

LISBURN & CASTLEREAGH CITY COUNCIL

Minutes of the Special Remote Meeting of Council held on Tuesday 18 October, 2022 at 6:03 pm

PRESENT IN CHAMBER:

The Right Worshipful the Mayor
Councillor S Carson

Aldermen D Drysdale, A Grehan and J Tinsley

Councillors R T Beckett, D J Craig, A P Ewing, A Givan,
A Gowan, J Lavery BEM, G McCleave and C McCready

PRESENT IN REMOTE LOCATION:

Deputy Mayor
Councillor M Guy

Alderman S Martin

Councillors R Carlin, F Cole, M Gregg, A McIntyre,
Jenny Palmer, John Palmer, S Skillen and N Trimble

IN ATTENDANCE:

Lisburn & Castlereagh City Council

Director of Finance and Corporate Services
Director of Leisure and Community Wellbeing (remote)
Member Services Officers
Technician
IT Officer

Northern Ireland Housing Executive

Ms G Long, Chief Executive
Mr A Hannaway, Regional Manager
Mr D Marley, Area Manager
Mr C Stitt, Assistant Area Manager (remote)
Ms J Hawthorne, Interim Director of Housing (remote)
Ms L Vincent, Asset Management (remote)
Mr A Kennedy, Asset Management (remote)
Mr J Gillespie, Asset Management (remote)
Ms A Hickey, Head of Place Shaping (remote)
Ms F McGrath, Head of Place Shaping (remote)
Ms R O'Neill, Central Grants (remote)
Mr P Isherwood, Director of Asset Management (remote)

Commencement of the Meeting

The Right Worshipful the Mayor, Councillor S Carson, welcomed those present to the remote meeting of Council which, in line with Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020, was being live streamed to enable members of the public to hear and see the proceedings.

Aldermen A Grehan and J Tinsley arrived to the meeting (6.04 pm).

The Member Services Officer read out the names of the Elected Members and Officers in attendance at the meeting.

The Right Worshipful the Mayor requested that all mobile phones be put on silent or switched off for the duration of the meeting and pointed out that, in accordance with the Council's Standing Orders, whilst the meeting was being live-streamed, unauthorised recording was not permitted.

The Director of Finance and Corporate Services outlined the evacuation procedures in the case of an emergency.

1. Apologies

It was agreed to accept apologies for non-attendance at the meeting on behalf of Aldermen A G Ewart MBE, M Henderson MBE and S P Porter, Councillors J Gallen, H Legge, S Lowry, U Mackin, S Mulholland and A Swan and the Chief Executive.

2. Declarations of Interest

There were no declarations of interest.

3. Deputations

3.1 Presentation of Northern Ireland Housing Executive Lisburn & Castlereagh Housing Investment Plan 2022

The Right Worshipful the Mayor, Councillor S Carson, welcomed to the meeting Ms G Long, Chief Executive, Mr A Hannaway, Regional Manager and Mr D Marley, Area Manager, as well as a number of other representatives of the Northern Ireland Housing Executive (NIHE) who were in attendance at the meeting on a remote basis.

Members had been provided with a copy of the Lisburn & Castlereagh Housing Investment Plan 2022, together with written responses to several queries raised by Members in advance of the meeting.

With the use of visual aid equipment, Ms Long made a presentation in respect of the Housing Investment Plan, during which she highlighted the following:

- Community Planning – Actions Led by NIHE
- Housing Executive Spend 2021/2022 and Projected Spend 2022/23
- Waiting List Trends 2018-2022
- Lisburn and Castlereagh Tenure Breakdown and Total Homes
- Issues Specific to Lisburn & Castlereagh City Council
- New Build/Social Housing Development Programme
- Affordable Warmth Scheme and Boiler Replacement Scheme
- New Strategic Priorities

3.1 Presentation of Northern Ireland Housing Executive Lisburn & Castlereagh Housing Investment Plan 2022 (Contd)

Councillor Jenny Palmer joined the meeting during the presentation (6.15 pm).

