

Housing Committee

Date: **18 November 2020**

Time: **4.00pm**

Venue **Virtual**

Members: **Councillors:** Gibson (Joint Chair), Hugh-Jones (Joint Chair), Phillips (Deputy Chair), Williams (Opposition Spokesperson), Mears (Group Spokesperson), Atkinson, Barnett, Fowler, Hill and Osborne

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AGENDA

107 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest:

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

108 MINUTES OF THE PREVIOUS MEETING

7 - 26

To consider the minutes of the meeting held on 16 September 2020 (copy attached).

109 CHAIRS COMMUNICATIONS

110 CALL OVER

- (a) All agenda items will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

111 PUBLIC INVOLVEMENT

To consider the following matters raised by members of the public:

- (a) **Petitions:** to receive any petitions presented to the full council or at the meeting itself;
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the 12 November 2020;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 12 November 2020.

112 ISSUES RAISED BY MEMBERS

To consider the following matters raised by councillors:

- (a) **Petitions:** to receive any petitions submitted to the full Council or at the meeting itself;
- (b) **Written Questions:** to consider any written questions;
- (c) **Letters:** to consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Council or submitted directly to the Committee.

113 NEXT STEPS - ROUGH SLEEPING AND ACCOMMODATION DURING COVID-19 PANDEMIC AND RECOVERY 27 - 52

Contact Officer: Sylvia Peckham *Tel:* 01273 293318
Ward Affected: All Wards

114 REVIEW OF ALLOCATION PLAN 2020 53 - 74

Annual review of the Housing Allocation Plan which forms a part of the Allocation Policy.

Contact Officer: Sylvia Peckham *Tel:* 01273 293318

115 PROVISION OF HOME IMPROVEMENT AGENCY SERVICES 75 - 108

Contact Officer: Sarah Potter *Tel:* 01273 293168
Ward Affected: All Wards

**116 DISPOSAL BY LEASE OF EX GARAGE SITE AT HINTON CLOSE, 109 - 118
HOLLINGDEAN, BN1 7BS**

Contact Officer: Emma Kumar Tel: 01273 293297
Ward Affected: Hollingdean & Stanmer

**117 DISPOSAL BY LEASE OF SMALL SITE AT NATAL ROAD, 119 - 128
MOULSECOOMB, BN2 4BN**

Contact Officer: Emma Kumar Tel: 01273 293297
Ward Affected: Moulsecoomb & Bevendean

118 ITEMS REFERRED FOR FULL COUNCIL

To consider items to be submitted to the 17 December 2020 Council meeting for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting.

PART TWO

119 PART TWO PROCEEDINGS

To consider whether the items listed in Part Two of the agenda and decisions thereon should remain exempt from disclosure to the press and public.

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The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

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FURTHER INFORMATION

For further details and general enquiries about this meeting contact Shaun Hughes (01273 290569, email: shaun.hughes@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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BRIGHTON & HOVE CITY COUNCIL

HOUSING COMMITTEE

4.00pm 16 SEPTEMBER 2020

VIRTUAL MEETING - SKYPE

MINUTES

Present: Councillors: Gibson (Joint Chair), Hugh-Jones (Joint Chair), Phillips (Deputy Chair), Williams (Opposition Spokesperson), Mears (Group Spokesperson), Atkinson, Barnett, Fowler, Osborne and Hill

PART ONE

93 PROCEDURAL BUSINESS

(a) Declaration of Substitutes:

93.1 None.

(b) Declarations of Interest:

93.2 None.

(c) Exclusion of Press and Public:

93.3 The press and public should not be excluded from the meeting for any of the items under consideration.

94 MINUTES OF THE PREVIOUS MEETING

94.1 The minutes of the Housing Committee meeting held on 17 June 2020 were accepted as a record of the meeting with the following amendment:

10.2 Councillor Atkinson commented: The Councillor also noted that where Rough Sleepers had been accommodated in student accommodation *may require more support than others and they needed to be good neighbours to the local community.*

95 CHAIRS COMMUNICATIONS

95.1 Welcome to the first housing committee under the green minority administration. Whilst the administration has changed, the priorities for the housing committee remain the same. These are set out in the Joint Labour-Green workplan agreed by housing committee a year ago. I would again encourage all those interested to take a look at this programme and hold us to account for achieving it. Progress on this programme is being

reported to committee under item 102 and we shall regularly update committees for information and public scrutiny.

What has changed is that there are joint chairs, Siriol Hugh Jones and me sharing the work and hoping that two heads will be better than one. We are sharing responsibility and will include a list of the different areas we cover in the minutes of this meeting. Housing and homelessness are a huge area and our work will be helped greatly by Cllr Alex Phillips who will be focussing on the high profile and challenging area of homelessness (rough sleeping) and Cllr Martin Osborne who will be focussing on work with the private rented sector.

Following the lockdown and suspension of many activities, this housing committee is moving one step closer to greater normality. In June in the midst of the pandemic there were 3 items on the agenda, thankfully now there are 6 in September and future committees will hopefully be able to make inroads into the backlog of items delayed by the emergency response to the virus.

I should like to thank officers for their hard work. They have often gone well above and beyond in response to the virus. Thanks to this we are pleased to be letting a block of brand-new council housing at Selsfield Drive for 30 households this month. Along with other purchases and new build we have already provided over 80 additional council houses this year, more than the 75 achieved last year and more than the average of 42 achieved in the previous 4 years. This I hope is thanks in no small part to the new approach of Labour and Greens rolling their sleeves up, working together and focussing on a joint programme of delivery rather than party politics. It is what I believe many residents in the city want to see from their elected representatives and it is also the only way we can soften the worst effects of the national housing crisis in the supply of affordable housing fuelled by the failed housing market promoted by national government

In general, our approach is to work together to limit the twin impact of the broken housing market and austerity on residents in the city. One of the reports at today's meeting highlights the continued high numbers of homeless people evicted from emergency accommodation. Eviction is an admission of failure that helps no one and we need to reduce these evictions of vulnerable people further. One step we have taken is to buy our own emergency accommodation and so instead of relying on private landlords we shall manage the housing ourselves and I really hope that we will avoid unnecessary evictions.

In addition to delivering our joint work programme I should like also to report that we have put in a large funding bid to government to enable the council to continue to house, provide move on accommodation and reconnect the 400 + rough sleepers and others at risk of rough sleeping housed in the pandemic. The success of this bid is crucial. I was hoping that we would have heard the outcome by today, but it will be reported to the next housing committee along with the work undertaken under the Homeless reduction board towards the challenge set at April's housing committee of avoiding a return to the streets.

The repairs service, which is the subject of another of today's reports, was reduced to emergency repairs only during lockdown. There were issues with the telephone helpline

while staff were working from home. However, these should now be resolved as new staff have been recruited and are currently undergoing training. As of this week, there should be a normal phone service operating for reporting both emergency and routine priority repairs. More positively, during the last quarter 99.4% of emergency repairs were completed within 24 hours and 97.5% of appointments kept.

Following lockdown, we are gradually returning to a complete repairs service, but due to the backlog created by the pandemic we are having to prioritise repairs in the following order:

- 1) Those that pose a Health & Safety risk
- 2) Repairs required that are having a significant impact on resident and/or that are causing damage to properties
- 3) All other repairs.

The priority is to continue to work to keep residents, staff and contractors safe and to follow Covid-19 guidelines. This includes not attending non-essential repairs where residents are displaying symptoms or have a confirmed case of COVID 19.

In regards, to the housing repairs & maintenance, I should mention that the GMB members of the housing repair team who came in-house in April were on strike last week. There was an unresolved pay claim existing when the service came in-house in April from Mears. The claim concerns a pay increase (8%) and standardisation of sickness and annual leave entitlements.

During the strike last week, all emergency repairs and some non-emergency repairs were covered by the service and disruption was kept to a minimum. All transferred staff are being offered the opportunity to switch from their current contracts to council terms and conditions, which includes full sick pay and annual leave entitlements. This would see the vast majority receiving significant pay increases and ensures that transferred staff are paid fairly and equitably with other council staff.

A few staff are currently paid above council rates of pay, and their pay will be protected if they choose to stay on their current terms. No-one will be forced to take a pay cut as, under the terms of the TUPE transfer, workers can opt to remain on their existing terms and conditions if these are better than they would get in the council.

We have been notified of further dates for industrial action and are keen to continue discussions to resolve the dispute and progress with harmonisation as soon as possible.

Due to the Covid-19 outbreak, the Planned Works procurement was paused on 18 March 2020. Following consultation with the bidders, the process was able to commence again on 15 June 2020. The procurement is due to be completed in November 2020.

The procurement of a multi-contractor framework for major capital works has been impacted by the need to focus resources on the planned works procurement, along with a delay due to Covid-19. We are now working toward the framework being in place for April 2021.

96 CALL OVER

96.1 All agenda items were called for discussion by the Committee.

97 PUBLIC INVOLVEMENT**(a) Petitions:****97.1 'Open the mutual exchange NOW so social housing people can move'.**

The following petition signed by 183 people at the time of publication. Lead Petitioner:
Nikki Boyd

We the undersigned petition Brighton & Hove Council to re-open the mutual exchange, so social tenants can choose to move.

Many of us were in the middle of exchanges when they were cancelled in March 2020 due to Covid, everywhere is now getting back to the new normal, work, schools, pubs etc. well everywhere except our council, private tenants renting or buying have been able to move since 4/5/20 but still nothing is happening with Brighton and Hove mutual exchange, I bet I'm not the only person in our city who is desperate for this service to open, and even after contacting 3/4 Labour councillors and lots of other council staff nobody seems to have an answer of when we will be able to move.

97.2 Response: The following response was read out by the Chair:

Thank you for the petition.

There is currently a lack of capacity to do the electrical inspections which are a key part of the MEX process and one of our statutory responsibilities. This is coupled with a shortage of staff within the Rehousing team. The MEX work is carried out by the Rehousing Assistants and we have 3 vacant posts out for recruitment currently. Until these staff are in post and fully inducted, we do not have the resources to complete the MEX applications within the 42-day timescale.

For those applications that had been agreed before we suspended the MEX applications, the Rehousing team supported the households to complete and move throughout the lockdown period.

19 Mutual Exchanges were suspended in April. These will be prioritised as the service is resumed. All applicants were notified, and Re-housing have kept in touch with them. We have looked at individual cases and offered a range of advice and support, including financial help where the impact of not moving is causing financial hardship. Tenants whose applications were in progress prior to the lockdown were supported to complete and move throughout the period.

We are currently in the process of ensuring we have enough resource to resume Mutual Exchanges and respond to new enquiries. Recruitment to vacant posts, delayed due to Covid, is in progress. As well as the administration and background checks that need to

be carried out, surveyors need be available and electrical inspections must be undertaken to ensure the property is safe. Once we start the mutual exchange process, we will be on a 42 day deadline. An update on Mutual Exchanges will come back to November's Housing Committee.

In the meantime, we shall reinstate a limited service to process as many cases as current staff capacity can allow.

The Chair went onto inform the petitioner that the council had been stretched in Housing with rough sleepers during the pandemic. There are problems with staffing, although there is a need to keep to deadlines, there is only a limited amount available before the return to full service. The chair noted that this must be frustrating and upsetting and noted that any financial hardship encountered during the lockdown period would be looked at by the Housing team, who are working as hard as possible. The chair apologised as they felt the news could have been better. The council are committed to restarting as much of the service as there is capacity to do. The chair stated they were sorry that there was not a full service at this time.

(b) Written Questions:

97.3 **Lara Hockman** (who was not able to attend the meeting or send a representative).

If the City receives the funding from the Ministry to expand its Housing First provision, what implementation plans have been developed to deliver the expansion? The City's current commitments to expand Housing First have been slow to realise, with some clients still not having been allocated the housing – how does the Committee plan to reduce the waiting times for housing for people who are accepted onto any future expansion of the Housing First service?

97.4 Response:

Thank you for your question.

This question raises really important points about the challenge to deliver an efficient Housing First service. I accept that the speed with which Housing First clients achieve a secure stable home has been too slow. This needs to be improved, not least because as a result of 'Everyone In' we are now working actively with a large number of homeless people in hotels for whom Housing First is the best solution.

In order to expand Housing First we have submitted a bid to the Ministry of Housing Communities and Local Government's Next Steps Accommodation Programme for additional units of accommodation which, if we are successful with receiving funding, will be delivered by expanding our existing successful Home Purchase Scheme to purchase accommodation, and by working with the existing provider to expand the intensive support we have in place for our existing Housing First programme. If the bid is successful, the resulting units will be ringfenced for Housing First. Housing First properties are advertised via Homemove and prioritised for those in the Councils Interest Queue who have been assessed as requiring Housing First so that only those people can be considered for them. Assessment will be undertaken by our commissioned Street Outreach Service and other stakeholders

During the current Covid 19 Pandemic, we had to suspend lettings due to difficulties ranging from undertaking repairs and viewings, removals had also paused, and many people were shielding or did not wish to move at that time. Restrictions have since relaxed and staff have been working hard to start addressing the backlog of empty properties. In the last bidding round, we had 49 properties advertised in the city. As at 10th Sept, of the 24 people accepted onto Housing First before April 2020 we had 9 Housing First clients still waiting for accommodation with a further 2 pending assessment and we are confident that as we get more properties ready to advertise, that we will be able to quickly move on those currently assessed. Progress is reported to the Homeless Reduction Board. If progress is insufficient, there will also be an opportunity to review the allocations plan at November's Housing committee and consider further actions within the policy that can better address the housing needs of homeless people needing housing first accommodation.

97.5 Charles Harrison

Agenda Item 100 - Commissioning of a Housing First Service for Single Homeless People

It is good to see that BHCC are taking steps to increase the number of people being supported by the Housing First initiative.

Item 1.4 mentions that a bid was made to the Ministry of Housing Communities and Local Government (MHCLG) for an additional £312,000 to fund Housing First Units.

As the outcome of the bid is currently unknown, and that there may be limited scope for making "efficiencies" in the wider Housing related support budget (as item 7.4) what Contingency Plan does BHCC have in place, should the bid to the MHCLG for £312k be unsuccessful, or only partially successful?

97.6 Response:

The bid to the MHCLG was for the funding to enable a rapid expansion of provision to a total of 77 Housing First units of accommodation and support (an increase of 55 units from the current provision).

If successful, the bid would fund 50 units of accommodation and staffing to provide support to an additional 35 people. This would be a brilliant step change in provision. If the bid is not successful, we will continue with our planned expansion of provision using existing funding.

This will fund support staff to meet the needs of a minimum of 20 additional people (i.e. a total of at least 42 people will be supported by Housing First). We will continue with our current process of using properties allocated via Homemove.

The expansion will be slower, as we will be depending on properties arising in the normal way through Homemove, and overall, the expansion would be smaller, but we would still be able to expand.

97.7 Supplementary question:

Items 3.17 and 3.18 indicate the time taken for someone to successfully bid for a property via the CIQ route (e.g. average 8 months or more and that six of the ten Housing First clients nominated in summer last year have not yet been allocated a property).

This would seem to be a major obstacle to the success of the Housing First initiative! What steps are BHCC considering, to overcome this issue?"

97.8 Response:

Thank you for your question and the answer is similar as for the question from Lara. This question raises really important points about the challenge to deliver an efficient Housing First service. I accept that the speed with which Housing First clients achieve a secure stable home has been too slow. This needs to be improved, not least because as a result of 'Everyone In' we are now working actively with a large number of homeless people in hotels for whom Housing First is the best solution.

During the current Covid 19 Pandemic, we had to suspend lettings due to difficulties ranging from undertaking repairs and viewings, removals had also paused, and many people were shielding or did not wish to move at that time. Restrictions have since relaxed and staff have been working hard to start addressing the backlog of empty properties. In the last bidding round, we had 49 properties advertised in the city. As at 10th Sept of the 24 people accepted onto housing first before April 2020, we had 9 Housing First clients waiting for accommodation with a further 2 pending assessment and we are confident that as we get more properties ready to advertise, that we will be able to quickly move on those currently assessed. If progress is insufficient, there will also be an opportunity to review the allocations plan at November's Housing committee and consider further actions within the policy which can better address the housing needs of homeless people needing housing first accommodation. In addition to availability of accommodation, we also have to consider whether the homes becoming available are suitable for use as Housing First.

