

Minutes of the meeting of the HOUSING AND COMMUNITY COMMITTEE held on MONDAY 10 OCTOBER 2016

Present: Councillor C Williams (Chair)
Councillors Burke, Ferrans, Ganatra, Geaney, Hosking, Jenkins, Khan, D McCall, Wallis and Webb

Officer: E Richardson (Overview and Scrutiny Officer)

Also Present: L Ellen (Acting Service Director [Housing and Community]), J Nokes (Housing Options Manager), M Smith (Housing Finance Manager) and Councillor Long (Cabinet Member [Adult Care and Housing])

I O'Hara (Community Director, Emmaus Carlton), A Caravello (Chair, Milton Keynes Private Landlords' Association) and 1 member of the public

Disclosure of Interests:

Councillor McCall declared a pecuniary interest in Item 5a as an employee of the Milton Keynes Winter Night Shelter and confirmed that he would leave the room during consideration of the item.

Councillor Ferrans declared an interest in Item 5a as a member of the Milton Keynes Development Partnership (MKDP).

Councillor Jenkins declared a personal interest in Item 5b and confirmed that she would sit in the public gallery during consideration of that item.

Councillor Khan declared a pecuniary interest in Item 6 as a private landlord of residential properties in Milton Keynes. He confirmed that he would leave the room during consideration of Item 6.

Councillor Ganatra declared an interest in Item 6 as a private landlord of residential property. However, as none of his properties were in the borough of Milton Keynes there was no requirement for him to leave the room during the consideration of Item 6.

HAC14

MINUTES

RESOLVED -

1. That the following correction to Minute HAC08 be agreed, clarifying the policy of developers providing 30% affordable housing on new developments:

- Current policies specified that any new development should have 30% affordable housing. Developers could offer more than this, but could not be required to develop more. Current policies also stated that neighbourhoods should be of mixed tenure, with affordable housing 'pepper potted' throughout other tenures. This would normally prevent a 100% affordable housing development;

- Where affordable housing was developed to meet a specific need designated as a priority, then some opposing policies would be given less weight, facilitating a greater percentage of affordable housing.
2. That once this amendment was included, it was agreed that the remainder of the Minutes were a correct record of the meeting held on 23 August 2016 and could be signed by the Chair.

HAC15

MILTON KEYNES WINTER NIGHT SHELTER

The Committee received a briefing paper from the Chair of the Winter Night Shelter, who due to other commitments was unable to attend the meeting, and noted that:

- Milton Keynes Development Partnership (MKDP) had agreed to the Winter Night Shelter (WNS) using the former Bus Station in Central Milton Keynes as a day centre to provide support services to the city's homeless during winter 2016/17;
- This was a short term provision whilst MKDP received and analysed tenders for a permanent tenant for the building;
- The WNS would be preparing a tender in order to be considered for the permanent tenancy;
- The former Bus Station was unsuitable for overnight accommodation but would serve as a reception and support centre for the homeless;
- It would provide lockers for the homeless to store their possessions and transport would be provided from the Bus Station to the venues providing overnight accommodation. Service users would also then be bused back to the centre the following morning;
- The WNS was looking to co-ordinate its services from the former Bus Station with other organisations providing help for the homeless, including Open Door, Citizens' Advice Bureau, SieveMK, the P3 group and the organisers of soup runs.

RESOLVED –

1. That the Chair of the Winter Night Shelter be thanked for his clear and helpful briefing note on the establishment of the Winter Night Shelter day centre in the former Bus Station in Central Milton Keynes.
2. That given the small cost (£1400) of establishing Winter Night Shelter services in the former Bus Station for 2016/17, the positive social value of the services that will be provided there and as a sign of the Council's commitment to solving the issues of homelessness in Milton Keynes, the Cabinet be requested to consider funding the set up costs for the Winter Night Shelter.
3. That the Winter Night Shelter Management Committee be requested to look at ways in which the public (and councillors) can

be involved with its work and contribute easily to the on-going funding of the Winter Night Shelter for 2016/17.

4. That once all bids for the future use of the former Bus Station have been received by MKDP and the details made public, the Committee requests that it be given the opportunity to review the bids and if it considers the continued use of the property by the Winter Night Shelter as the most appropriate use, the Chair, on behalf of the Committee, writes to MKDP supporting the bid by the Winter Night Shelter.