After the presentation, a number of Members' queries were responded to by the NIHE representatives, as follows:

- (a) Councillor D J Craig asked about the current maintenance contract in the Council area and gave an example of a constituent who had been allocated a property but, having been advised it was ready for occupation, had found a number of issues needing to be addressed, including the lack of a bathroom door and toilet. Councillor Craig had raised this with a local manager and within a few days, a contractor had attended and sorted some, but not all, of the issues. This was not an isolated incident. Mr Marley stated that that standard of workmanship was totally unacceptable. Matters such as this had been raised with him on a number of occasions and were being addressed through monthly performance meetings with contractors. Lessons had been learnt and significant improvements in the standards of work were expected over the coming period.
- (b) Councillor D J Craig raised the fact that contractors' costs were spiralling out of control and asked what would happen if they were bound to a contract that was no longer fit for purpose and, as a consequence, they went into liquidation or walked off a job. Ms Long stated that the situation in relation to contractors was currently as difficult as she had ever known it to be. Across both planned and response maintenance, the NIHE had 130 contracts in place and most of those were working well. However, for some contractors the present landscape was too difficult in terms of materials and/or labour costs. The NIHE had a number of balances to strike. Its first priority was delivering for its tenants; in doing that, contracts needed to be delivered and public procurement regulations had to be met. The Department of Finance had introduced a Procurement Advice Note last year which allowed the NIHE to work through a number of contracts and, where it could, to give uplifts in terms of both the cost of materials and the cost of labour, provided that the contractor could demonstrate there was a compelling need for that uplift. That had enabled quite a number of contractors to continue to work with the Housing Executive. Some contractors, however, had not been able to continue to work and the question for the NIHE was did it allow those contractors to walk away or pursue them in court. Generally it did not consider it to be of benefit to pursue contractors in court, although there were some exceptions to that.
- (c) Councillor D J Craig referred to the unfortunate situation that had arisen last year whereby a contractor within the Council area had gone into liquidation and it had taken 6 weeks to have a replacement maintenance contractor put in place. The fall-out of that had been that many pre-planned schemes had to be retendered, causing a significant delay in their implementation. Councillor Craig asked what contingency plans were in place should a similar situation arise with another contractor. Mr Hannaway stated that when the contractor in question had gone into administration, the NIHE had brought in direct labour to provide cover in

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terms of emergency and urgent repairs. A new contractor had been appointed after 6 weeks but there remained a backlog in terms of routine jobs. Some of that backlog was due to the market, in terms of materials, and challenges of the turnaround time for Change of Tenancies (COTs), although both the backlog and COT times were reducing. Meetings were held on a monthly basis with contractors to discuss performance. It was a challenging time for the commercial market. If this situation arose again, contingencies were in place in terms of the provision of emergency and urgent work. In relation to pre-planned schemes referred to by Councillor Craig, a meeting was being held with the new contractor regarding prioritising schemes going forward over the next 6-12 months. In relation to contingencies, Mr P Isherwood stated that the NIHE was looking across all its contracts at how it could use neighbouring clauses, frameworks, longer term arrangements and how to increase the pool of contractors. It was looking to engage with tier 2 contractors as well to bring programmes forward.

- (d) Councillor D J Craig welcomed the NIHE's plans with regard to provision of insulation. Having referred to NIHE homes in the Derriagh/Milltown area where insulation had been provided previously but which had since disintegrated, he enquired if those homes would now be prioritised. Mr Hannaway stated that the Technical Department was taking forward this programme. A number of pilot schemes were to be implemented across all council areas. He could not give an answer with regard to where the first scheme would be in Lisburn. The NIHE would prioritise where the greatest needs were and, if that was found to be the case in Milltown, that would be reflected in the programme.
- (e) Councillor J Lavery had submitted questions in advance in relation to two specific cases and thanked the NIHE Officers who had responded to date; however, he was unsure if both matters had been dealt with fully. Further to those questions, Councillor Lavery asked if the NIHE had a Fraud Investigation Unit, how many cases had been referred to it over the past 5 years for this Council area, what actions had resulted from those investigations and what steps were being taken to address the need for such referrals in the first place. Ms Long confirmed that the questions submitted in advance of the meeting in relation to two individual cases would be followed up on. Generally, in relation to fraud, there was a very clear system of controls in place, both in terms of reporting fraud and investigating fraud. There was a Corporate Investigations Unit within the Housing Executive which had a well-resourced team of experts in such investigations. Ms Long was unsure if information was available at council level, but agreed to provide some level of granularity in terms of detail. Mr Hannaway stated that, at a local level, where Officers were made aware by the local community or elected representatives that a property was vacant and not being occupied, an Abandonment Notice would be served, tenants would be challenged and in some cases may surrender their

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tenancies. Such cases would never make it to the Corporate Investigations Unit. He agreed to provide information on the number of Abandonment Notices served in this Council area over the last year.