Under the current Allocation Policy and Allocation Plan, up to 10% of available properties are prioritised for the Council's Interest Queue. People who need Housing First support are placed in this queue with other eligible people nominated by Health & Adult Social Care and Families Children & Learning directorates. The allocations plan will be reviewed in November and can be adjusted. On average 70 properties are released to this group every year. To provide context roughly 700 social housing properties are available to let each year in the city and just under 9,000 households are on the Housing Register.

Having said this I accept that the speed with which housing first clients achieve a secure stable home under the Council Interest Queue has been too slow. This needs to be improved. The council is undertaking the following actions:

- 1) Progress reducing the delays be monitored by the Homeless Reduction Board.
- 2) Bid for government funding to massively expand through home purchase the supply of available accommodation for housing first by up to 50 units (if successful).
- 3) As mentioned there will also be an opportunity to review the allocations plan at November's Housing committee and consider actions within the policy which can more efficiently address the housing needs of homeless people needing housing first accommodation.

The proof of the pudding will be in the eating, so we will need to monitor average waiting times over the coming months and our aim is to reduce them significantly to provide the stability that is an essential basis for the recovery of a homeless person with multiple and complex needs being housed under housing first. Thanks so much for your important question. Please continue to hold us to account on this.

97.9 Daniel Harris

The evictions report states a massive number of those in emergency accommodation have been assessed with needs for supported type accommodation, we have clients revealing the support is simply not there. £250k spent on welfare officers who are dealing with disrepair issues, this committee has heard the horror stories in the past.

Will the council admit the privatisation model for homelessness accommodation has been a massive headache and failure?

97.10 Response:

Thank you for your important question. I agree that replacing private provision of emergency accommodation makes both financial sense and most importantly enables the provision of a better standard of service. I have long argued for this and am pleased that under the joint green-labour programme we have recently purchased flats to house 38 homeless households in house to do just this. In addition, we have and continue to deliver a number of properties for longer term temporary accommodation through our home purchase policy, and we are also completing redevelopment of ex housing offices into a block of temporary accommodation that is also scheduled for completion late Autumn. All our in house emergency and temporary accommodation is of a standard that it can be converted to permanent accommodation when if it is no longer needed for emergency use.

However, the transition to in house provision will take time and we also need to improve standards in existing provision. Following a committee decision last year, the new contracts will be requiring higher standards of accommodation and facilities. This includes no service charges and modern day basics such as wi fi. I was pleased to note at a recent temporary accommodation action group meeting that some private providers are already looking to incorporating these higher standards in their facilities and would encourage other providers to follow their lead. We also need to ensure that providers contact the council when they plan to evict beforehand as they should do in the contract. Their failure to do this highlighted in today's committee report has resulted in underreporting of evictions to council in the past and we as the council need to ensure providers keep to this contractual commitment in future. In addition, committee today is being asked to support measures in future contracts for emergency and temporary accommodation to minimise the risk of evictions and continue to monitor rates of eviction. Eviction damages often fragile and unsettled people and we must do what we can to minimise it.

Welfare officers are not privatised or arms length but are directly employed and managed by the council. It is our responsibility to ensure they offer the best possible support. Part of the reason for the report to housing committee to today is for members to understand the role they play and consider how we may make best use of this resource. I look

forward to hearing any thoughts the committee may have on this and am certainly keen that the Homeless Reduction Board oversee a consideration of how this precious support resource for homeless people can be made as effective as possible. As at 10th Sept this was 11 people in emergency accommodation assessed as needing supported accommodation. In addition to those 11, there will be households who need floating support over and above what the Welfare Officers can provide. It is believed that this number is probably an underestimate and will increase as we work through the assessments of people accommodated following Covid 19. On a separate matter just for clarity, when people move into supported accommodation that support is not provided by Welfare Officer service but by the commissioned support provider.

Notwithstanding the role of the welfare Officers or the assessment of people needing supported accommodation, we recognise that the issue, as para 3.23 of the report notes, is that we need a different approach to homelessness, including prevention, rapid reconnection and consider how we can quickly more people into alternative accommodation suited to their needs, so that emergency accommodation can revert to its intended purpose i.e. providing an emergency response to when a household has no other options and is for a short period.

97.11 There was no supplementary question.

97.12 **Steven Robinson**

For a long, long time, 6 years in fact, I feel I've been forgotten. I live in emergency accommodation provided by baron homes and would like to state on public record in order to get a question submitted today I have been asked to significantly change the nature of my question, which I agree to in the hope my case is resolved and changes happen to help others in my position.

I've had enough of being bitten at night by bedbugs at my accommodation, this is a long running issue. If it's not disrepair issues, its being prevented from receiving my own personal care support, this affects us all.

Can the council please provide an explanation why we have to live like this?

97.13 Response:

Thank you so much for your question and I am really sorry to hear about your situation. I am sorry that your original question was not accepted. This was because it exceeded the maximum number of words under the council rules. It also very bravely shared difficult personal circumstances and public committee responses are not provided concerning peoples individual circumstances, but officers will send a full response to you the full range of matters you have raised separately, and I shall be copied into this response.

That said your question raises general points of relevance for this committee around an unacceptably long stay in emergency accommodation which is supposed to be short term, I really appreciate you feeling forgotten for all those years. You also raise points about the quality of the accommodation, and it is important that the housing committee hears the following response to that also.

We are currently reviewing everyone who has been in emergency accommodation for over a year with a view to enabling people to move on to more suitable accommodation. This is irrespective of whether we have a Housing duty or whether accommodation has been provided under the Care Act or Children Act duties where emergency accommodation has been necessary.

Our current accommodation contracts contain clear timescales for providers to attend to repairs. If they do not respond accordingly this is managed through our regular contract management. In addition, this is something the Welfare Officers can support you with and we will be following this up.

The increase in bedbug infestations is a problem throughout the country and eradication is very difficult. We work with providers to address this, but it sometimes takes a long time to deal with and remain on top of in accommodation which has a high turnover. For treatment to be successful the whole building generally has to be treated including all personal clothing, bedding and anywhere bugs could be secreted. (It would be helpful if councillors could be advised about which of the emergency accommodation properties have had difficulty eradicating bed bugs).

You will be contacted separately so we can discuss how best to resolve your current personal situation.

(b) Deputations:

Topic: Emergency Accommodation

Presenters: **Rebecca Rieley** (Systems Change Lead, Fulfilling Lives South East Partnership), Martin Coll (Team Manager, Justlife).

Housing Committee: Housing Committee, 16 September 2020

Deputation Summary

Introduction

This charter has been developed to ensure a reasonable standard of accommodation is provided to homeless households who have to spend time in emergency accommodation. This document sets out expectations, aspirations and commitments to achieve this and has been developed in collaboration with a number of organisations. We want to see the Charter adopted by Brighton & Hove City Council and emergency accommodation providers who house Brighton and Hove residents experiencing homelessness, and for this Charter to be embedded into provider contracts.

Context: Emergency accommodation is accommodation used by Brighton & Hove City Council to house people who they have a legal duty to house, or while they investigate that legal duty, under the Housing or Care Acts. It is part of the broader temporary accommodation used in the city but is predominantly large units of between 12 and 60 rooms, many with shared kitchen and bathroom facilities.

We recognise that providing accommodation to homeless people can present significant challenges given the vulnerability often experienced and the disruption to their lives that homelessness brings. We are keen therefore to ensure that the accommodation and support provided in Brighton & Hove to homeless households meet reasonable standards to ensure the best outcomes for people.

It is recognised that a significant proportion of people placed in emergency accommodation will have multiple and complex needs and as a result will require additional support. Multiple and complex needs is defined by the Public Health Joint Strategic Needs Assessment steering group ('JSNA') as people aged 16+ experiencing combinations of housing issues/homelessness, substance misuse, offending, mental health and domestic abuse issues, with an overarching focus on complex trauma and inequalities.

Why now: We feel this Charter complements the current vast developments in the City to prevent rough sleeping and end homelessness in Brighton & Hove.

Vision: We want emergency accommodation placements to be seen as an opportunity to support somebody away from homelessness and towards long term accommodation, and access to the support they identify and need. The Local Authority should work in collaboration with the support services and emergency accommodation providers to keep peoples stay in emergency accommodation to a minimum, ensuring they are as safe and healthy as possible.

Support for this Charter: Fulfilling Lives and Justlife have developed this Charter following their work with hundreds of people placed in emergency accommodation over the past 7 years. We hope the Local Authority, accommodation providers and other third sector organisations will support this Charter. The Charter also has broad support from the Temporary Accommodation Action Group members.

(Appendix I is attached to Housing Committee agenda addendum 1).

97.14 Response:

Thank you for highlighting the charter and positive standards and aspirations set out in it. The deputation asks that we support the charter. Pleasingly many of the asks in the charter are part of council practice.

To adopt the charter would involve a decision of the full council upon the recommendation of housing committee. Before Housing committee decides on recommending the charter, Legal & Finance advice will be needed.

I therefore propose that one or two meetings are organised between representatives of the Temporary Accommodation Action Group, council officers, a joint chair of housing and legal advisers to firm up agreed wording that can be recommended to a future housing committee. This was agreed.

98 ISSUES RAISED BY MEMBERS

98 Issues raised by Councillors**a) Petitions:**

98.1 None

b) Written Questions:

98.2 None

c) Letters:

98.3 None

d) Notices of Motion:

98.4 None

99 HOMELESSNESS & ROUGH SLEEPING STRATEGY – UPDATE ON NEXT STEPS FOLLOWING COVID-19 RESPONSE

- 99.1 The Head of Tenancy Services introduced the report which was to provide the committee with an update on the Homelessness and Rough Sleeping Strategy 2020-2025 in the context of the response to the Covid-19 emergency.
- 99.2 Councillor Atkinson considered the information given in appendix 1 to the report was good and supported the recommendations. The councillor was informed that the number of incomers to the city who were rough sleeping was a challenge, with the number of reconnections lower than usual due to the pandemic. The minutes of the Homeless Reduction Board for August 2020 will be published soon. The Head of Tenancy Services confirmed that the increase in single persons presenting to Housing Options during the pandemic was due to job loss, with associated accommodation and back packer accommodations being closed. It was noted that people 'sofa surfing' had also come forward requesting accommodation, and these were mostly in a younger age range of 18 – 25 years old. The court system not being in operation was also having an effect with less evictions. To agree a way forward it was noted that the authority will be meeting with private and social landlords.
- 99.3 The Head of Housing Needs stated that the Ministry of Housing will cover the cost of housing during COVID-19 and the government funding figures will be sent to the committee Members. The committee were informed that the Brighton Housing Trust were not part of the accommodation time scale.
- 99.4 Councillor Hill was informed that in an emergency response to the pandemic, in order to move some people from temporary accommodation, the priorities under the Allocation Plan were revised temporarily to create some movement and free up temporary accommodation. Numbers in temporary accommodation had swollen from 1700 pre COVID-19 to 2000 at the start of September, due to a combination of lettings being paused during lockdown and more people approaching as homeless. Lettings have

recently re-commenced, so the authority has temporarily revised the percentage of properties advertised as priority to accepted homeless to 80%. This will release the pressure on housing and associated budget. The agreed priorities of the Allocation Plan are to be retained. This will be achieved by reducing percentages later in the year. The percentage before lockdown was 40%.

- 99.5 Councillor Gibson requested that the review of the allocations plan be submitted for discussion to the November 2020 Housing Committee meeting.
- 99.6 Councillor Mears was informed that the budget details, including private and government funding for the 6 months of lockdown would be available as soon as possible. The councillor received an apology as the report had been concluded close to the committee meeting. It was a concern that the Homeless Reduction Board should take actions and not be a 'talking shop'. The Head of Housing Tenancy confirmed that the 5 year local connection was still in place for those seeking accommodation and this did not apply to those already on the housing register. The Councillor asked for a review of the allocations policy.
- 99.7 Councillor Barnett was informed that the figures for the number of rough sleepers for the last year would be forwarded to all the committee Members.
- 99.8 Councillor Williams thanked the officers for the report and agreed that a review of the applications policy would be beneficial.
- 99.9 The Chair put the recommendations to the vote, and they were agreed unanimously.

RESOLVED:

- 2.1 That Housing Committee note the report.
- 2.2 That Housing Committee note the work that has gone into the response to the Covid-19 emergency.
- 2.3 In the light of the pandemic and the motion responding to it (30 April), that the Homeless Reduction board along with the Homeless Operational Board give priority to:
- a) Monitoring progress and developing actions needed to achieve the aim of providing long term sustainable housing or safe reconnection for all rough sleepers housed under the "everyone in" response;
 - b) Ensuring the priorities and actions of the Homelessness Strategy respond to the changed circumstances;
 - c) Exploring ways of sustaining the current offer of shelter for all who find themselves without a roof and report back to Housing Committee any recommendations.
- 2.4 That Housing Committee notes the temporary adjustments made within the Allocations Plan in response to the pandemic whilst aiming to achieve the overall agreed percentages in the Allocation Plan.

2.5 That Housing Committee recognises that the review of the Allocation Plan has been delayed due to the pandemic and subsequent pressures on the department but that this will be considered at the November Housing Committee.

100 COMMISSIONING OF A HOUSING FIRST SERVICE FOR SINGLE HOMELESS PEOPLE

100.1 The Commissioning & Performance Manager introduced the report which was to seek approval from Housing Committee for the tender of a contract to deliver a Housing First Service for single homeless persons to be procured in accordance with Public Contract Regulations (PCR) and Contract Standing Orders for a period of five years with the option to extend for a maximum of two further years from January 2021 to December 2028.

100.2 Councillor Williams thanked the officers for the report and considered the information good news and stated their support.

100.3 Councillor Atkinson requested that the committee support the report and noted that the research into universal credit needs to be part of the strategy.

100.4 Councillor Mears expressed concerns regarding the following financial implications in the report: 7.4: The commissioning lead officer has advised that if there is any reduction in the currently identified funding streams over the course of this contract then it will be necessary to make efficiencies within the wider Housing related support budget to ensure ongoing funding for the Housing First contract; 7.5: From a financial perspective there is a significant ongoing risk from awarding a 5 year contract when there is insufficient permanent funding and; 7.15: There are risks if the short term funding from MHCLG or the council ends. These risks have been assessed and there is a plan in place to sustain the contract from existing resource if this became necessary. Other services would have to be ended to meet these costs. The Councillor expressed further concerns that a plan B did not seem to be in place. The Commissioning & Performance Manager informed the councillor that the financial position was difficult with the contract ending in January 2021 and Housing First needed to be sustained. The Councillor stated they would be abstaining from the vote on the recommendations.

100.5 Councillor Hill was informed that the figures in the report could be quantified by looking at past figures and these would be passed onto the committee.

100.6 Councillor Osborne considered the report a good news story for the council and more ambition would be good. The councillor was informed that the housing team were working hard to reduce the 55 still in COVID-19 accommodation and timescales were already in place.

100.7 Councillor Hugh-Jones considered that the title interim should be deleted from the Executive Director Housing Neighbourhoods & Communities as this would cover a future where the executive director was not interim.

100.8 A motion to remove the word interim was proposed by Councillor Hugh-Jones and seconded by Councillor Gibson.

100.9 The Chair put the motion to the vote, and it was agreed unanimously.

100.10

The Chair put the recommendations to the vote, and they were agreed by a majority vote of 7 to 2 abstentions. (Councillor Phillips was not able to vote due to technical difficulties).