HAC16

EMMAUS COMMUNITY

Witness: Ian O'Hara, Director of the Emmaus Community, Carlton

Mr O'Hara thanked both councillors and officers for their recent visits to the Community and their continued interest in its work. He outlined the history and ethos of the Emmaus organisation. The Community at Carlton currently had 35 companions, increasing to 42 in 2017. It was also the most successful community financially in the UK. They were building relationships with other organisations in Milton Keynes, particularly the Winter Night Shelter.

They would like to establish a satellite community in Milton Keynes on the standard Emmaus model in order to help rehabilitate local homeless persons by initially establishing a retail outlet to generate income, developing a drop-in/day centre to provide support services and gradually developing a full community.

Mr O'Hara confirmed that he had received the go-ahead from the Board at Emmaus Carlton and could establish a retail outlet very quickly once the right site had been identified. Once that had been operational for 6-12 months the Community could then move on to establishing a community in Milton Keynes. This would be done by bringing in core companions from other communities to start the village and support new companions. If necessary, they could start off in temporary premises and then move on to somewhere more permanent later. They had expressed an interest in Orchard House, but the Cabinet Member (Adult Care and Housing) confirmed that this had already been allocated for conversion to temporary family accommodation units as part of the Council's plans to reduce the number of families in room-only hotel accommodation.

Mr O'Hara advised the Committee that the turnover of Emmaus Carlton was £250m per year, mostly from the sale of furniture, all of which was ploughed back into the Community, and that they were looking for retail space of 3000 square feet. It would also need to be in a location where it would be safe for lorries to load and unload safely and where there was space to accept donations from the public, but with a high footfall of shoppers. However, if necessary, a new community in Milton Keynes could be supported from by the activities at Carlton until it became self-sufficient in its own right.

RESOLVED –

1. That the Community Director of Emmaus Carlton be thanked for his attendance at the meeting and for his contribution to the Committee's discussions.
2. That the Committee endorses the plans of the Emmaus organisation to establish a community in Milton Keynes and urges the Cabinet/Council to work with the development team from Emmaus Carlton to find cost suitable, size appropriate properties in Milton Keynes in order to establish initially, a retail presence in the city, followed by an appropriate residential property in which to establish a working community in Milton Keynes.

HAC17

UPDATE ON THE MILTON KEYNES HOMELESSNESS PARTNERSHIP

The Council's Acting Service Director (Housing and Community) updated the Committee on the progress in establishing the Partnership. The first meeting had been held on 27 September and all the organisations which had taken part in the public forums held as part of the Homelessness Task and Finish Group earlier in the year had been invited. Fourteen groups had been represented at the meeting, which focussed on how the partners could work together to ensure the success of a one-stop shop style approach to providing support for the homeless in Milton Keynes. The next meeting was scheduled for 17 October, when the Chair and Vice-Chair would be elected and the Terms of Reference agreed. It would also be looking at costed proposals which could be presented to Cabinet at its December meeting. Other work would include looking at whether there were any similar schemes already established elsewhere in the country.

The Committee was pleased at the prompt action following the Cabinet's decision to establish the Partnership and the level of involvement from those invited to be involved. However, there was a need to avoid the Partnership being dominated by 3-4 of the larger organisations; the smaller groups needed to be heard and their contribution valued. Feedback from service users also needed to be taken into account; they were the people who understood best what they needed. Seeing how the Winter Night Shelter operated from the former Bus Station, whether it was successful, lessons learnt etc, should also be included in the Partnership's work programme.

The Committee commended the establishment of the Partnership as a positive step forward which was actively seeking solutions with a range of partners and that it would hopefully make the necessary progress needed to alleviate the plight of the homeless in Milton Keynes.

RESOLVED –

1. That the Acting Service Director (Housing and Community) be thanked for the report on the initial meeting of the Milton Keynes Homelessness Partnership.
2. That the Acting Director (Housing and Community) be requested to circulate the Partnership's draft Terms of Reference and the list of those organisations invited to attend the initial meeting of the Partnership to the Committee for information.