- (f) Councillor R Carlin stated that he understood 190 double glazing jobs had been scheduled for this year; however, information within the Housing Investment Plan 2022 indicated that none had taken place during 2021/22 and none were scheduled within 2022/23. He further understood that 130 bathroom replacements had been scheduled for 2021/22, with only 42 having been delivered, and that only 60% of Bathroom Kitchen Rewire (BKR) work had been completed. With regard to double glazing, Mr J Gillespie advised that 1108 units were planned for dwellings over the next financial year. It had been intended to carry out up to 400 units but that did not happen due to the contractor having gone into liquidation; those had been prioritised into the start of next year. Over the next 2 years, it was intended to deliver 748 BKR's and a total of 433 bathroom only schemes. Councillor Carlin having asked that in future presentations, target figures be included, Ms Long agreed that this would be the case.
- (g) Councillor Jenny Palmer referred to the fact even though a certain amount of COTs had been completed and a lot of money had been spent on COTs, there were still a lot that were months behind. If there not contractors in place to do the necessary work, Councillor Palmer asked if any consideration had been given to tenants waiting to move into allocated properties, but unable to do so until work had been completed, being offered a disclaimer contract to allow them to do some of the basic works needed to move in, with completion of the work taking place at a later date. Mr Marley agreed that it was in no-one's interest for long delays associated with COTs to continue. However, properties required to be safe before residents took up occupancy. People without accommodation or living in temporary accommodation would be prioritised. There were opportunities that could be explored in relation to bringing placements forward if some minor works could be done at a later time. If that was something that could accelerate the process, it could be looked at locally and could be discussed at regular COT meetings with contractors.
- (h) Councillor Jenny Palmer referred to double glazing work, kitchens and bathroom schemes being the bailiwick of Peter O'Hare Limited Building Contractor and asked if he had the contract for all areas or just the Lisburn & Castlereagh Council area. In relation to contracts generally, Ms Long stated that the contracting environment had changed over the last number of years. In the past, organisations such as the NIHE had long term contracts with large companies; now with the economic crisis, that was changing and public sector procurers, such as the Housing Executive, were going for shorter contracts (of 2-3 years) and more geographically located. That gave an opportunity for a larger number of contractors to get work and allowed the procurer, where there was significant inflation, to manage that more effectively, resulting in a mixed economy of provision

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and for contingency to be more effective. It required organisations to have very flexible procurement contracts but competition still had to be built in and best value for public money had to be attained. Ms Long reiterated that the NIHE had 130 contracts across the region and she understood that the Peter O'Hare Limited contract was local to this Council area but that specialist work would be replicated in other council areas.

- (i) Councillor Jenny Palmer asked if any consideration was being given to increasing Direct Labour Organisation (DLO) staff to deliver some contracts in-house. Ms Long stated that having a DLO was really important and a very positive aspect for any social housing landlord and her view was that, where possible, the DLO should be increased but in a sustainable way. There were other types of pressures with DLO, ie. the cost of labour and upper pressure on salaries. A balance was needed and over the next couple of years there would be a balance of both. Growth of the DLO was something the NIHE was focussed on and committed to.
- (j) Councillor G McCleave stated that Disabled Facilities Grants (DFGs) were currently capped and enquired, in light of rising costs, if there were any plans to increase that. Ms Long stated that, in terms of all grant programmes, where there was a possibility for uplifts, the NIHE would consider those. She confirmed that an uplift had been applied already to the DFG programme; she understood this had been the case since last August but agreed to confirm for Councillor McCleave. It was important to get the message out to applicants to explain the impact of the uplift. Applicants would require to have been at a certain stage in their application to qualify for that. In the longer term, that grant programme was demand-led and, once eligibility was assessed, it was up to the grant applicant to procure the work. This was not an easy task and the NIHE had been working with the Central Housing Forum to assist applicants in this process. Ms Long agreed that Ms R O'Neill from the Central Grants Unit would contact Councillor McCleave directly to discuss the application process.
- (k) Councillor S Skillen asked if the NIHE consulted with residents in advance of planting trees and if a tree maintenance strategy was in place. Mr Hannaway confirmed that residents were consulted before trees were planted and that a pruning programme was carried out each year in the autumn. In addition to that, concerns raised on an ad hoc basis were referred to local offices for inspection and action. Alderman D Drysdale asked that 29 Rosneath Gardens, Dundonald, be added to the pruning programme. Councillor D J Craig stated that, over the past 2 years, he was aware of a number of occasions when no prior consultation had taken place with residents in relation to this matter and, had there been, issues could easily have been resolved. Mr Marley recalled Councillor Craig having brought this matter to his attention in relation to the Seymour Hill area. Lessons had been learnt from that and consultation did now take

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place with the local housing community network regarding the positioning of planting.