RESOLVED:

That Housing Committee:

- 2.1 Approves the procurement and award of a contract for the provision of a Housing First Service for single homeless people for a period of five years with the option to extend for a maximum of two further years.
- 2.2 Grants delegated authority to the Executive Director for Health & Adult Social Care or the Interim Executive Director Housing Neighbourhoods & Communities to carry out the procurement of the services referred to in 2.1 above including the award of the contract.
- 2.3 That the Executive Director for Health & Adult Social Care or the Executive Director Housing Neighbourhoods & Communities seek authority of the Housing Committee prior to the expiry of the initial contract period of 5 years if it is recommended that the contract be extended under the extension provisions exercisable by the council under the terms of the contract.
- 2.4 Delegates authority to the Executive Director of Health & Adult Social Care or the Executive Director Housing Neighbourhoods & Communities on confirmation of the award of funding by the MHCLG in response to a bid made by the Council for the purposes of financing Housing First units of accommodation, to increase the value of the procurement and subsequent contract award to reflect the amount of grant awarded (maximum of £312,000.00) and to enable the provision of a minimum of number of additional units pro-rated to the value of the grant awarded on the basis that the maximum grant of £312,000.00 will fund a minimum of 35 additional units.
- 2.5 To report regularly to Homeless Reduction Board on the progress and outcomes of the service.

101 HOUSING MANAGEMENT PERFORMANCE REPORT QUARTER 4 2019/20

- 101.1 The Head of Income Involvement & Improvement introduced the report which informed the committee that the housing management performance report covers Quarter 4 of the financial year 2019/20 alongside end of year results.
- 101.2 Councillor Atkinson was informed that information on how the council compares to other authorities with regard to cost indicators on new builds will be reported back to the committee with caveats on different areas.
- 101.3 Councillor Mears expressed dissatisfaction with the recent area housing panel meeting where all areas met at once and requested a return to separate area meetings where residents would have a chance to speak. The councillor was informed that the Housing

Management costs were compared to other authorities, however, other councils included some of the same elements in calculations and not others. Comparing was therefore a challenge. It was noted that Universal credit applications accounted for some of the reasons for rent arrears. It was also confirmed that support for residents with rent arrears included mental health support. The gas certificate checks were confirmed as being yearly from the time of placement into the building. It was noted that some checks were started at 10 months as this gave buffer time for check to be carried out before the 12 month deadline. The external concrete coating of Leach Court was not included in the original contract and did not form part of the initial works. The costs for the external coating include paint and final finish it was confirmed.

- 101.4 Councillor Osborne was informed that the council were moving away from fitting gas boilers, however no programme was in place yet. With regard to rent arrears, the council were working to the process agreed by the courts. During COVID-19 pandemic residents in arrears had not been visited. Officers were contacting residents by phone, using text and calling to remind residents when rent was due. It was noted that redundancies were having an impact on residents and some were resisting applying for Universal credit. The councillor was informed that during lockdown the restrictions on courts prevented evictions. It was considered that this would change once the courts reopen.
- 101.5 Councillor Hill considered that Universal credit was having a damaging impact on residents in arrears.
- 101.6 Councillor Hugh-Jones was informed that the council will only be informed once a Universal credit application has been submitted. The council are not aware before this unless a resident informs the council. It was noted that the first Universal credit payment could take 5 to 6 weeks and on occasion the payment has been used for food rather than rent. The councillor was informed that sickness surgeries have been held throughout the year in the housing team to understand the high level of sickness and how to reduce this in the department. It was also noted that an energy efficiency report will be coming to committee.
- 101.7 Councillor Williams expressed concerns relating to eviction notices and requested that they were not issued. The Councillor was informed that the council were not currently issuing notices of eviction. It was noted that the council sometimes need residents to understand the nature of their arrears and serving a notice can be a way of flagging the seriousness of the situation and instigating a conversation with the council. The councillor was assured that the city has the lowest number of evictions compared to other authorities. It was noted that those tenants with mental health conditions and served a notice of eviction for rent arrears needed support.
- 101.8 Councillor Fowler was informed that the number of empty homes has increased as no home inspections had taken place during the pandemic lockdown and this had created a backlog. The councillor was also informed that the repairs service was currently carrying out emergency repairs only. The return to full service was currently being looked at.
- 101.9 Councillor Mears requested that the wording on the evictions notice letter be revised to reduce mental health impact.

101.10

The Chair put the recommendations to the vote, and they were agreed unanimously.

RESOLVED:

2.1 That the Housing Committee notes the report.

102 HOUSING COMMITTEE WORKPLAN PROGRESS UPDATE AND HOUSING PERFORMANCE REPORT - QUARTER 1, 2020/21

- 102.1 The Head of Income Involvement & Improvement introduced the report that illustrates how progress against Housing Committee work plan 2019-23 priorities and targets, as well as other Housing service targets, could be reported to residents and to committee. It was agreed at Housing Committee on 15 January 2020 that a small group of Housing Committee members and officers would meet to look at how any report might look. This small group met on 1 September 2020 and progress has been made on a document for discussion. The report covers Quarter 1 of the financial year 2020/21.
- 102.2 Councillor Hugh-Jones supported the new report and requested that items from the older style report not be lost. The councillor was informed that several items in the report deserved their own reports. The new report has some 'meaty' and 'chunky' bits. It was noted that some of the information will be relayed to the relevant Housing area panels. The feedback was for less paper heavy documents.
- 102.3 Councillor Hill considered that information was lacking regarding the building of 800 new homes and the stages the builds were at. The number of sites identified since 2017 was requested as were the details of selective licensing scheme proposal to improve the management and standards of private rented sector homes in the City and information relating to requests for assistance covering repairs and how the advice hub will run. It was considered by the councillor that Rent Smart could be used instead of a new advice hub. The work with tenants to develop a 'decent environment' standard was considered a good move forward.
- 102.4 Councillor Mears considered the report to be the result of a coalition between the Green group and the Labour party, and thereby could not be scrutinised by these groups properly.
- 102.5 Osborne considered that collaboration was good for the city and liked the new format report, which was considered to be clear, transparent and good for residents.
- 102.6 Councillor Gibson noted that regular reports would come back to the committee on the format and the working group would look at suggestions and improvements.
- 102.7 Councillor Osborne noted the rise in temporary accommodation figures and was informed that the figures did include COVID-19 affected households. The councillor considered the emissions totals to be good and this showed to the battle against emissions the council faced ahead.
- 102.8 The Chair put the recommendations to the vote, and they were agreed unanimously.

RESOLVED:

2.1 That the Housing Committee notes the report.

103 REPAIRS & MAINTENANCE TO COUNCIL HOUSING STOCK

103.1 The Senior Programme Manager introduced the report which updates the Committee on the Housing Repairs & Maintenance service following the insourcing of the service which took place on the 1 April 2020. This was in line with the recommendations approved, following extensive consultation, at a special Housing & New Homes Committee meeting held on 28 September 2018 and Policy, Resources & Growth Committee on 11 October 2018 that, following expiry of the contract with Mears: a Customer service and quality assurance services are brought in-house; and a responsive repairs and empty property refurbishment works to council housing stock are brought in-house. The report updates the committee on how the service has been operating during the pandemic and outlines the ongoing work which the programme will be carrying out over the next year.

103.2 Councillor Mears was informed that the budget of in-house repairs will be supplied to the committee Members.

103.3 Councillor Hugh-Jones was informed that Members of the task and finish group needed expertise and knowledge and the key performance indicators will be looked at. There will be a lease holder consultation over the next couple of weeks. The councillor was informed that the business case to assess the options for out of hours call handling, including procuring a new supplier, and also how the service could be delivered directly by the council is sign off reliant at this time. It was noted that the new works management system timescale would be 2-3 years.

103.4 Councillor Williams was proud of the work done and considered that the unions should be involved whenever possible and not bypassed.

103.5 Councillor Gibson considered it important to maintain the 'right to strike' and the council will remain open to talks.

103.6 The Chair put the recommendations to the vote, and they were agreed unanimously.

RESOLVED:

2.1 That the Committee notes the progress with the programme and the Housing Repairs & Maintenance service as outlined in the body of this report.

104 REVIEW OF EVICTIONS FROM EMERGENCY AND SHORT-TERM TEMPORARY ACCOMMODATION

104.1 The Head of Housing Needs introduced the report. In February 2019 Policy, Resource & Growth Committee agreed that £0.250m be added to the council's 2019/20 budget proposals for one year only in order to expand the options for providing support for people in emergency and temporary accommodation to have a positive impact on evictions which were at a high level. In

February 2020, Budget Council approved an on-going budget of £0.260m for this welfare support service. It was requested that the performance of the support team (Welfare officers) in relation to the impact on the rate of evictions is regularly reported to Housing Committee. On average the team have been involved in helping avert the potential eviction of 35 people each month. They are supporting an average of just under 500 households at any one time, but this has risen to over 600 during Covid 19. The preventions have been where residents have been served a warning notice due to service charge arrears or other breaches of the licence agreement which the welfare officer team have then resolved. The report sets out the performance to date.

104.2 Councillor Atkinson considered the Monthly average performance matrix to support around 500 households (pre-Covid 19) to be good and felt the welfare officers were doing a good job. The councillor was informed that where a serious assault had occurred the assailant would not normally return to the assault residence and a risk assessment would be undertaken. It was noted that the 10% of evictions completed would be measured against other authorities and the findings feed back to the committee.

104.3 Councillor Gibson considered that outside providers should inform the council of any intentions to evict. The councillor considered that the council needs to protect residents against being evicted for the wrong reasons. It was noted that the welfare officers are doing a good job and looking forward to seeing the rate of evictions reduced. The Homeless Reduction Board will be looking at the eviction rates and will give feedback to the Members.

104.4 The Chair put the recommendations to the vote, and they were agreed unanimously.

RESOLVED:

2.1 That Housing Committee notes the performance and evictions reported.

2.2 That Housing Committee supports the measures the council is incorporating in future contracts for emergency and temporary accommodation to minimise the risk of evictions and intends to keep this matter under annual review.

105 ITEMS REFERRED FOR FULL COUNCIL

105.1 None.

106 PART TWO PROCEEDINGS

106.1 None.

The meeting concluded at 7.53pm

Signed

Chair

Dated this

day of

Subject:	Next steps - Rough Sleeping and Accommodation during Covid 19 Pandemic and Recovery		
Date of Meeting:	18th November 2020		
Report of:	Executive Director Housing Neighbourhood & Communities and Executive Director of Health & Adult Social Care		
Contact Officer:	Name:	Sylvia Peckham Martin Reid	Tel: 01273 293318
	Email:	Sylvia.peckham@brighton-hove.gov.uk Martin.Reid@brighton-hove.gov.uk	
Wards Affected	All		

FOR GENERAL RELEASE**1 PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 In response to the Covid-19 emergency and in line with Government guidance we made an accommodation offer during the first lockdown available to all rough sleepers and those assessed as at risk of rough sleeping in the city. We have worked with Ministry of Housing, Communities & Local Government (MHCLG) and Homes England (HE) to secure funding to cover the cost of this accommodation and provide for move on options through our Next Steps Accommodation Programme (NSAP) bid.
- 1.2 The Council's approach to the national requirements were set out in the response to 'Homelessness & the Coronavirus Pandemic' Notice of Motion presented to Housing Committee on 29 April 2020 and the delegation of authority to secure hotel accommodation up to the end of December 2020 outlined in the 'Homeless & Rough Sleeper accommodation – Covid-19 Pandemic Next Steps report' agreed at Policy & Resources Committee on 14 August. It was made clear in these reports that the Council's approach was subject to MHCLG funding being sought through the NSAP bid. Since then the government has repeatedly made clear it will not suspend the legal requirements around rough sleepers who have no recourse to public funds.
- 1.3 As outlined in paragraph 3.6 the NSAP bid process was in two parts: short-term interim accommodation and immediate support; and, longer term, move-on accommodation. The report updates on the bid outcome, including that the council have been awarded NSAP shorter-term/interim accommodation and immediate support revenue funding of £3,428,766 to 31 March 2021. This is the highest sum awarded to any individual local authority in the country. In addition, we have been awarded a capital sum of £1.752m with revenue support of £669,600 (over four years) to deliver 30 Home Purchase Policy, Housing First homes for move on by 31 March 2021, and £609,939 to deliver 20 units of high support accommodation for 3.5 years through partners St Mungo's and Clarion.

- 1.4 While significant, the NASP funding does not cover the full amount bid for to cover our projected costs of accommodation, support and move on from 1 July 2020 to 31 March 2021. The Short-Term/Interim Accommodation bid was only for the period 1st July 2020 to 31st March 2021 and so the expectation was that the council would need to pick up the costs for the first quarter of the year from other resources. In line with the recommendations to Policy & Resources Committee (14th August) this report considers the outcome of the bid, the on-going financial implications and options for future provision. This includes seeking to extend delegation of authority to secure hotel accommodation to 31 March 2021 in line with available funding. The report also outlines the next steps to comply with the terms of the funding and progress the move on of people into suitable sustainable alternative which meets individual's needs.
- 1.5 There are significant bid conditions associated with the Short-Term/Interim Accommodation Bid, (NSAP outcome letter dated 22 September 2020), including: that funding is ring-fenced for those who have been accommodated up until 30 September 2020 and those who are subsequently brought in from sleeping rough; support offered to non-UK nationals who are not eligible for homelessness assistance complies with legal restrictions; and, achieving a speedier reduction in the overall numbers in hotels/TA placements than projected in the bid, with 70% funding allocated initially with remaining funds on condition that Emergency Accommodation use is reduced by at least 40% by 31st December 2020. As at 30th September we were accommodating 369 people and so to achieve a 40% reduction requires 148 people to be moved on by 31st December 2020.
- 1.6 The MHCLG guidance and grant conditions will therefore have a material impact on the council's ability to: continue to support an unconditional offer of accommodation, in particular for those assessed as at risk of rough sleeping who were not accommodated before 30 September 2020, and to accommodate non-UK nationals who are not eligible for homelessness assistance / those with No Recourse to Public Funds.
- 1.7 The total estimated revenue overspend relating to rough sleepers is £9.259m (TBM 5 reports to P&R Committee). This estimate assumes that the unconditional offer ceases after 30th September 2020. The short-term NSAP grant award for £3.429m only offsets some of the costs. The council is still projecting an overspend overall after taking account of a 4th tranche of Emergency Covid 19 funding and therefore any continuation of the unconditional offer will create an additional commitment which will increase the call on reserves that will need to be repaid through the financial smoothing agreed at Policy and Resources committee in October 2020. Continuing this offer will also have material financial impact on 2021/22 budgets as outlined in the financial implications at paragraph 7.5.

2 RECOMMENDATIONS:

- 2.1 That Housing Committee note the Next Steps Accommodation Programme (NSAP) funding allocation with the projected shortfall in funding required, and the conditions set out in the grant award.

- 2.2 That Housing Committee note that NSAP funding is ring-fenced for those who have been accommodated up until 30 September 2020, and those who are subsequently brought in as verified rough sleepers.
- 2.3 That Housing committee note MHCLG guidance dated 22 September 2020 that local authorities must ensure that any support offered to non-UK nationals who are not eligible for homelessness assistance complies with legal restrictions (for example, the restrictions contained in Schedule 3 to the Nationality, Immigration and Asylum Act 2002).
- 2.4 That Housing Committee approve proposals (in paragraph 3.10) for officers to work with the local community and voluntary sector organisations to provide clear information for rough sleepers with NRPF who the Council cannot accommodate including sources of support and assistance.
- 2.5 That Housing Committee note that the Co-Chair of Housing has written to the Home Secretary asking that all necessary measures are taken to avoid pushing migrants into homelessness for the duration of the pandemic. This includes asylum seekers and others with no recourse to public funds as well as recently recognised refugees whose asylum support is being withdrawn.
- 2.6 That Housing Committee note the action plan set out in Appendix 3 to deliver progress and meet the conditions of the NSAP funding allocation.
- 2.7 That Housing Committee agree that progress on meeting the conditions of NSAP funding and next steps – ‘Rough Sleeping and Accommodation during Covid 19 Pandemic and recovery’ as outlined in 1.2, be reported to future meetings of Homeless Reduction Board.
- 2.8 That Housing Committee note the assumptions in paragraphs 7.3, 7.4 and 7.5 of costs of continuing to accommodate those assessed as at risk of rough sleeping who do not fall within NSAP funding conditions beyond 30 September 2020 or statutory provisions during the on-going pandemic (excluding those who have NRPFs except those to whom we have a statutory duty as outlined elsewhere in the report).
- 2.9 That Housing Committee agree that officers report back on the implications to the Homelessness Reduction Board and a future Housing Committee on systems and resources needed to enhance the Council’s offer to homeless people including those assessed as at risk of rough sleeping who do not fall within NSAP funding conditions beyond 30 September 2020 or statutory provisions, during the on-going pandemic, subject to funding.
- 2.10 That Housing Committee agree an additional £7.5m expenditure in the HRA capital programme for 2020/21 to be funded by £1.752m grant and £5.748m borrowing and notes that this will be subject to formal approval by the Policy & Resources Committee when it considers the TBM Month 7 report at its December meeting as set out in the recommendation at paragraph 2.17.