HAC18

CABINET RESPONSE TO COMMITTEE REFERRALS

The Committee had received a written response from the Cabinet to the referrals it had made from its meetings on 14 July and 23 August. Due to lack of time at the meeting, this item was not discussed and the Committee was requested to review the item in their own time, sending any comments to the Committee's Planning Group for further consideration if necessary.

RESOLVED -

That the members of the Committee be requested to review the Cabinet responses and send any comments, queries or observations to the Overview and Scrutiny Officer for consideration by the Committee's Planning Group.

HAC19

WORKING WITH PRIVATE LANDLORDS

Witness: Alex Caravello, Chair of Milton Keynes Private Landlord Association

Mr Caravello explained that he had been a private landlord in both Milton Keynes and elsewhere for at least 20 years. He had been a member of the Milton Keynes branch of the National Association of Private Landlords since 2005 and that the Milton Keynes Private Landlords' Association had been established about 5-6 years ago in response to a need for private landlords to work more closely with the local authority and housing associations. He had worked with the Council on various projects and had personally placed over 60 people referred from the Council into private rental property, many of whom were still there.

The Council's Housing Operations Manager explained that the Council had started working with the Private Landlords' Association in 2012, but that it had been looking into ways of doing so before that date. Mr Caravello had participated in various meetings to explain to council officers what private landlords wanted from the Council and the pitfalls to avoid.

From these meetings the 'Homes in Partnership Scheme' was developed which covers the first 12 months of a tenancy with a private landlord. After a year it was hoped that the tenant and landlord would have developed a working relationship, but council officers remained on hand in case there were any future problems. This had added to

the visibility of the Council with other landlords and housing associations.

Other schemes had also been developed with private landlords, such as the Council's 'Enhanced Private Sector Lease Scheme' which provided a full property management service for landlords with a guaranteed income.

The Housing Operations Manager explained that the Council was working with private landlords, listening to their views and discussing what was needed to make tenancies successful for all parties.

The Committee expressed concern as to whether this working relationship had lost its impetus since 2012, which had led to the current crisis, particularly in respect of the increase in homeless families. The Housing Operations Manager explained that the project to work with private landlords had not lost impetus, but that in the last 4 years or so, the market had changed significantly. Many local landlords had small portfolios and many had decided to sell in order to realise their assets.

Mr Caravello confirmed that the demand on private rental sector accommodation was continuing and that the demand was greater than the supply. However, he said that he had not been aware of the work done to develop the Enhanced Private Sector Lease Scheme and would have liked to have been involved.

He also explained that the phased removal of mortgage interest against tax for private landlords would cause a significant change in the market; many landlords were still not aware that these changes were coming and he thought that it would make the situation even more difficult, as many may decide to sell up and leave the sector.

The Committee noted that in Milton Keynes the private sector was very important, providing a significant number of placements for council tenants, enabling the Council to discharge its homeless duty into the private sector.

Mr Caravello estimated that there 18,000 individual, private rental properties in Milton Keynes, which was considerably more than the Council's social housing provision. He also explained that he had always accepted tenants who were in receipt of Housing Benefit, but he acknowledged that it did put some private landlords off due to mortgage and insurance restrictions.

The Milton Keynes Private Landlord's Association was a voluntary organisation which was trying to enhance the sector's image and guarantee a proper standard of accommodation for tenants by encouraging its members to engage with the Association's Code of Conduct in order to operate properly and keeping them informed of developments in the sector. There were currently about 350 members, and although no-one was sure of the exact number of private landlords in Milton Keynes, Mr Caravello thought it could easily be as many as 4000. He agreed that this meant that there could be a lot of landlords renting out sub-standard property, which was

damaging to the image of the sector. He explained that good landlords would also like to see any rogue landlords dealt with effectively and although the Council did have enforcement powers to compel landlords to improve their properties when necessary, he felt that the 'carrot' approach was more effective than a 'big stick'.

The Committee raised the issue of short term lets and whether the eviction of private tenants after 6 months was causing the increasing rise in homelessness. The Housing Operations Manager advised that initial placements in the private sector were for a 6 month period, but that many worked out satisfactorily and were extended. The Council was able to provide advice to any tenants in the private sector who needed it, but landlords had the right to terminate a tenancy once the agreement period was over. Tenants did not have to automatically leave after the initial six months; it was in everyone's best interest for successful tenancies to continue as landlords wanted tenanted properties which were looked after. There was legislation to protect tenants against eviction if they had had cause to complain about their landlord or the quality of the property.

