whilst being made available to developers in the District.
- 18.8 The Assistant Director for Assets and Investments provided details of the Section 106 properties and the related agreements with developers.
- 18.9 In response to Councillor Busby's question with regards to the CPI and how this was mitigated by the HRA, the Director for Housing responded that the Council would have to wait until April 2023 for the Government to decide on how to manage the CPI in the future, however the HRA would be able to absorb any increases in the CPI.

- 18.10 Councillor McCraw queried the annual review of the HRA Business plan, and the Director for Housing clarified that the Business Plan was a framework and would be updated on an ongoing basis. The Financial budget for next year would be set in the coming weeks.
- 18.11 Councillor Gould referred to the 'My Home Portal' and the digital transformation in relations to consultation and how engagement with residents were progressing.
- 18.12 The Cabinet Member for Customers, Digital Transformation and Improvement, Councillor McCraw detailed the recent developments and that work for a new IT platform was being undertaken. Improvements were being implemented to make tenants more aware of the options available to them. The Director for Housing added that there had been an increase of the uptake of users for the 'My Home Portal' and that staff were encouraged to promote it to tenants. He listed the current projects, which involved tenancy engagement and further that several consultations had taken place in the past year to identify areas for improvements.

**It was RESOLVED: -**

- 1.1 That Cabinet approved the proposed HRA Business Plan along with the overarching aims as set out in this report.**
- 1.2 That an annual review of the HRA Business Plan takes place, and any amendments, changes, or updates were reported to Cabinet as part of the annual budget setting process.**

#### **REASON FOR DECISION**

To ensure Babergh have an HRA Business Plan, which will be meet the Councils overarching Housing aims over the next five years

#### **19 BCA/22/9 EMPTY HOMES POLICY 2022**

NOTE: The meeting was adjourned between 11:00 am and 11:10 am.

- 19.1 The Chair, Councillor Arthey invited the Cabinet Member for Housing Councillor Osborne to introduce the report.
- 19.2 The Cabinet Member for Housing provided an overview of the policy and thanked the Director for Housing for the work involved to produce the Empty Homes Policy.
- 19.3 Councillor Osborne moved the recommendations in the report, which was seconded by Councillor McLaren.
- 19.4 Councillor Busby asked for clarification of what was classed as an empty home, what happened if the lease was tied to a probate and council tax was

still being paid.

- 19.5 The Senior Empty Homes Officer detailed the implications of a probate in relation to a tenant lease and defined what classed as an empty home.
- 19.6 Councillor Arthey queried the Empty Homes Renovation loan offered to landlords and whether it was sufficient to help. The Director for Housing responded that 15 Empty Homes Renovation loans had been issued in the last six years, and that the loans might be sufficient depending on the state of the property. There was an annual budget for Empty Homes Renovation loans, and this was reviewed each year. The Renovation loans to landlords were regarded as an incentive to get empty homes back into use.
- 19.7 In a further response to questions, the Cabinet Member for Housing, Councillor Osborne stated that if the Council was to use the funding to bring its own Empty Homes back into use, then it would depend on the conditions of the property.
- 19.8 The Senior Empty Homes Officer clarified that not all empty homes were owned by landlords but could be owned by first time buyers. She then detailed the process for identifying an empty property and how the Council assessed the cost of repairs, when an application for an Empty Homes Renovation loan was made. Loans were never released until the work and cost were agreed.
- 19.9 The Director for Housing added that of the sixteen Empty Homes Renovation Loans paid out since 2016 only a handful had been repaid fully, however full repayment would be received by the Council when the property was sold.