That Housing Committee recommends to Policy & Resources Committee:

- 2.11 That Policy & Resources Committee delegates authority to the Executive Director of Housing Neighbourhoods & Communities and the Executive Director of Health and Adult Social Care to secure accommodation up to the end of March 2021, by entering into contracts to extend existing arrangements or alternative arrangements where necessary to extend the provision of shorter-term/interim accommodation acquired in response to the Covid 19 pandemic to 31st March 2021.
- 2.12 That Policy & Resources Committee agree to funding until 31st March 2021 the floating support required to enable people to move on to private rented accommodation who are in need of support to sustain and manage a tenancy so it is a viable option at an estimated cost of £0.086m, as detailed in paragraph 3.14. If agreed, this financial pressure will be reflected in future Targeted Budget Management (TBM) reports to P&R committee.
- 2.13 In line with the NSAP funding allocation, agree to delegate authority to the Executive Director of Health and Adult Social Care to enter into a contract with St Mungo's as a partner to the bid and as set out in the bid to deliver 20 units of high support accommodation as set out in paragraph 3.14
- 2.14 To note the NSAP funding allocation & agree spend in line with grant conditions.
- 2.15 Consider continuing to accommodate those assessed as at risk of rough sleeping who do not fall within NSAP funding conditions beyond 30 September 2020 or statutory provisions (excluding those who have NRPFs except those to whom we have a statutory duty as outlined elsewhere in the report) during the on-going pandemic at a maximum cost of £0.986m for 2020/21, as outlined in paragraphs 7.3 & 7.4 and 7.5
- 2.16 To note that if recommendation 2.15 is approved, this could create a potential commitment in 2021/22 of between £1.4m and £1.9m. This will need to be reflected in the budget process for 2021/22.
- 2.17 Note the MHCLG contribution of £1.752m in capital funding towards the purchase of 30 new homes for rough sleepers and that approval of the new HRA capital budget for this purchase will be brought as part of the TBM 7 report to the December P&R Committee.

3 CONTEXT/ BACKGROUND INFORMATION

Background

- 3.1 At the start of the pandemic the Government issued guidance to local authorities to provide accommodation for all rough sleepers; those assessed as at risk of rough sleeping and those in congregate (shared sleeping spaces) accommodation. The Communities Secretary announced emergency funding for councils to provide such accommodation of £3.2m nationally to enable rough sleepers to self-isolate. The council has claimed back the maximum £0.066m to which it was entitled.

- 3.2 29th April 2020, Housing Committee agreed the notice of motion “Homelessness and the Coronavirus” stating a commitment, subject to funding to:- Declare its intention to consider how to provide appropriate move-on accommodation and support for all rough sleepers currently housed and supported in hotels/other accommodation in time to avoid them returning to rough-sleeping. Also, to consider how the current unconditional offer of accommodation to rough sleepers can continue once the hotel/other accommodation provided during the coronavirus outbreak is no longer available.
- 3.3 Following the ‘Homelessness & the Coronavirus Pandemic’ Notice of Motion presented to Housing Committee on 29 April 2020, the response report presented to Committee on 17 June 2020 stated: *The Council is intending to provide appropriate move on support and accommodation for all rough sleepers currently accommodated. However, we currently do not have sufficient resources to meet all of the needs, and therefore have requested additional support from Ministry of Housing Communities & Local Government (MHCLG) if we are to avoid people returning to the streets.*”
- 3.4 Policy and Resources Urgency Committee on 14 May 2020 agreed the next steps and moving to the next phase of accommodation so that people were not at risk of returning to the street when restrictions were lifted and to enter into contract [Licence to Occupy] with the University of Brighton for 222 units of student accommodation as move on from initial accommodation acquired under Covid-19 Urgency Powers. This student accommodation has subsequently been decanted and handed back to the University of Brighton.
- 3.5 14th August 2020, Policy and Resources Committee agreed to secure the continuation of existing, and acquisition of, additional interim accommodation up to the end of December 2020, that was required to maintain the accommodation offer to all verified rough sleepers and those assessed as at risk of rough sleeping until they were able to move on to more sustainable housing. Since the initial guidance around “Everyone In”, the government have made it clear that there are limitations on what local authorities can offer, both on the additional funding and in general as set out below.

Next Steps Accommodation Programme Bid (NSAP)

- 3.6 20th August 2020, the council submitted a bid to the Ministry of Housing, Communities & Local Government (MHCLG) setting out proposals for future funding in response to the Government’s Next Steps Accommodation Programme (NSAP), The NSAP bid process was in two parts.
- Firstly, the short-term interim accommodation and immediate support (national pot of £105m). The council bid for £4.317m and has been awarded £3.429m. Details of this bid are shown in paragraph 3.13 below.
 - The second bid was for longer term, move-on accommodation (National Pot of £433m over 4 years, £161m for 2020/21 split into £130m capital funding and £31m revenue funding). The council has bid for £5.797m capital funds and £4.044m revenue for the period September 2020 to end of 2023/24. Partners to the bid include YMCA Downslink and St Mungo’s-Clarion to provide specific supported accommodation move on schemes

Our bid proposals related to 391 clients in emergency accommodation at the time of the bid submission (20 August 2020).

3.7 Next Steps Accommodation Programme bid proposal included:

- Ensuring current provision to safeguard rough sleepers and those assessed as at risk of rough sleeping can continue for an appropriate length of time;
- Reconnection where safe to do so;
- Expand Homeless Prevention and Resolution Officers (Brighton & Hove City Council);
- Expanding Housing First coupled with expanded Home Purchase Policy.
- Expand provision of supported move on accommodation and increasing Private Sector Leasing via partners to provide additional supported accommodation;
- Expanding use of private rented sector accommodation;
- Provision of specialist resource to work to secure the settled status of individuals who are EEA nationals without settled status;
- Access to Employment;
- Return Home reconciliation work with young people where this is a safe option.

Next Steps Accommodation Programme Grant and Conditions

3.8 As at 30th September 2020 we were accommodating 369 people. Approximately 100 of these are verified rough sleepers and those from congregate accommodation while the remaining 269 are people who were assessed as at risk of rough sleeping. The NSAP funding is only for those people in accommodation as at 30th September and those who were subsequently verified as rough sleepers. We continue to produce a weekly placement report to monitor our activity. The weekly placement report for week commencing 26th October 2020 is appended to this report, Appendix 2.

3.9 The contracts for existing accommodation that were acquired for rough sleepers and to provide accommodation for other homeless people during Covid are due to end on 31st December 2020. We will need to extend some of these contracts while we move people on as per the conditions of the grant.

Conditions of Short-Term Interim Accommodation and Immediate Support Grant.

3.10 These are specific and are set out below. The following are areas of particular note:

- **Cut-off date**

MHCLG have been clear that the funding is only to meet the needs of people accommodated as at 30th September 2020 and for those who are subsequently verified as rough sleepers.

This means that from 30th September 2020 the funding cannot be used for people who are assessed as *at risk* of rough sleeping i.e. those people who are

neither owed a statutory housing duty nor are verified as rough sleepers. We are working to reduce the risk of street homelessness for this group by further developing our prevention, and advice offer.

- **Providing Accommodation to individuals with No Recourse to Public Funds (NRPF)**

NRPF refers to those who have had a no recourse to public funds condition imposed on their grant of limited leave to remain or enter the UK, or whom are failed asylum seekers. The NRPF condition does not, prior to 31 December 2020, apply those who are exercising an EU right to reside under the Immigration (European Economic Area) Regulations 2016 (as they do not need permission to enter or remain section (7(1) Immigration Act 1988)) or, post 31 December 2020, those that have a retained enforceable EU right through the EU Settlement Scheme

As part of the response to the Covid 19 pandemic people who are EEA Nationals have been sanctioned by the Government to receive 12 weeks assistance until 31st December 2020. For others who are not EEA nationals, the MHCLG has confirmed that the law regarding their status remains the same. In their letter of 22nd September that accompanied the grant, MHCLG stated that:

‘Local authorities must ensure that any support offered to non-UK nationals who are not eligible for homelessness assistance complies with legal restrictions (for example, the restrictions contained in Schedule 3 to the Nationality, Immigration and Asylum Act 2002)’.

The Government’s ‘everyone in’ direction at the time of national lockdown provided a window of opportunity for councils across the country to accommodate NRPF, regardless of immigration status. Under the ‘everyone in’ approach, and in light of the public health emergency, local authorities were being advised to use whatever powers they could identify to accommodate NRPF, but not what those powers were. The council accommodated 8 individuals with NRPF in the early months of the national lockdown based on this approach as they were rough sleeping

The government did not suspend or repeal elements of the legislative framework which would otherwise have made this approach unlawful. At that time, given the scale of the public health crisis it was assumed that public health reasons and the government’s own invitation to act could be relied upon by local authorities to justify delivering an “everyone in” approach. However, failure to suspend the primary legislation has subsequently placed severe restrictions on the powers of local authorities in relation to those with NRPF.

Since the initial “everyone in” instruction the government has significantly changed the advice in relation to NRPF individuals, expressly stating that councils are expected to behave within the law in relation to NRPF clients and that funding announced to support rough sleepers applied only to those eligible for assistance under the Housing Act 1996- so completely excluding NRPF.

This more recent Government advice leaves the council with very limited powers to accommodate those with NRPF. These powers are based on a careful

consideration of individual circumstances on a case by case basis. Entitlements of NRPF individuals accommodated by or approaching the council will vary depending on circumstances such as whether the individuals have children, their nationality, their asylum status, and their eligibility under the Care Act. The council is committed to evaluate individual circumstances and form a judgement as to what is appropriate and available within the envelope of the law, taking into account vulnerabilities and applying this to the circumstances of the individual. Emerging public health guidance, including evaluation into the risks posed by Covid 19, which will include the alert level of the city will be taken into account when considering needs within the envelope of what is available within the law and government guidance at the time.

In addition to very limited powers the council may have, following careful consideration of individual circumstances, it is recommended that individuals consider applying directly to the Home Office for relief and that the council signposts to other specialist dedicated sources of support. It is also recommended that officers work with local community & voluntary sector organisations who support migrants to develop clear information about what help and assistance is available. This should include homelessness prevention support within the constraints of local authority powers and more targeted assistance from third sector agencies.

Full details of the NSAP funding allocation

Funding conditions

3.11 Full details of the NSAP funding allocation conditions are set out as follows:

3.12 “The grant funding is ringfenced and must only be used as set out in the grant allocation. Future awards of rough sleeping funding will be reduced to the extent that funding is not used in line with the ringfencing condition. Funding is being allocated subject to several additional conditions:

- Funding must be used to achieve move-on for those rough sleepers accommodated during the pandemic and a sustained reduction in rough sleeping in our local area
- That funding is ring-fenced is for those who have been accommodated up until 30 September 2020, and those who are subsequently brought in from sleeping rough.
- BHCC to agree with MHCLG advisers an amended NSAP plan that will achieve a speedier reduction in the overall numbers in hotels/TA placements, with at least 50 people per calendar month moved on through offers of alternative accommodation, re-connection or other arrangements.
- 70% of funding to be allocated now, with remaining funds to be allocated on condition that Emergency Accommodation use is reduced by at least 40% by 31st December 2020.
- Support offered to non-UK nationals who are not eligible for homelessness assistance complies with any legal restrictions (for example, the restrictions contained in Schedule 3 to the Nationality, Immigration and Asylum Act 2002). Any funding provided for immigration advice is provided on the basis that this is to support individuals to determine or resolve their immigration status - not to challenge immigration decisions made by the

Government. Any voluntary reconnections funded should be made if there is a reasonable prospect of an individual returning to their home country for a sustained period.”

Breakdown of the Short Term/Interim Accommodation NSAP funding allocation.

3.13 The Short Term/ Interim Accommodation Revenue Grant awarded covers the period until 31st March 2020. It also is to reflect spend from 1st July 2020 to date incurred on procurement of short-term emergency hotel accommodation acquired under the Covid 19 pandemic. A breakdown of the grant shown in table 1 below with further explanation is as follows:

- Emergency/ short term accommodation. This covers the cost of the hotel and university accommodation and support costs such as additional security. The amount awarded reflects the conditions of the grant to move on 40% of people by 31st December and so assumes a tapering down of this accommodation accordingly between October and December and then continuing to taper towards 31st March 2021.
- Staff resources. To undertake assessment and develop Personal Housing Plans for the increased number of people accommodated under “Everyone In” and work to move on to a more suitable accommodation option.
- Access to Private Rented Accommodation –for supporting Deposit Guarantees and supporting tenancies (both landlords and tenants) for a period at the start of the tenancy and resolving any issues later so as to ensure the tenancy is sustainable. MHCLG increased the target amount of people to access this type of accommodation. We are exploring how we manage this and work in partnership with another provider to use Houses in Multiple Occupation (HMOs) to contribute to this.
- Support to reconnect people back to where they have a local connection where it is safe to do so.
- Mediation service to enable young people to return to live with family.
- Advice and Immigration support for EEA nationals

TABLE 1 Description in bid	Costs in BID	Grant Allocation	Short fall
Emergency Accommodation costs, assuming tapering to 31/3/21	3,659,758	3,079,920	-579,838
Additional Staff to support move on	261,700	160,000	-101,700
Access to Private rented accommodation	135,000	135,000	0
Support for reconnection	51,000	20,000	-31,000
NSNO building costs to March 21	80,000	0	-80,000
Mediation service	13,846	13,846	0
Advice and immigration support	39,032	20,000	-19,032
Access to employment BEAM	77,000	0	-77,000
TOTAL in NSAP Short Term/Interim bid	4,317,336	3,428,766	-888,570

Details of the Capital NSAP funding Allocation

3.14 The Capital grant covers the capital required until 31st March 2021 and the Revenue required to support the capital until 2024. A breakdown of the grant is shown in the table below with further explanation as follows:

- The bid for expanding Home Purchase Scheme by an additional 50 properties was reduced to 30 as MHCLG thought that would be deliverable by 31st March 2020. These would provide units for Housing First. The estimated cost of purchasing 30 homes is £7.500m. This will be funded by HRA borrowing (supported by the rental stream) and the grant of £1.752M and will be cost neutral to the HRA. The Revenue to cover until 2024 is as set out in the table.
- Preston Road and Castle Street schemes were not agreed on the basis of value for money due to the length of leases.
- Eastergate Road was withdrawn as funding was agreed under a different funding scheme.
- St Mungo's/ Clarion high support scheme will provide 20 units of move on accommodation until 2024
- Floating support from now until 2024 to enable people to move into and sustain private rented accommodation was not successful, The approach to support requests that were not attached to new units of accommodation was not agreed by the MHCLG on the basis that they are a matter for RSI funding. While we will submit a bid for RSI4, that is for 2021 onwards which leaves a gap of support from now until 31st March 2021 of £0.086m. If the council funds floating support to the end of March 2021, but future years is not agreed under RSI4, then the council could be committing to paying for on-going floating support in 2021/22 and beyond for which it has no resources. The shortfall to March 2021 will enable enough officers to support a caseload of 12 people at any one time, enabling a total of 50 – 60 people to be supported into private rented accommodation that otherwise would be unable to manage this type of tenure. This is a significant proportion of the overall number of people we need to move on and therefore will reduce the risk that the council would only retain 70% of the revenue short term grant.