Mr Caravello confirmed that he had evicted tenants, but only where they had not complied with the tenancy agreement such as substance abusers or those indulging in other anti-social behaviour.

The Committee also noted that rents should not increase dramatically at the end of an initial 6 month tenancy; if they did, it meant that they must have been offered at a significant and possibly unrealistic, discount to start with.

The Committee also expressed concern about what could be done to help tenants who were moving on but the landlord retained their deposit illegally. Mr Caravello said that there was legislation to protect tenants against this happening and that reputable landlords abided by the legislation. The Housing Operations Manager added that the Council offered help, and financial assistance if necessary, to tenants who have had their deposits withheld. The Council would negotiate with the landlord and try and resolve the situation amicably first.

The Committee was reassured that the Council's Houses in Partnership Scheme was still operational and would continue but that many landlords were becoming more interested in being part of the Enhanced Private Sector Lease Scheme.

Councillor Long (Cabinet Member [Adult Care and Housing]) also commented that he thought it was important for the Council to engage effectively with the private rented sector to the mutual benefit of both parties by sitting down with landlords and discuss their needs with tenants. Renting from a private landlord should be part of the proposed Choice Based Lettings Scheme once it was introduced.

RESOLVED –

1. That the Chair of the Milton Keynes Private Landlords' Association be thanked for his attendance at the meeting and his contribution to the Committee's discussions.

2. That the Cabinet be requested to seek ways of working with the Milton Keynes Private Landlords' Association to identify and handle rogue landlords who give the private rented sector a bad name, so that they are encouraged to improve both their properties and their working practices for the benefit of both tenants and the general reputation of private sector landlords.

HAC20

DRAFT REVENUE AND CAPITAL BUDGET (HOUSING PROPOSALS 2017/18)

This was an introductory item to raise the awareness of the Committee to the major piece of work being done across the Council during November and December to develop the draft budget proposals for 2017/18. The Budget Scrutiny Committee would be looking in detail at the pressures affecting all the Council's Service Groups; pressures in the Housing and Community Service Group were scheduled to be scrutinised on 13 October 2016 and members of the Committee were encouraged to attend this session.

Councillor Long explained that it was the Administration's policy, as set out in the Council Plan, to reduce the need for temporary accommodation, particularly room-only hotel accommodation by increasing the supply of proper accommodation, particularly for families and that the 2017/18 draft budget proposals were the start of this process.

RESOLVED –

That the Cabinet Member (Adult Care and Housing) and the officers from the Housing Service Group be thanked for their input into the Committee's Scrutiny of the draft 2017/18 Housing Budget proposals.

HAC21

WORK PROGRAMME 2016/17

The Committee received the revised 2016/17 Work Programme which now included two additional columns, 'Proposed Outcomes' and 'Actual Outcomes' for each item. The Actual Outcomes column would be updated after each meeting and the revised programme circulated as a standing item on the agenda for the following meeting.

Committee members were asked to send any comments they might have on the Work Programme to the Committee's Planning Group.

RESOLVED –

That the Committee notes the revised Work Programme for 2016/17 and that the Planning Group be authorised to make any such changes to the Work Programme as necessary.

PROVISION OF 30% AFFORDABLE HOUSING IN NEW DEVELOPMENTS IN MILTON KEYNES

As requested by the Committee at its meeting on 23 August 2016, the Planning Department had produced a briefing note giving details of the provision of 30% affordable housing in new developments in Milton Keynes in the past two years (June 2014 – June 2016). However, due to lack of time at the meeting, this item was not discussed but the Committee was requested to review the item in their own time and send any queries to the Overview and Scrutiny Officer who would seek clarification from the Planning Department on any issues raised.

RESOLVED –

1. That the Committee receives and notes the briefing paper from the Planning Department detailing the provision of 30% Affordable Housing in New Developments in Milton Keynes over the last two years which had been requested at the previous meeting (23 August 2016).
2. That in order to avoid duplication, any queries about the paper, requests for clarification etc, be directed to the Overview and Scrutiny Officer, who will pass them on to the Planning Department for a response, which will then be circulated to all members of the Committee.

THE CHAIR CLOSED THE MEETING AT 10.20 PM