- (l) Councillor S Skillen asked if there were any plans to review the process of receiving intimidation points which, she stated, was often abused. Ms Long stated that the entire allocations framework had been subject to review. The review had been concluded by the Minister in respect of most of its recommendations; however, the Minister had asked that two of the recommendations be looked at again, one of which was the issue of intimidation points – their definition, what they were there for and how they would be applied was now being looked at at a policy level. The broader review of fundamental allocations was ongoing. This was a significant programme of work that would modernise the allocations system.
- (m) Alderman D Drysdale, on behalf of a constituent in Ballybeen, raised the issue of inconsistency in relation to what was now known as disturbance money and also the redecorating of the house. The constituent had been out of their house since January while major works were taking place and the stress of that had caused an exacerbation of existing medical issues. The sum of money being offered to the constituent to redecorate the house, and in terms of the stress suffered, seemed paltry in comparison to other cases. Alderman Drysdale asked if this was a funding issue and if there was a priority list for people with serious medical conditions. Mr Hannaway explained that if works were extensive and a tenant had to be decanted, they would be entitled to a home loss disturbance payment which would commence after a number of weeks. The longer the tenant was out of their property, the higher the payment would be. The redecoration rates had recently been uplifted. Mr Hannaway agreed to liaise directly with Alderman Drysdale to get details of the specific case and provide a calculation.
- (n) Alderman D Drysdale, as Chair of Inspire Business Centre, referred to a garden maintenance programme that had ran very successfully, in partnership with the NIHE, over the last 3 years which offered gardening assistance to elderly and disabled people. This year there had been a problem with the funding application process – rather than applications having to be made by the end of the financial year, they were put back to June. Mr Marley understood the difficulties that had been caused by the re-timing of the grant application process which did not coincide with previous operational activity. In consultation and discussions with the Chief Executive of Inspire Business Centre, the matter had been resolved. An acceptable plan had been arrived at and an award had been made. He went on to advise of other similar schemes in place. The NIHE Ground Maintenance Unit was working closely with a number of organisations, such as Resurgam Trust, in terms of sustaining tenancies and providing grounds maintenance for those who were unable to maintain their gardens themselves.

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- (o) Councillor Jenny Palmer asked for confirmation that NIHE Maintenance Officers were all back physically inspecting properties and not relying on tenants to inspect properties. Mr Hannaway confirmed that Maintenance Officers were on site carrying out pre and post inspections. Mr Marley added that for a number of jobs, client approval would be sought in terms of work having been done.
- (p) Alderman A Givan referred to NIHE properties sold to tenants and asked if the NIHE had a policy to buy back such properties if they came onto the market in the future. It was his view that it could be cheaper to buy back than seek to build new properties. Ms Long stated that the number of NIHE properties sold within the Lisburn & Castlereagh City Council area over the years was larger than the number of properties that remained in its stock. That was one of the contributing factors to demand and need locally. The NIHE would like to be in the position to buy back homes it formerly owned when they were put up for sale; however, it was not currently within its powers to do so. The Housing Executive had submitted a business case to the Department that it should be able to buy back properties. Ms Long pointed out that there may be instances when it would fail from a value for money sense and it would be difficult to bring some of the properties back into use. She also made reference to the increasing number of people presenting as homeless due to losing their tenancy in private rental accommodation as landlords decided to sell properties. This was another area that the NIHE would potentially like to look at – buying properties such as those in areas where there was a high demand.
- (q) The Right Worshipful the Mayor, Councillor S Carson, referred to appendix 8 of the report which provided Management Team contact details and enquired if Members could be provided with a structure and contact details for the local NIHE Offices. This request was acceded to.

3.2 NIHE Contingency Plans

Members were provided with, and noted the contents of, a copy of a response from the NIHE arising from comments made at the September meeting of Council. This matter was also addressed further earlier in the meeting.

During the question and answer session, the Deputy Mayor, Councillor M Guy, left and returned to the meeting (6.38 pm and 7.02 pm respectively), Councillor F Cole left the meeting (6.52 pm) and Councillor A McIntyre left the meeting (7.09 pm).

Conclusion of the Meeting

At the conclusion of the meeting, The Right Worshipful the Mayor, Councillor S Carson, thanked all those present for their attendance.

There being no further business for consideration, the meeting was terminated at 7.22 pm.

Mayor