Description in Bid	Bid	Grant Allocated	Shortfall
	£	£	£
Home purchase	2,920,000	1,752,000	1,168,000
Preston Road Capital	206,450	0	206,450
Preston Road Revenue	17,726	0	17,726
Castle Street capital	450,450	0	450,450
Castle Street Revenue	253,990	0	253,990
Eastergate Rd Capital	2,220,000	0	2,220,000
Housing First Revenue	1,116,000	699,600	416,400

Clarion (St Mungo's High Support Revenue)	639,969	609,969	30,000
Floating Support	988,106	0	988,106
Total capital schemes	8,812,691	3,061,569	5,751,122

Move on planning

3.15 We are planning the recovery for how people move on from this short term accommodation. There are several work streams being developed into an overarching plan which are broadly:

- Identify the move on requirements of those people accommodated as at 30th September 2020 and timelines to achieve 40% move on by 31st December 2020.
- Supply of accommodation to enable 40% to move on before 31st December 2020 and then remainder to move on for 31st March 2021.
- Commissioning strategy to move away from congregate accommodation for rough sleepers.

3.16 Details of this weekly data are set out in Appendix 2 which contains the breakdown of move on requirements and monitors progress to meet the conditions of the NSAP funding allocation. Appendix 3 contains the high level project plan which will be updated and reported to the Homelessness Reduction Board. However, progress to the end of October is that of the 148 people required to move on by the end of December, 66 have been successfully moved on.

3.17 To Identify the move on requirements of people accommodated Housing Options and St Mungo's have worked jointly to undertake assessments and develop Personal Housing Plans with all people accommodated. Some people who become homeless during Covid 19 are ready to move into private rented accommodation with little assistance while there are other people who have multiple and complex needs. Due to the short timescale to achieve 40% move on by 31st December we will focus on those people who can move on quickly, whilst still enabling more challenging moves on a case by case basis.

3.18 The supply of accommodation and support is key to enable move on. We had 369 people accommodated as at 30th September.

3.19 One of the central elements of the NSAP funding allocation is to move people to private rented accommodation. We will assist people who are ready to move on from supported housing into private rented accommodation to free up supported housing for those people who are assessed as in need of that type of accommodation.

3.20 We will also assist people to move into private rented accommodation from short term accommodation and provide support to ensure tenancies are sustainable in the longer term. In the NSAP grant allocation conditions MHCLG set an enhanced target of 50 tenancies by 31st March 2021. In addition to the 35

tenancies outstanding to achieve under the Rough Sleeper Initiative grant. This brings the total to 85 tenancies to be achieved by 31st March 2021. To achieve this, we are exploring the use of Houses in Multiple Occupation (HMOs) as we believe there is capacity in the market following the development of purpose-built student accommodation. We understand that particularly for people who have just become homeless and who do not need supported accommodation, this may be a good option.

- 3.21 To meet the very challenging targets linked to the funding made available additional staff resources will be required to work with people to assess their needs and enable them to move on and so the additional funding in the grant for staff resources is welcome.
- 3.22 Given the number of people we must move on within a challenging timescale, we are only able to make one suitable offer of accommodation. We will ensure people have a reasonable timescale to decide to accept or reject the offer depending on the type of accommodation offered and the individual needs of the person. If an offer of suitable accommodation is not accepted, the short-term accommodation will be ended, and the person will need to make their own arrangements. Without this robust approach we are unlikely to achieve the target set as condition of the grant. We have safeguards in place by ensuring there is a review process in place where people do not agree with the suitability of the accommodation offered. Following rejection of a suitable offer and ending short term accommodation we will continue to engage with the person to find a solution for their housing situation, but no further short-term accommodation will be made available.

Meeting multiple and complex needs

- 3.23 To provide for the needs of people who have multiple and complex needs we are expanding Housing First. We have recognised that for some people a hostel/ supported type environment is not appropriate and have understood that some people remain rough sleeping as we have not been able to offer appropriate accommodation that meets their needs. We have identified that Housing First is a model that will meet this gap in provision and enable us to help those entrenched rough sleepers move away from the street and get the help they need.
- 3.24 To expand Housing First we are increasing acquisitions under the Home Purchase Policy which forms part of the capital bid. The revenue grant provides funding for the flexible and intensive support necessary to enable people to manage in Housing First. These properties will be used as temporary accommodation so they can be matched to identify people that need to move on from the short-term accommodation.

Safe reconnection

- 3.25 Some of those in emergency accommodation do not have a local connection to the city and so we have funding to reconnect people where it is safe to do so. We will also be undertaking mediation with families to enable young people to be able to return to the family home. For EEA Nationals, we will provide a dedicated advice worker to provide advice and immigration support and specific funding has been awarded for this purpose.

Monitoring

- 3.26 As a condition of the grant Local Authorities will also be required to participate in a research project, organised by MHCLG. The annual snapshot count of rough sleepers will also take place in November. This will be carried out on the same date as councils in East and west Sussex.
- 3.27 The Homeless Reduction Board will continue to receive highlight reports on performance at each meeting, these will include:
- Number of people rough sleeping
 - Number of people accommodated under Covid 19 provisions in short term emergency accommodation
 - Move on:
 - To private rented sector
 - To social housing
 - To supported accommodation
 - To Housing First
 - Reconnected.
- 3.28 Appendix 2 contains details of the weekly monitoring report we have developed to track progress.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Without the grant to contribute towards the cost of moving people on to more settled accommodation the options would have been very limited.
- 4.2 With regard to accommodating people who are outside the scope of the grant we are aware that some local authorities have ceased to do this and there is a risk that we may see a drift in to the city if people can still obtain accommodation here that they cannot obtain in their own area.
- 4.3 If we continue to have an open-door policy to provide accommodation for this cohort significant financial resources will need to be identified both to provide the accommodation and to casework those people and resolve issues that arise. As this is not offered by all other local authorities there is a significant risk that policy will attract people from other areas, and we will be unable to manage the demand without ever increasing resources. Separately to provide accommodation for people who have been classed by the Home Office as no resource to public funds (NRPF) is unlawful.
- 4.4 If this provision is discontinued, those people will be entitled to receive advice and develop a Personal Housing Plan to focus on resolving their housing situation, as per the Homelessness Reduction Act, but the council will no longer provide such accommodation. This is returning to our business as usual. We have had and continue to have an opportunity to resolve the housing needs for some of the most vulnerable in the city who are amongst the entrenched rough sleepers. If we spread resources too thinly, we will be limited in what we can achieve for those most in need.

- 4.5 We propose to undertake further analysis of the costs and other impacts of not accommodating those assessed as at risk of rough sleeping and will include this in our reports to Homeless Reduction Board.
- 4.6 A new scheme, called the 'Protect Programme' has recently been announced by the Communities Secretary (on 5 November 2020) to support the ongoing efforts to provide accommodation for rough sleepers during the pandemic. The national allocation is £15 million to help areas that need additional support most during the restrictions and throughout winter. Brighton & Hove is identified as one of the 'top 10' areas to receive funding. We await details of the proportion of the funding to be allocated to Brighton & Hove and will update Homeless Reduction Board when we have this sum confirmed.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 This is a joint report from Housing and ASC Commissioning. The bid was developed in partnership with our advisors in MHCLG.

6 CONCLUSION

- 6.1 The NSAP grant awarded enables the provision of short-term emergency accommodation while we develop more settled move on options. There are very short timescales to deliver which carries risk that funding will be restricted if we do not achieve the set targets. We therefore need to increase the pace to deliver within timescales if we are to maximise the grant awarded and provide settled accommodation for people accommodated as a result of the covid 19 pandemic.
- 6.2 If we continue to provide accommodation for people outside the scope of the grant, there will be a budget pressure to the general fund and the resources required to manage the additional people will dilute the assistance we can offer to those who are the focus of the grant. A focus on homeless prevention, reconnection and earlier move on options will be key to reducing this pressure. Notwithstanding, this will require additional staff resources and funding of move on options. There is also the consideration of availability of sufficient private rented housing that is affordable.

7 FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Current Targeted Budget Management (TBM) forecasts at month 5 show total estimated costs of the council housing rough sleepers and those at risk of rough sleeping is £9.259m (£5.0390m net of estimated Housing Benefit for HNC Directorate and £4.220m for HASC). This forecast includes the costs of hotels/guest house accommodation, as well as costs of those housed in other TA accommodation housed under this initiative, support, security, food and laundry services. The revenue grant of £3.429m will reduce the net forecast costs to £5.830m.
- 7.2 The current TBM forecasts also assume that a total of £0.800m in Housing Benefit or rental income will be achieved by 31 March 2020 from this cohort. The

service is therefore working to maximise this by focusing on getting all HB claims in place. This has been challenging under Covid 19 restrictions regarding face to face contact. Any under achievement of this income target will increase the forecast overspend for the council.

- 7.3 However, the current forecasts do not include the costs of housing those assessed as at risk of rough sleeping, after the end of September 2020. These are people that the council has no statutory duty to house. Housing officers estimate that they are housing 12 people every week (50 per calendar month) in this category. If the recommendation at paragraph 2.15 is agreed, the cost of continuing this through October, November and December is estimated to be £0.226m (once the additional staff resource needed to work with these clients is included). To continue this from now to 31 March 2021 would increase forecast spend for the year by an estimated £0.986m. All costings are net of rental income receivable at a collection rate of 50% and assume that there are no move-ons up to 31/3/2021. The council is still projecting an overspend after taking account of the latest allocation of Covid 19 emergency funding and therefore there are no resources identified to meet this level of expenditure.
- 7.4 Costs will vary depending on the rate of collection of HB and the level of move-ons assumed. If the collection rate improved to 70% the figures in paragraph 7.3 would reduce to £0.204m to December 2020 and £0.842m to end March 2021. If people were moved on to more sustainable accommodation (25 per month from January 2021), the costs to 31 March 2021 would reduce to £0.838m at 50% HB recovery rate and to £0.754m at 70%. However, both of these scenarios are very challenging in the current circumstances, given the volume of people currently in temporary accommodation, most with medium or high support needs and the difficulties meeting face to face in the pandemic. Given the current challenges in moving on households from hotels and guest houses, moving on a further 25 people each month is even more difficult as there is a need to find suitable accommodation for a large number of people in a short timeframe in a city with high rents. Therefore, it is prudent to assume the higher cost estimate of £0.986m when making this decision as recommended at 2.15. Should any further government funding be awarded to the authority to fund rough sleeping, this will reduce the overall net pressure of the 'everyone in ' initiative.
- 7.5 If the open offer ceased on 31 March 2021, the current assumptions above would mean that on 1st April 2021, there would still be between 220 and 300 extra households in TA. This would lead to significant financial pressures in 2021/22. If all were moved on within the year, this is estimated to cost between £1.400m and £1.900m and would likely reduce the ability of the council to move on those in TA for which it does have a duty to house, therefore hindering the ability to make cost reductions or budget savings in 2021/22 and beyond. Moving on this many people in a year will also be extremely challenging and therefore there is a risk that costs could be higher than those estimated. These costs will need to be reflected in the budget setting report to Budget P&R and Budget Council in February 2021
- 7.6 The council is still projecting an overspend after taking account of the latest allocation of Covid 19 emergency funding and therefore there are no resources identified to meet this level of expenditure. Additional commitments will increase

the call on reserves that will need to be repaid through the financial smoothing agreed at Policy and Resources committee in October 2020. For future years, further budget savings are likely to be required to meet this cost.

- 7.7 The MHCLG have stipulated as a condition of the grant that the council will be given 70% of the grant funding up front and the remaining 30% will be given only if at least 40% of the cohort are moved on to more sustainable accommodation by 31 December 2020. This equates to approximately 148 being moved on by 31 December 2020. This is a challenging target and therefore 30% of the grant funding (£1.029m) is currently at risk. If achieved, however, move-on will also reduce the costs, reducing the forecast overspend for rough sleepers and/or TA. Hence, it is of paramount importance that this target is met.
- 7.8 The NSAP bid included a bid for floating support to support those moved into private rented accommodation with low to medium support needs. However, this bid was not successful. The expectation is that the RSI 4 bid will include the costs for floating support from 1 April 2021. However, in order to move people on during 2020/21, the report recommends that funding is made available to cover this shortfall in 20/21. This is currently estimated at a cost of £86,000 but with an underspend on the current RSI 3 grant, the in-year pressure is estimated to be £48,000. Any pressure will be reflected in the Targeted Budget Management report (month 7) to P&R committee. This is a 'spend to save' as this will enable more people to be moved out of temporary accommodation and into the private rented sector, saving the costs of temporary accommodation and also helping to meet the conditions of the MHCLG grant.
- 7.9 As referenced in paragraph 3.14 (1st bullet), part of the NSAP bid for longer term move on is for the council to purchase 30 properties through extending the HRA Home Purchase policy. These properties will be used for 'Housing First'. The estimated cost of the purchase is £7.500m. The £7.500m will be funded by £1.752m in grant funding (already confirmed by MHCLG) and the remainder will be funded through HRA borrowing. The costs of borrowing and any management and maintenance costs will be supported by the rental income the HRA will receive for these properties. This will be cost neutral for the HRA. The properties will be rented at Local Housing Allowance rents. The report recommends at 2.10 that Housing Committee agree that £7.500m is added to the 2020/21 HRA capital programme for this purpose and recommend that P&R committee approve this new budget being added to the HRA capital Programme.

Finance Officer Consulted: Monica Brooks

Date: 09/11/2020

Legal Implications:

- 7.10 Any accommodation offered needs to be within the envelope of the law applicable to the individuals concerned, which will vary according to their circumstances, using funds which are available for that purpose in the event of ring fencing. Individual assessments will be required to establish entitlement, particularly in regard to people who have no recourse to public funds. Entitlement and evaluation of needs can take into account the extent of the public health crisis and the implications for the individuals concerned. The report sets out the

intention to signpost those needing help to other agencies if the local authority does not have available powers to assist.

Lawyer Consulted: Natasha Watson

Date: 3.11.2020

Equalities Implications:

- 7.11 An Equalities Impact Assessment will be carried out as part of developing the move on accommodation

Sustainability Implications:

- 7.12 The current short-term arrangements are not sustainable. This is an opportunity to develop more robust accommodation provision for rough sleepers, many of who have compound and complex needs.

Brexit Implications:

- 7.13 There are a number of EU nationals who have become homeless during covid and we are working with them to apply for settled status and to get back into employment.

Any Other Significant Implications:

- 7.14 People sleeping rough are amongst the most vulnerable in the city. Many have compound and complex health needs and in addition are more vulnerable if exposed to Covid. Having suitable accommodation reduces the risks to the individuals and also reduces the public health risks in the event of a second wave, and also reduces the impact on health services in the winter which is generally a pressure time.

Crime & Disorder Implications:

- 7.15 If we are able to ensure adequate accommodation provision, there should be a positive impact on crime and disorder. Rough sleepers are victims of crime on the streets as well as there being anti-social behaviour and perpetration of crime linked to rough sleeping and substance misuse. Helping people off the streets will keep them safe and reduce crime and disorder which has been linked to street activity, and support people to access support services such as treatment for substance misuse which will reduce crime.

Risk and Opportunity Management Implications:

- 7.16 There are financial risks if we do not achieve the required move on for people accommodated within timescale set.

Public Health Implications:

- 7.17 Housing and ASC & Health have worked closely with Public Health in the response to the pandemic and on-going accommodation provision. Rough

sleepers have been identified as a particularly vulnerable group which we need to provide accommodation for to protect them and manage infection control.

SUPPORTING DOCUMENTATION

Appendices:

- 1.
- 2.

