

Council Meeting - 14 January 2025

Questions from members of the public

Questions from Darryl Ingram on behalf of Residents Concern Community

Question 1: On Housing Allocations and Residency Prioritization

"How does Teignbridge District Council ensure that housing allocations and funding for homelessness and refugee programs are equitably distributed, while prioritizing local residents and what evidence can the council provide of public consultation and residency verification processes used to justify these allocations?"

Response from the Executive Member for Housing and Homelessness

The Housing Act 1996 sets out who is ineligible for social housing. The categories of ineligible persons are:

- people subject to immigration control (with limited exceptions)
- people classed as ineligible people from abroad

A person subject to immigration control is not eligible unless they fall within one of the classes of person as prescribed by regulations made by the Secretary of State. A person is subject to immigration control if they require leave to enter or remain in the UK.

They include someone with:

- *refugee status*
- *humanitarian protection*
- *indefinite leave to remain*
- *EU settled status*
- *leave to remain after fleeing conflict in Ukraine, or Afghanistan, Sudan, Israel and Gaza (these are subject to change but are current at the time of this response)*
- *limited leave as a victim of human trafficking or modern slavery*

The Devon Home Choice allocation policy sets out the legal requirements for eligibility for social housing in our area and across Devon in accordance with the legislation. This is an exceptionally complicated area of law, however we can assure members and the public, officers have full and regular training and support and regularly updated procedures to ensure they are able to assess eligibility for homelessness and social housing allocations.

Ineligible households are still entitled to "Housing Advice" from the local authority. This is limited to advice only and referrals potentially to community or faith groups, or refugee support/immigration advice. They will not receive temporary accommodation, financial assistance or an offer of accommodation from the local housing authority. A local authority may support Police/Social Care or the Home Office under a power to accommodate an ineligible person where severe weather

emergency provision is in place, or a short-term safeguarding placement pending alternative arrangements being made by the relevant statutory authority.

Any funding the Council receives for homelessness services is spent on services for homeless individuals who are eligible for assistance as defined by the Housing Act. Officers will check documentation to verify an applicant's eligibility before providing any homeless services to an individual including immigration documentation. The same checks are made on every application made to Devon Home Choice to register for social housing. These checks are repeated at verification stage by the housing providers prior to an offer to ensure a person remains eligible.

The Government have provided ringfenced funding to TDC and DCC to support Homes for Ukraine and other refugee groups. It is a payment per person moving to this district either through asylum dispersal or Homes for Ukraine sponsorship. We have used this funding to continue to provide support, prevention of homelessness tools and access to services, costs of temporary accommodation, rent in advance and deposits and additional housing staff to manage additional cases. We were also able to fund a rolling delivery of English classes to support refugees in our area gain employment and qualifications to better their opportunities to thrive in our district. This funding cannot be used on persons who are not refugees meeting the specification in the grant conditions.

The Government also provided TDC £2,084,270 grant funding under the Local Authority Homes Fund to support local councils in providing additional homes to meet the needs of refugees, to reduce the costs of temporary accommodation and mitigate the impact of additional demands on existing social housing. We have purchased 18 units of accommodation for refugees. 16 of which are accommodated by local Ukrainian households who were resident in Teignbridge but could no longer remain living with hosts and 2 were allocated to other homeless refugees already resident in Devon. In Teignbridge through Devon Home Choice we let 295 homes in 2023/2024 to eligible households.

Question 2: On Devolution and Democratic Accountability

"With Teignbridge District Council pushing for devolution and structural changes such as unitary councils, what steps have been taken to inform and consult residents on these changes, and how does the council justify potential election delays or cancellations, considering that elections are a cornerstone of public accountability and cannot legally be dictated by government programs outside of emergencies?"

Response from the Leader

Please see the statement below which all District Leaders endorsed including myself.

JOINT STATEMENT: Devon District Councils - update on devolution and local government reform

This joint statement is made following the publication of the English Devolution White Paper

"The Devon districts are fully supportive of genuine devolution of powers from Whitehall to local government.

However, following the publication of the Devolution White Paper, and subsequent statements by the leader of Devon County Council, we would like to make it clear that we do not support the creation of one unitary council for Devon.

"Our county, including Torbay, is diverse and made up of nearly 1 million residents across urban, coastal, and rural areas. Any reform of local government in Devon should follow a period of proper consultation with residents, businesses, elected representatives, and stakeholders. Looking at the evidence, we should decide collectively what is best for our area. A single unitary council for the county risks diminishing local representation, with decision-making that is remote from the communities we serve.

"We do not support postponing the county council elections scheduled for May 2025. The government has indicated that this will only happen in priority areas who have clear and agreed plans. This is not the case in Devon, so we cannot be in the first phase of these reforms.

"We recognise that the government's white paper sets a clear direction of travel. As Devon's city, district, and borough council leaders, we want to work collaboratively with others in particular with our neighbouring unitary councils to agree how we respond to this. Any changes must be carefully considered, transparent, and inclusive, ensuring that residents and businesses are fully engaged in shaping the future governance of Devon.

"Our objective must be to get this right for our residents and businesses. That cannot be achieved if we make rushed decisions that have not been given the serious consideration that they deserve."

Question 3: On Planning and Environmental Protections

"How does the council plan to safeguard local heritage, green spaces, and biodiversity from overdevelopment, particularly in light of recent national changes to greenbelt and wildlife protection policies and provide evidence of public consultation to demonstrate adherence to long-term environmental impact regulations, including those outlined in the Aarhus Convention?"

Response from the Executive Member for Planning and Building Control

The Local Plan is the Council's safeguard for the matters identified. The information sought is all available to view on the website, with the 'live' Local Plan Examination pages containing documents setting out further details on the impact assessments and public consultations undertaken to develop the Plan.

Question from Jenny Dingsdale

Today at the OS meeting, (7 January 2025) Cllr Sanders claimed the motion by Cllr Jane Taylor, previously given highest priority, was stalled due to waiting for time with the Kings Counsel. In the previous meeting she said they had already had legal advice. Which is it, please can she clarify what the hold up is and what legal advice has been received?

Response from the Chair of Overview and Scrutiny

Legal advice was provided at the outset and prior to the preliminary consideration by O&S of this matter by the Council's Head of Legal Services and Monitoring Officer. That advice was followed by Counsel who provided a verbal opinion in conference with Strategic Leadership Team and the Chair of O&S, whilst at the same time gathering more detailed information and instructions for further consideration. Thereafter, Counsel's opinion was set out in writing. Whilst the working group has not yet been convened, draft terms of reference have been drawn up for consideration as appropriate by the relevant members.