**It was RESOLVED: -**

- 1.1 That Option 1 - the new Empty Homes Policy, as set out in Appendix A of this report and considering the recommendations from Overview & Scrutiny Committee held on 25<sup>th</sup> April 2022 be approved**
- 1.2 The Assistant Director for Housing, in consultation with the Portfolio Holder for Housing had delegated authority to make minor changes to the Empty Homes Policy.**

#### **REASON FOR DECISION**

- 1.1 There is a demand for housing in the Babergh District and long- term empty properties, which could otherwise be made available for; sale, rent or owner occupation are a wasted housing resource and give rise to complaints.
- 1.2 If a Compulsory Purchase Order (CPO) is applied for, the Empty Homes Policy will help satisfy the Secretary of State of the process the Council has taken.

- 20.1 The Chair, Councillor Arthey invited the Cabinet Member for Housing, Councillor Osborne to introduce the report
- 20.2 The Cabinet Member for Housing provided an overview of the Rent and Service Charge policy and corrected paragraph 4.7.3, page 278 in the draft Rent and Service Charge Policy, which should refer to 'appendix a'.
- 20.3 The Cabinet Member moved the recommendations in the report, which was seconded by Councillor Busby.

**It was RESOLVED: -**

**That Cabinet approved the Rent and Service Charge Policy attached in Appendix A with the following decisions:**

**A – That rent flexibility is not applied.**

**B – That rents in certain Temporary Accommodation, which is excluded from the rent standard, may be set at LHA rates**

**C – That service charges are de-pooled.**

#### **REASON FOR DECISION**

A – That rent flexibility is not applied. Due to the current economic climate and challenges around affordability for the Council's tenants, Rent Flexibility will not be used for any new tenancies. Should there be a requirement to change this decision and adopt any level of Rent Flexibility, a decision will be taken by full Council and will have a clear rationale, considering local circumstances and affordability. Tenants will be consulted about the proposals and their views taken into account by the Councils.

B - That rents in certain Temporary Accommodation, which is excluded from the rent standard, may be set at LHA rates. The Policy provides for both BMSDC to continue to set rents at LHA in circumstances such as this, where the Rent Standard and Rent Policy Statement do not apply. Doing so provides greater opportunity to provide temporary accommodation in new settings and maximise income for the HRA.

C - That service charges are de-pooled. It is generally considered to be inequitable to fund or to subsidise the cost of services from the general rent pool, and fairer to charge the cost of services to those tenants who benefit directly, referred to as 'de-pooling'. De-pooling service charges will free-up limited funds of within the HRA budgets which are currently subsidising services to meet changes in national housing policy which benefit all tenants. Exemptions to this rule could be made if its application meant that a service became unaffordable, as could be the case with some support services. In these cases, the service charges would be pooled across multiple locations.

- 21.1 The Chair, Councillor Arthey, invited the Cabinet Member for Housing, Councillor Osborne to introduce the report.
- 21.2 The Cabinet Member for Housing introduced the report and moved the recommendations, as detailed in the report.
- 21.3 Councillor Busby seconded the recommendations.
- 21.4 In response to Councillor Busby's question regarding the seven authorities in the Consortium, the Cabinet Member for Housing responded that four members of the Consortium had already agreed the Strategy for the Gateway. The Policy was a transparent and fair way forward for allocations of accommodations across the County including meeting the needs of victims of domestic violence and care leavers. She added that the Gateway to Homechoice Board met on a regular basis.
- 21.5 The Cabinet Member for Housing thanked the team for all the work they had undertaken, which had been challenging, as they have had to make some hard choices to make the policy fair.

**It was RESOLVED: -**

- 1.1 To approve the Allocations Policy amendments, as set out in Appendix A of this report.**
- 1.2 The Assistant Director for Housing, in consultation with the Portfolio Holder for Housing had delegated authority to make minor changes to the Allocations Policy.**

**REASON FOR DECISION**

- 1.1 To ensure that the Allocations Policy meets legal requirements.
- 1.2 To clarify wording in the policy so that key decisions are made fairly and consistently by all Gateway Local Authorities.
- 1.3 Delegated Authority for minor changes to reduce the burden of committee work, improve efficiency and be more responsive to minor changes required.

The business of the meeting was concluded at 11:57 a.m.

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Chair