APPENDIX ONE – OUTCOME OF NSAP BIDS

1.Revenue Bid

From: NSAP <NSAP@communities.gov.uk>

Sent: 30 September 2020 16:32

To: Martin Reid <Martin.Reid@brighton-hove.gov.uk>; Sylvia Peckham <Sylvia.Peckham@brighton-hove.gov.uk>

Subject: Brighton NSAP shorter-term/interim accommodation and immediate support allocation

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

Dear Colleague,

We are pleased to inform you that your bid has been successful in securing £3,428,766 funding from the recent bidding round for the Next Steps Accommodation Programme. As you will be aware, this is a key part of our approach to ensure that those who have been accommodated in COVID-19 emergency accommodation and are at risk of rough sleeping rapidly get the support they need to move on into sustained accommodation.

Funding has been agreed for the following services:

- Emergency/Temporary Accommodation costs, assuming steady reduction to 31st March 2021 – £3,079,920
- Additional staff to support move on; to include a Move On Manager role reporting to Senior Responsible Officer - £160,000
- Reconnection costs, to add to budget provided through RSI - £20,000
- Mediation service expansion for young people - £13,846
- Advice and immigration support for EEA nationals - £20,000
- PRS Access funding to deliver a minimum of 50 additional PRS tenancies up until 31st March 2021 - £135,000

Regarding next steps, we will be sharing a grant determination letter with you in due course, officially confirming your final funding allocation. **Please note that this may not reflect the exact funding amounts or the provision that you bid for.** If this is the case, your HAST or RSI adviser will be able to clarify why the amount awarded is different.

All NSAP funding is subject to the following conditions:

1. This funding allocation (and any agreed refocussing of Rough Sleeping Initiative funding) must only be used to procure interim accommodation and immediate support as part of the Next Steps Accommodation Programme as set out above.
2. Funding must be used to achieve move-on for those rough sleepers accommodated during the pandemic and a sustained reduction in rough sleeping in your local area.
3. You will agree to discuss and engage in communications on the NSAP programme where requested.

4. You will work with MHCLG analytical & policy teams for the national NSAP evaluation.

Furthermore, all funding allocations have been awarded according to the following principles:

- Recipients of funding are to maximise collection of housing benefit on all accommodation placements for those eligible to claim benefits
- Support offered to non-UK nationals who are not eligible for homelessness assistance complies with any legal restrictions (for example, the restrictions contained in Schedule 3 to the Nationality, Immigration and Asylum Act 2002). Any funding provided for immigration advice is provided on the basis that this is to support individuals to determine or resolve their immigration status - not to challenge immigration decisions made by the Government. Any voluntary reconnections funded should be made if there is a reasonable prospect of an individual returning to their home country for a sustained period.
- Recipients of funding should work to steadily reduce the numbers accommodated in hotels and other emergency accommodation and to minimise the numbers sleeping rough in their area.
- Recipients of funding should prioritise support to long term and repeat rough sleepers, to ensure they do not return to rough sleeping and are made offers of accommodation suitable to their needs.

In addition to this, your funding is subject to the following conditions:

- That funding is ring-fenced is for those who have been accommodated up until 30 September 2020, and those who are subsequently brought in from sleeping rough.
- BHCC to agree with MHCLG advisers an amended NSAP plan that will achieve a speedier reduction in the overall numbers in hotels/TA placements, with at least 50 people per calendar month moved on through offers of alternative accommodation, re-connection or other arrangements.
- 70% of funding to be allocated now, with remaining funds to be allocated on condition that Emergency Accommodation use is reduced by at least 40% by 31st December 2020.

Congratulations once again and we look forward to working with you on your plans to support vulnerable people and end rough sleeping in your area.

Kind regards,

The Next Steps Accommodation Programme team

2.Capital Bid

To: geoff.raw@brighton-hove.gov.uk

Subject: Brighton proposal to the Next Steps Accommodation Programme

Dear Geoff,

Next Steps Accommodation Programme – schemes supported for further due diligence

Thank you for your recent submission to the Next Steps Accommodation programme. MHCLG have now confirmed that they are minded to support the following proposals for further due diligence:

Scheme name	Number of homes	Capital requested	Revenue requested
Additional Home Purchase scheme	30	£1,752,000	£669,600

Homes England will be supporting this due diligence process, and the next stage is to invite you to submit your offer(s) onto our Investment Management System (IMS). **Offers should be submitted by 5.59pm on Friday 30th October 2020.**

It is a requirement of capital funding that bidders achieve Investment Partner status prior to grant being paid. If your organisation does not already have Investment Partner status you are advised to start this process as soon as possible. Guidance about this is available here - <https://www.gov.uk/government/publications/shared-ownership-and-affordable-homes-programme-2016-to-2021-qualification> and if you have any questions about your application please contact the Provider Onboarding team at completed.pqqforms@homesengland.gov.uk

If you have queries, please get in touch with us at NSAP@homesengland.gov.uk

Bid name	Number of homes	Total capital	Total number of Housing First Revenue support units	Total revenue to March 2024	Longstop date for completion
Additional Home	50	£2,920,000	35	£1,102,500	31 March 2021

Purchase scheme in bid					
Additional Home Purchase scheme grant allocation	30	£1,752,000	21.25	£669,600	31 March 2021
Deficit	20	£1,168,000	13.75	£432,900	-

APPENDIX TWO

Weekly Figures- Rough Sleepers and Covid-19 Placements

Week Commencing: 26.10.2020

Contact:

	Target/ MHCLG bid	Cumulative moves	W/c 26.10.20	W/c 19.10.20	W/c 12.10.20	W/c 05.10.20	Number of EEA Nationals	W/c 28.09.20 Start position
Number in short term hotels								
Care and Protect			96	96	96	97		100
Other			240	246	254	259		269
Total	221 (148 to move)		336	342	350	356		369
Movement in Covid Related Accommodation								
Total move on's		66	13	10	11	15		17
PRS		12	1	2	2	5		2
Supported		7	1	2	1	2		1
Supported – SStS		1	0	0	1	0		0
Safehaven		3	2	0	1			
Family Friends Reconciliation		1	1	0	0	0		2
Made own arrangements		7	1	2	0	2		2
Move into social housing		0	0	0	0			
Supported to reconnect (by St Mungo's)		1	1	0	0	0		1
S198 referrals		2		0		2		
Other			6	6	6	8		9
Of which unknown		19	4	4	3	5		3
Of Which Evicted		6	1	1	1	2		1
Of which Prison		4	0	1	1	0		2
Deceased		2	0	0	1	0		1
Hospital		2	0	0	0	1		1
Transfer to statutory duties		2	1	0	0	0		1
Moves In								
Moves into Protect (Verified Rough Sleepers)		10	4	2	2	2		0
New at risk of rough sleepers (after 30 th September 20		46	9	9	15	11		2

Identified move on needs								
PRS	30/50		107	108	108	110		115
Supported			70	71	73	74		76
Family Friends Reconciliation			7	8	8	8		8
Supported to reconnect/s198	50		57	57	57	57		70
Housing First	50/30		4	4	4	4		4
Other			3	3	3	3		3
Social Housing	6		0					
Sub Total			248	251	253	257		276
NRPF				16	16	19		18
Total			264	267	269	276		295
No of rough sleepers out on street								
Housing Benefit Claims								
Number of HB claims completed			176		172			175
Number HB claims to be completed			48		77			81
Number of HB claims in payment			150		145			147
NRPF			8		16	19		18

Appendix Three Project Plan

Covid action plan - figures as at 30 sept.									
ACTION/TASK	lead	OCT	NOV	DEC	JAN	FEB	MAR	COMMENTS	
Assessment Plan									
Assessments									
Personal Housing Plans									cohort 382 clients
Identify cohort numbers based on needs									168 appropriate move on plans completed end Sept; 214 to complete
Decide order of moves from urgently secured accommodation									
Decant plans									decant of hotels
Move On Planning - demand									
<i>Batch assessments of need into streams :</i>									
Housing First									appropriate move on for 3
Reconnection									appropriate move on for 40 of which 2 reconnected
Reconnection outside the UK									
Supported Housing									appropriate move on for 43
PRS									appropriate move on for 76 of which 4 housed PRS
NRPF									
<i>not known</i>									214 cases pending ax or update info
Identified gaps in provision/supply									
Supply Pipeline									
Identify current availability of:									
expand Housing First									
Private Rented Sector									72 units
Council general needs empty properties									
Council temp accommodation - leased properties									
extend Home Purchase (council buy-back) Scheme									
Council owned emergency and temporary accommodation:									
Reconnection									38 clients to reconnect
Identify potential gaps in provision									
ASC commissioning									
Re-configure C&P hotels									
Housing First initiative									
Additional floating support									
Supported accommodation									
Move-on 40% emergency accommodation plan									
Accommodation funded by MHCLG	SEP	OCT	NOV	DEC					
20 units supported accommodation (Clarion)	7	7	6						
50 Reconnections	10	10	10	10					
60 units of HMO accommodation	0	0	0	8					
30 Housing First	1	1	1	1					
8 Family Reconciliation	2	2	2	2					
48 supported housing	8	8	8	8					
6 social housing	2	2	1	1					
30 PRS units	8	8	8	6					
Total 148 to move-on	38	38	36	36	148				

COMMITTEE	Agenda Item
	Brighton & Hove City Council

Subject:	Review of Allocation Plan 2020		
Date of Meeting:	18th November 2020		
Report of:	Interim Director Housing Neighbourhoods and Communities		
Contact Officer:	Name:	Sylvia Peckham	Tel: 01273 29
		James Crane	
	Email:	Sylvia.peckham@brighton-hove.gov.uk	
		James.crane@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 In December 2016 the Policy, Resources & Growth Committee (PR&G) adopted recommendations to approve a new Housing Allocations Policy for the city. This policy was referred to PR&G by the Housing & New Homes Committee on the 16th November 2016.

1.2 The first operational review of the Allocations Plan was presented to the Housing & New Homes Committee on 19th September 2018. The Housing & New Homes Committee noted the report and maintained the percentage lets to the four groups in the Allocations Plan to those agreed by the Policy, Resources & Growth Committee in 2016. It also recommended that the Committee receive a report, in two years' time, setting out the performance against the Allocations Plan, for the period January 2017-March 2020.

1.3 The allocated percentage of properties advertised remained as follows:

- Homeless 40%
- Transfers 30%
- Homeseekers 20%
- Council's Interest Queue (Social Services) 10%

The above are subject to a 5% tolerance in achieving the agreed percentages over the course of the year.

1.4 The accompanying Code of Guidance to the Housing Act 1996 Part 6 recommends that an Allocations Policy is kept under review. The Allocations Plan forms a part of the overall policy.

1.5 Housing Committee on 16 September 2020 noted:

“the temporary adjustments made within the Allocation Plan in response to the pandemic whilst aiming to achieve the overall agreed percentages in the Allocations Plan;

that the review of the Allocation Plan has been delayed due to the pandemic and subsequent pressures on the department but that this will be considered at the November Housing Committee.”

- 1.6 We are still dealing with the Covid 19 Pandemic and the full impacts on the local housing market and economy are still to play out. At the September Housing Committee, it was anticipated that the situation would be stabilising, and we would be in a position to consider the Allocation Plan in November. However, as the situation regarding Covid 19 is fluctuating, the position will remain as set out in September with the temporary flexibilities against the Allocation Plan to continue. In view of this situation, which remains very uncertain, this report provides a position statement based on performance against the Allocation Plan over the last few years. A further report will be forthcoming Housing Committee in April 2021 providing further review of the position based on the actual allocations, together with performance of a full year on from the start of the pandemic and with recommendations going forwards reflecting the position at that time.

2. RECOMMENDATIONS:

- 2.1 That Housing Committee note the current position and that a further report will be presented to Housing Committee in April 2021 when more is understood on the wider impact of the pandemic on housing need.
- 2.2 That Housing Committee agree that a review of the Allocation Policy is started in 2021/22 once more is understood about the full impacts of Covid 19 pandemic for the housing market and economy; including housing supply pressures and homelessness.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Councils are legally obliged, under the Housing Act 1996 Part 6, to have a policy that must be followed when they allocate social housing both within its own stock or where they nominate to a housing association. The legislation sets out certain groups that must be given reasonable priority for housing. The council agreed to implement the new policy in 2016, with amendments made in 2018.
- 3.2 The Allocations Policy introduced an Allocation Plan in 2016. This Plan introduced the concept of four queues within the policy. Each queue was given priority to a percentage of properties when advertised. As part of the Allocation Plan officers are required to provide a performance report on this area of work. The monitoring report is contained in Appendix 1ne to this report.
- 3.3 The period covered by this report is from the 3rd January 2017 to the 31st March 2020 as requested by Housing Committee and from April 2020 to the end of September 2020 Properties are advertised to one of the four queues in the policy. In order to assess the effectiveness of the Allocations Plan reporting looks at the results of each bidding cycle (every two week) regardless of when the property is let.

- 3.4 The Allocations Plan sets the percentage of the total properties allocated to each group/category on the housing register. The current annual targets are as follows:
- Homeless 40%
 - Transfers 30%
 - Homeseekers 20%
 - Council's Interest (Social Services) 10%
- 3.5 The monitoring period of this report covers the whole period since the Allocations Plan was introduced into the Allocations Policy in 2016. The plan was formally started in January 2017. This enables members to see year on year performance.
- 3.6 The table below provides a summary of actual lettings across the years. This table varies from the performance report in Appendix 1 which also include advertised properties where we do not yet have the recorded outcome. The overall percentages will therefore be lower in the appendix than in this table.

Group	2017-18	2018-19	2019-20	2020-21 April to end of Sept	Total	Overall percentage across all years
Homeless	306 (42%)	285 (40%)	230 (40.5%)	60 (60%)	881	42%
Transfers	190 (26%)	168 (24%)	138 (24.5%)	19 (19%)	515	24%
Homeseekers	209 (28%)	177 (25%)	126 (22%)	11 (11%)	523	25%
Council's interest	30 (4%)	72 (10%)	75 (13%)	10 (10%)	187	9%
Total	735	702	569	100	2106	

- 3.7 The reporting period 2019-20 and the first half of 2020 -21 notes that there was serious disruption to the lettings process due to the Covid-19 pandemic. This was due to the challenges in repairing and enabling viewings and letting properties due to the lockdown restrictions. This was also impacted by removal companies pausing trading and our vulnerable clients shielding which rendered any moves very difficult. As a result, there are 29 properties that were advertised that do not have a result. A recovery programme is underway to let these properties as soon as they are ready. The table above also shows the position to date of advertised properties in quarter one and two of 2020-2021. A total of 79 properties are still to be let. It is clear from the allocations to date that lettings in the current year will be severely impacted by the pandemic and that in the current uncertain situation substantive changes to Allocations Plan percentages are not recommended. This position will be reviewed at the end of the year as indicated above.
- 3.8 In an emergency response to the exceptional circumstances of the pandemic to try and move on some people from temporary accommodation, the priorities under the Allocation Plan were revised temporarily.

Numbers in temporary accommodation have increased, due to a combination of lettings being paused during lockdown and more people approaching as homeless. They were just over 1700 pre Covid which increased to just over 2100 at the beginning of September 2020.

Of this total, as at 10th October, 875 people were in short term and emergency accommodation. This figure includes the additional hotels and guest houses acquired due to accommodating those at risk of rough sleeping under the "Everyone In" approach. 250 of those 875, are in spot purchase B&B type accommodation.

In addition to the 2100, we have those verified rough sleepers in the Care and Protect accommodation, which is an additional 97 people as at 20th October.

We have only recently re-commenced lettings to social housing and so have temporarily revised the percentage of properties advertised as priority to accepted homeless to 80%. This is to enable the housing pressure and associated budget pressure to be released (as reported to Housing Committee on 16 September 2020). However, because of the very low numbers of lettings so far this year and the uncertainty of future allocations during the continuing exceptional circumstances arising from the pandemic (as set out in para. 3.7 above), we may not achieve the current targets.

Officers are therefore not able to make recommendations about changes in Allocations Plan queue percentages in the current year. Overall, we are aiming to retain the agreed priorities as per the current Allocation Plan. A report will be presented to Housing Committee in April 2021 setting out the final impact of lettings against each of the four queues and we anticipate this will inform recommendations about the Allocation Plan for 2021/22 to be presented to Housing Committee in April 2021.

- 3.9 The Allocation of social housing is linked to the use of Temporary Accommodation and the corresponding budget. Since the start of Covid 19, figures in emergency accommodation have increased from 525 to the current position of 875. The estimated cost of this growth to end of October 2020 is £2.500m. This includes those at risk of rough sleeping housed in hotel and university accommodation and so the costs are higher than normal spot purchase. Usually, each placement costs an average of £900 per month. Estimated costs shown are net of any rental income or HB collected.

In relation to Temporary Accommodation, the strategy going forwards is to reduce our overall need through increased prevention and move on opportunities and to increase the percentage of temporary accommodation which is owned and managed by the council.

Following the response to Covid 19 and providing accommodation for rough sleepers and those at risk of rough sleeping, the council successfully bid for grant under the Next Steps Accommodation Program (NSAP). One of the conditions of the grant is that we move on at least 40% of those accommodated under the Covid provision as at 30th September by 31st December and those subsequently verified as rough sleeping. This is a very challenging target, equating to 148

households by 31st December 2020, and will set the direction for enabling further reductions in our use of temporary and emergency accommodation.

There are several strands to achieving this 40% reduction. More detailed information on the council's response to requirements under the Next Steps Accommodation Programme (NSAP) are set out elsewhere on the Housing Committee agenda.

- 3.10 The allocation of social housing is governed by the Housing Act 1996 -part 6. This sets out certain groups that must be given reasonable or additional preference for housing. The accompanying Code of Guidance recommends that an existing Allocations Policy should be reviewed if there has been a significant change in legislation. In 2018 the Homelessness Reduction Act came into force. Now that this legislation has bedded in, and following the impact of the Covid 19 pandemic, it would be timely to review the policy and to ensure it aligns with the Council's new Homelessness & Rough Sleeping Strategy 2020-2025. It is proposed that this review is considered during 2021/22 for reasons outlined in para 2.2 above. When there is greater clarity about the impact of the pandemic a report will be prepared for Housing Committee in 2021 for members to consider the scope of such a review; resources required to undertake the review and to implement any agreed changes; timescales, and citywide consultation. The review of the Allocations Policy would be subject to a full Equality Impact Assessment.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Changes can be made to the Allocations Plan and to the percentage of lets to each of the four queues. Making changes will alter the number of properties advertised to each group by this percentage i.e. an increase in the percentage to one or more groups will have the result of decreasing the percentage of lets to the remaining groups.
- 4.2 When deciding to make changes to the Allocations Policy or the Allocations Plan the council will have to have due regard to the provisions of the Housing Act 1996 Part VI and the statutory Code of Guidance issued by the Secretary of State of the Ministry of Housing, Communities and Local Government. It must consider the impact of any changes where it is required to give a "reasonable or additional" preference to certain groups designated by legislation.
- 4.3 The Allocations Plan Review appendix contains various options that the committee may wish to consider in setting the percentage of lettings to the four queues in the Allocations Plan

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Due to the restrictions of the Covid 19 lockdown and the pressures that this has placed on services no direct community engagement or consultation has taken place.

5.2 The service did however carry out a full consultation in the development of the Council's Homelessness & Rough Sleeping Strategy that was agreed in July 2020.

5.3 Should the committee agree to a review of the full Allocations Policy then this would be subject to a full community engagement & consultation exercise.

6. CONCLUSION

6.1 The Allocations Plan has performed well and in line with the targets agreed by Housing Committee in December 2016.

6.2 Due to the serious longer-term implications on Housing in the city, due to Covid 19 and the exceptional circumstances of the pandemic it is noted that the performance on lettings has resulted in not being able to fully report on the 2019-20 financial year.

6.3 As the pandemic is still live and we are yet to see the impact for housing flowing from the impact on the economy and on the housing market, it would not be prudent to adjust the Allocation Plan at this time.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 There are no direct financial implications arising as a result of the recommendations contained in this report. Any changes to the way social housing is allocated between the four queues will have different cost implications depending on which was increased or decreased, and this will need to be considered as part of the future report to Housing Committee.

Finance Officer Consulted: Monica Brooks

Date: 09/11/20

Legal Implications:

As the Committee with overall responsibility for housing, including homelessness, it is appropriate for the Housing Committee to receive this report. However, there are no significant legal implications to draw to Members' attention at this stage.

Lawyer Consulted: Liz Woodley Date 09/11/2020

Equalities Implications:

7.2 The Allocations Plan was formulated to enable a greater input as to where scarce resources are allocated. With demand for social housing exceeding supply it is necessary that these resources are delivered to those most in need of housing.

The Allocations Policy itself must follow legislation. The Allocations Plan has four queues. In each of these queues there will be applicants or members of their households that have protected characteristics under the Equality Act. The Policy has to give reasonable preference to certain groups of people including the homeless and those with a need to move due a medical reason or disability.

If the Allocation Plan is changed significantly there will be a need to carry out an Equality Impact Assessment. As part of any changes made to the Allocation Policy following that review, an Equality Impact Assessment will be undertaken and can encompass the Allocation Plan.

Sustainability Implications:

7.3 None

Any Other Significant Implications:

7.4 None

SUPPORTING DOCUMENTATION

Appendices:

1. Operational Review of Allocations Plan

Documents in Members' Rooms

None

Background Documents

1. None



REVIEW OF ALLOCATION PLAN 2018 – 2020



SEPTEMBER 1, 2020
BRIGHTON & HOVE CITY COUNCIL

Table of Contents

Operational Review of Allocations Plan.....	2
The Allocations Plan	2
How it works.....	2
Monitoring the Allocations Plan.....	3
Property withdrawn / re-advertised	3
Lettings prior to the Allocations Plan	3
Performance January 2017 to March 2018.....	4
Performance April 2018 to March 2019 by quarter	4
Annual Performance 2018-19	6
Variance report 2018	7
Performance 2019-2020.....	7
Performance April 2019 to March 2020 by quarter	7
Annual Performance 2019-2020	9
Variance Report 2019-20.....	10
Recommendations for the Allocations Plan 2020/21.....	10
Figure 1 Letting to Homeless and Homeseekers 2013/14 to 2018/19.....	3
Figure 2 Performance January 2017 to March 2018	4
Figure 3 Performance April to June 2018.....	5
Figure 4 Performance July to September 2018.....	5
Figure 5 Performance October to December 2018	6
Figure 6 Performance January to March 2019	6
Figure 7 Annual Performance 2018 -19	7
Figure 8 Performance April to June 2019.....	8
Figure 9 Performance July to September 2019.....	8
Figure 10 Performance October to December 2019	8
Figure 11 Performance January to March 2020	9

Operational Review of Allocations Plan

The Allocations Plan

The Allocations Plan as agreed by Members in December 2016 was

Homeless 40%

Transfers 30%

Homeseekers 20%

Council Interest Queue 10%

How it works

Properties are advertised on a two-weekly cycle throughout the year. Before the properties are advertised, they are each given a “priority” in accordance with the Allocations Plan.

This priority then forms part of the advert so applicants know which properties they can bid for. For example, “Priority to transfer applicants. No pets. Level area and access to secure door entry system. Lift. Gas central heating. Adapted level access shower. Within 50 metres of major bus routes. Within 1/4 mile of local shops and hospital. Restricted parking”

The properties are open for bids from Thursday to the following Wednesday in each cycle. At the end of each bidding cycle the properties are shortlisted. The first priority is to the queue that the property was advertised to. The highest band and longest priority date in this queue is checked against the Allocations Policy and if they meet the qualifying criterion the application is placed onto the shortlist of up to three candidates. This is sent to the Landlord who in turn will set up a viewing and potentially offer the property. If the property is refused by the top candidate for any reason the property will be offered to the next person on the list. If all three applicants refuse the offer, then a further shortlist “top up shortlist” is requested by the landlord. A top up shortlist will then supply a further three candidates until the property is let.

If there are no successful applicants that have placed a bid from the advertised queue, or no applicants qualify within the advertised queue, then the shortlist will consider applicants in the other three queues using the highest band and longest priority date to make up the shortlist. The same process as above will occur until the property is let.

When properties are let the result is monitored against the Allocations Plan. Adjustments can be made to the advertised queues to ensure the quotas in the plans are achieved.

Officers are required to report if any of the allocation queues deviate by more than 5% from the agreed Allocations Plan

Monitoring the Allocations Plan

The Allocations Plan is monitored by recording the number of properties that are allocated to each queue. The results records what happened to the property. The outcome can be

- Let to advertised queue
- Let to alternative queue
- Property withdrawn /re-advertised

Monitoring the allocations plan in this way allow for changes to be made to ensure that the allocations plan comes in on target at the end of the period.

Property withdrawn / re-advertised

In order to keep void properties to a minimum, Landlords advertise properties as soon as they have notice that they are becoming vacant. This includes properties that are already vacant such as abandoned properties but will also be properties that are still occupied but for example where the tenant has served notice to end the tenancy.

During the cycle tenants may sometimes withdraw their notice and the property will not therefore be available to re-let. Once properties are vacated they are then inspected, as part of the voids process, this will note any repairs or upgrades that are required such as rewiring. If the property requires a substantial amount of work, this will create a long delay until the property is of a lettable standard. When this happens the property will be withdrawn and re-advertised at a later date.

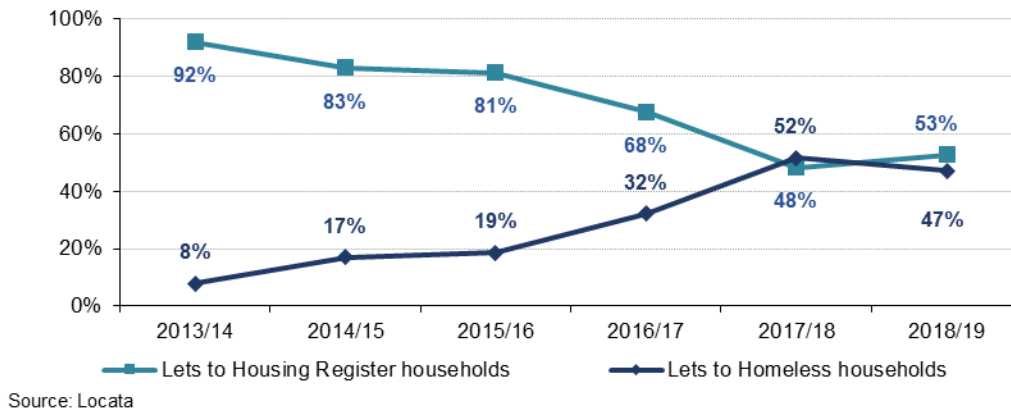
When the shortlist does not return anyone to let it to, the property will also be withdrawn and re-advertised in the next available bidding cycle.

Lettings prior to the Allocations Plan

Prior to the introduction of the Allocation Plan in 2016 social housing was let generally to the applicant in the highest band with the longest time in the band. This meant that there was no control over offers between different groups on the Housing Register.

Figure 1 Letting to Homeless and Homeseekers 2013/14 to 2018/19

**Brighton & Hove
Social Housing Lets**
(excludes transfers and mutual exchanges)



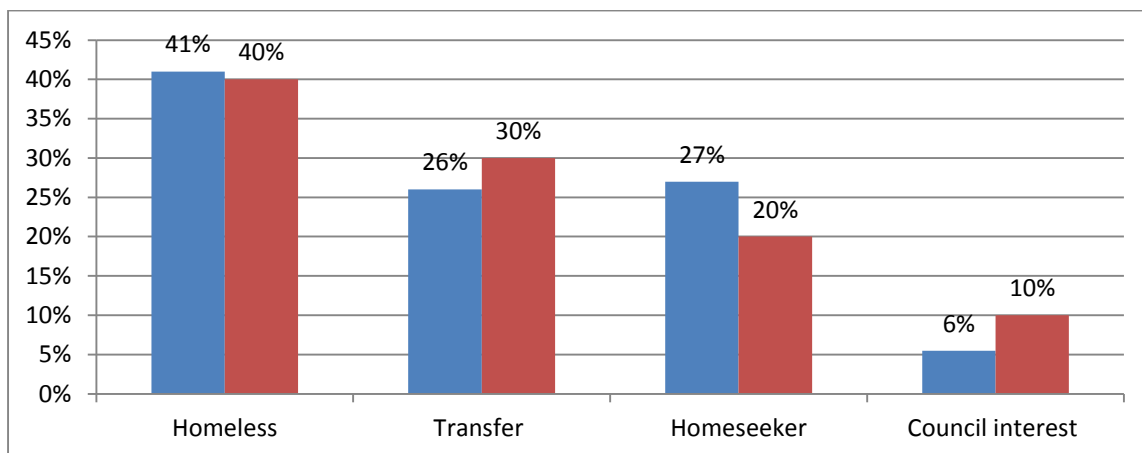
The figure above shows that in 2013/14 only 8% of lets went to homeless households. With changes in 2016/17 the percentage of lets to homeless households increased to 32% and in the last two financial years this has increased to 47%. Without the increase in lettings to homeless households on the register the number of households in temporary accommodation would be substantially higher than they are now.

Performance January 2017 to March 2018

The figure below shows the performance of lettings against the Allocations Plan from January 2017 to March 2018. This was reported to Housing Committee in line with the provisions of the Allocations Policy 2016.

Generally, the performance of the Allocations Plan was in line with the agreed targets.

Figure 2 Performance January 2017 to March 2018



Performance April 2018 to March 2019 by quarter

Figure 3 Performance April to June 2018

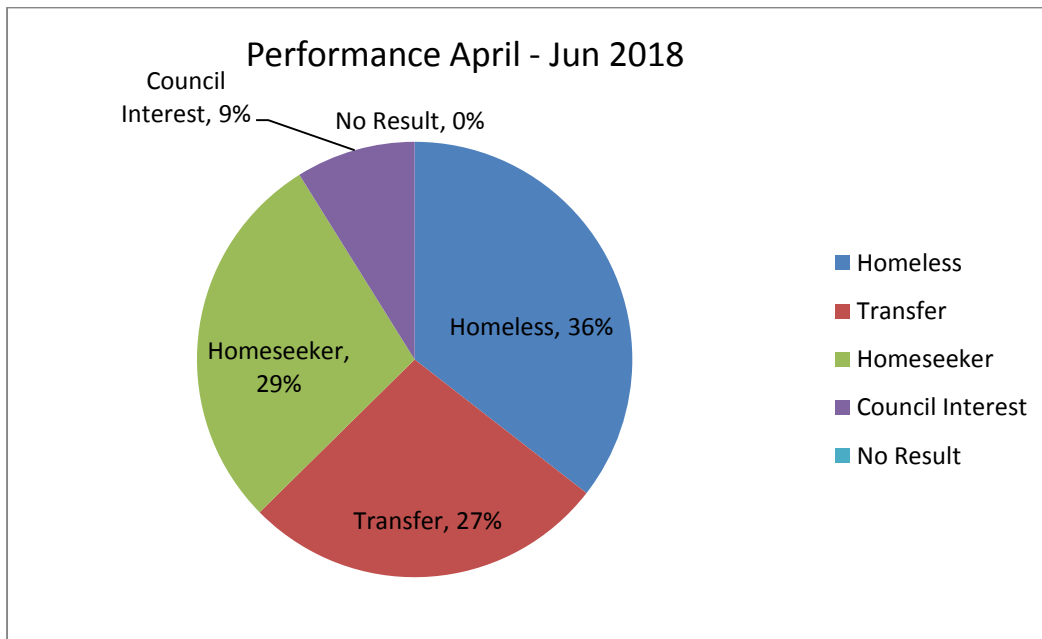


Figure 4 Performance July to September 2018

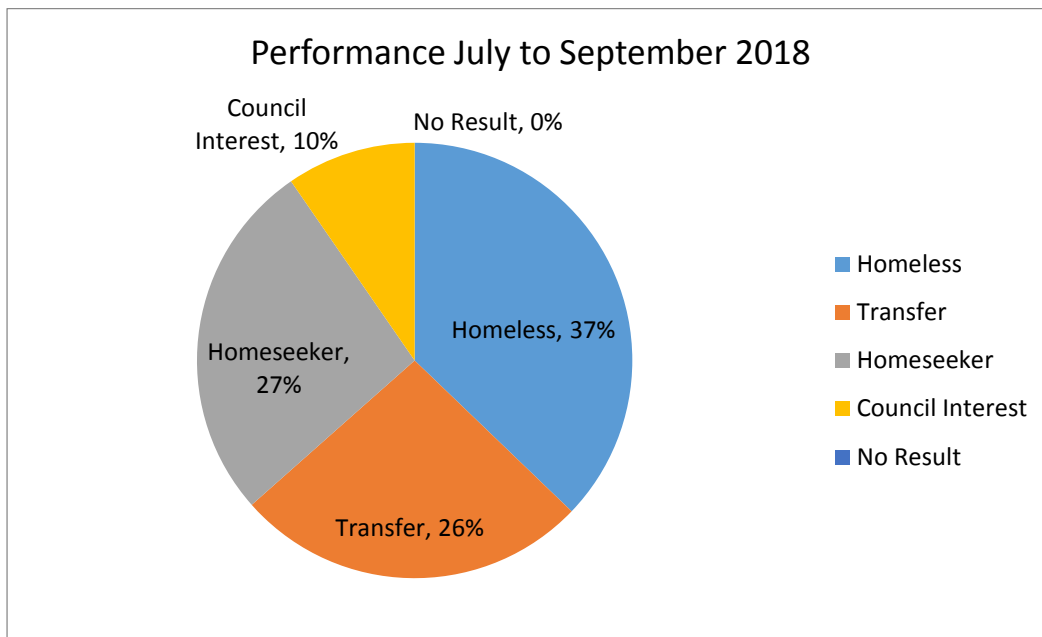


Figure 5 Performance October to December 2018

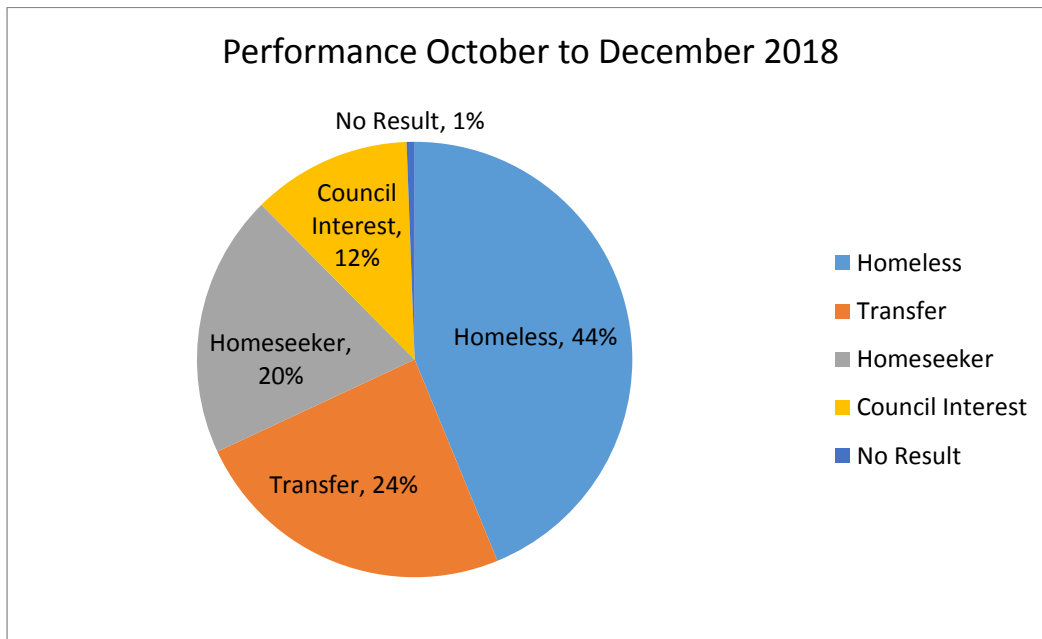
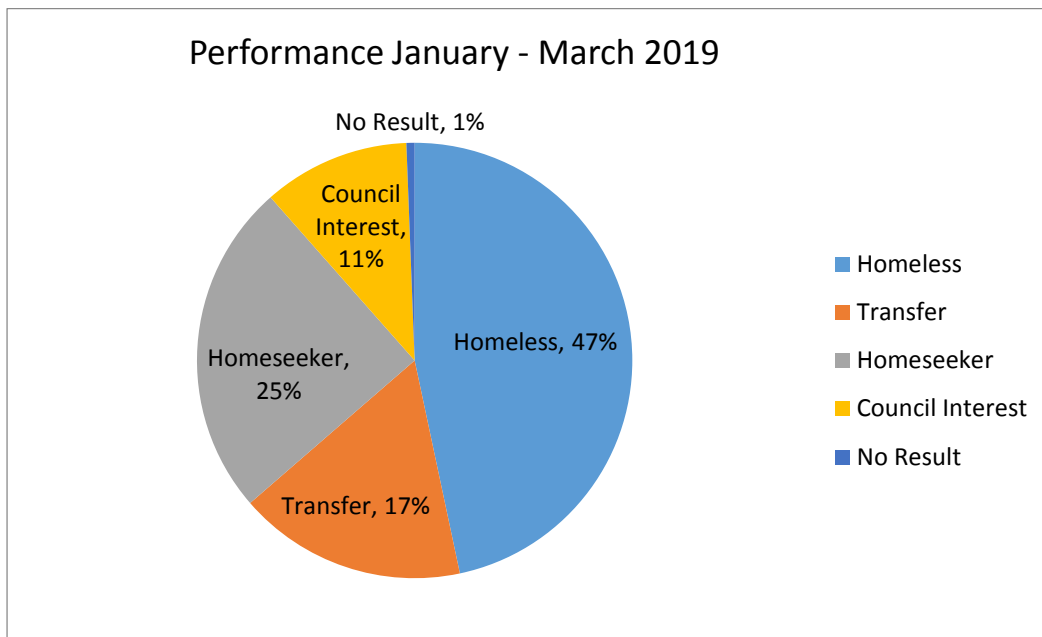
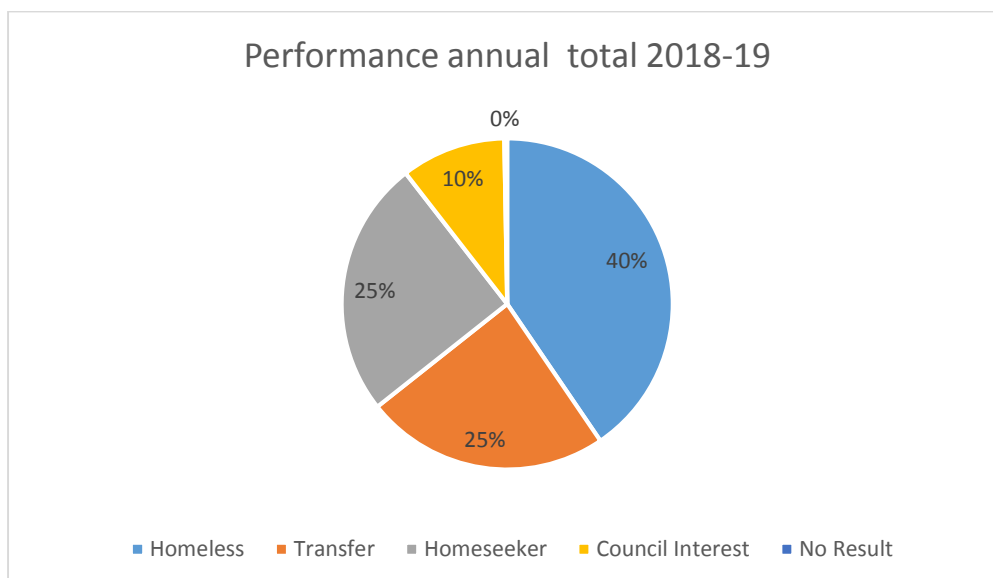


Figure 6 Performance January to March 2019



Annual Performance 2018-19

Figure 7 Annual Performance 2018 -19



The performance for the year 2018-19 shows that the lets to Homeless and the council's interest queue were on target. The lets to transfers was 5% points down on target and the lets to homeseekers was 5% up on target.

Variance report 2018

There is a requirement that if the performance against the allocated percentage of lets is more than a tolerance of 5% then a variance report is required to identify the reason of the variance.

Homeless and council's interest queues both performed in accordance with the Allocations Plan. The main issue is that the number of lets to transferring social tenants was 5% lower than the target of 30%. The main issue with transferring tenants is that they already have a social housing tenancy and they are therefore more likely to hold out for a property that they want to move to. There are also a high number of transferring tenants who are downsizing from family sized accommodation to smaller properties. The main issues for downsizers is that they are looking to remain in the same area and there is also a matter of costs to move and other associated costs such as new carpets or curtains for a new property. Although there is a tenants' incentive to enable them to move the financial incentive has not increased over recent years which we will review,

Performance 2019-2020

Performance April 2019 to March 2020 by quarter

Figure 8 Performance April to June 2019

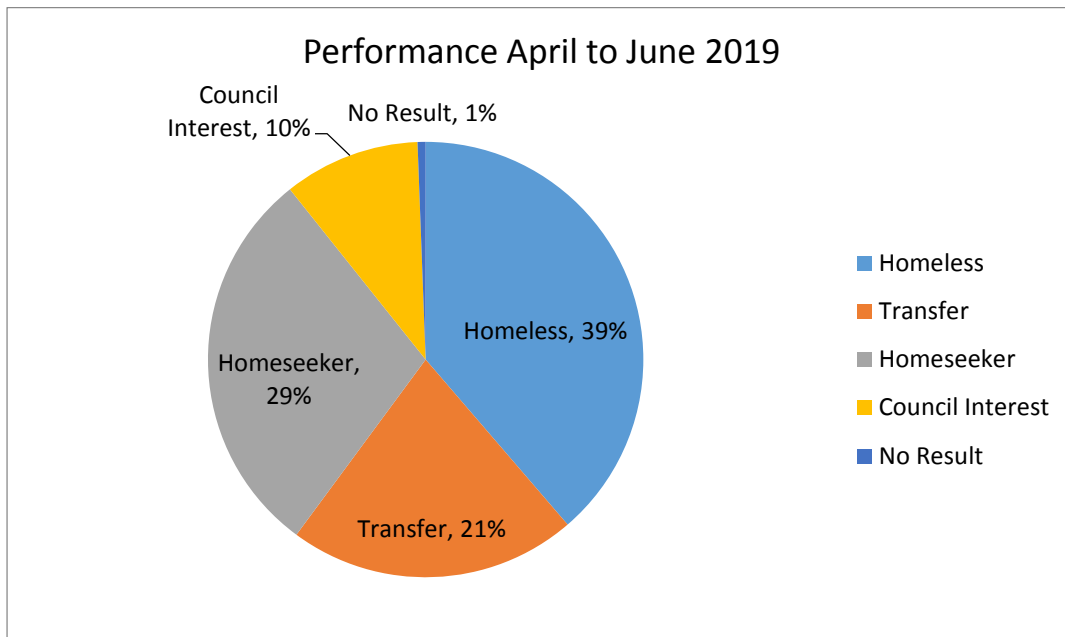


Figure 9 Performance July to September 2019

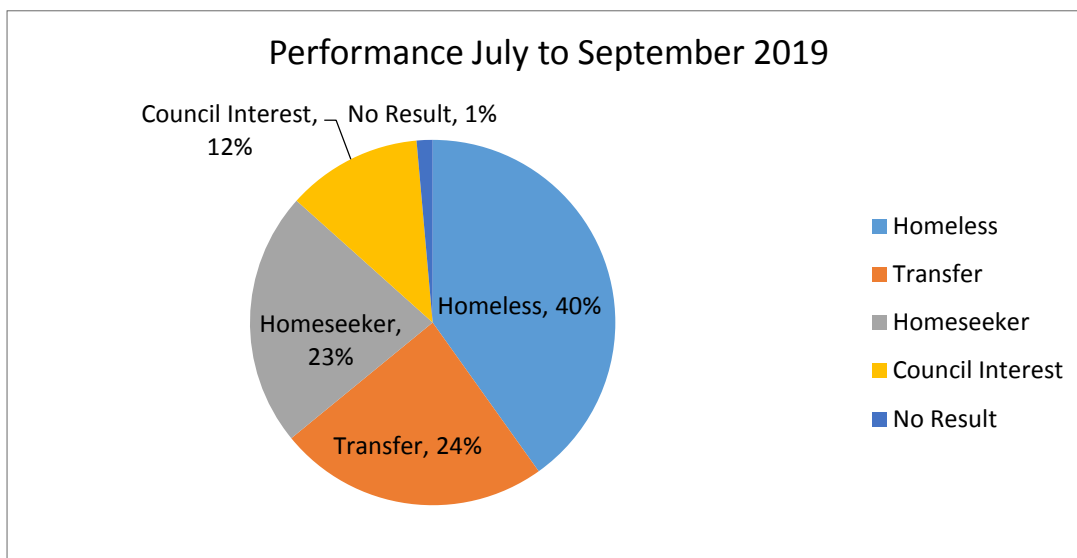


Figure 10 Performance October to December 2019

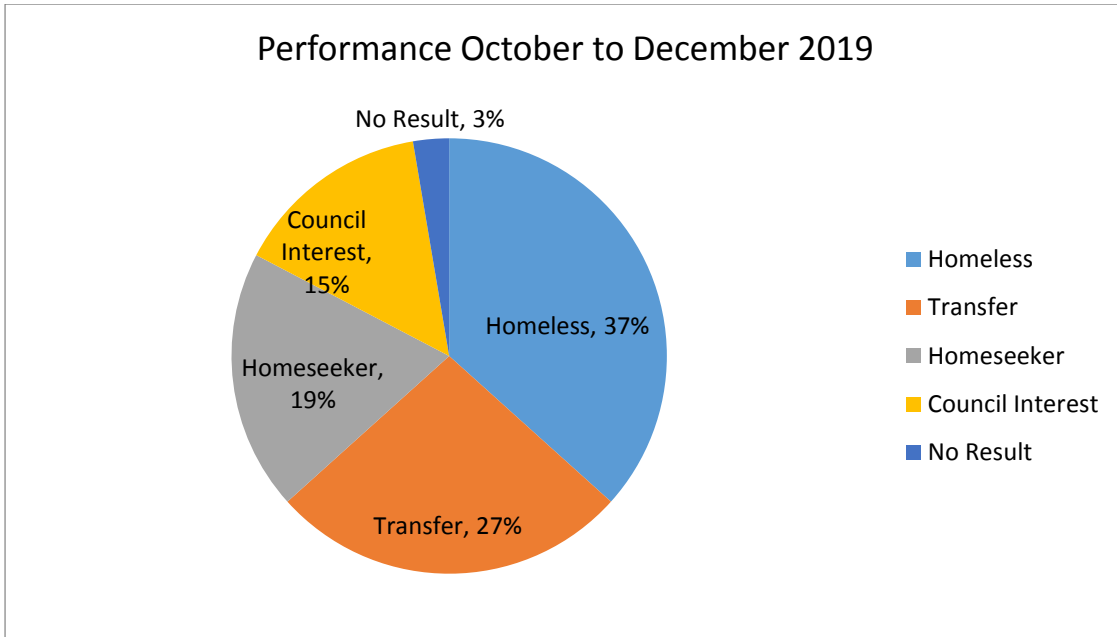
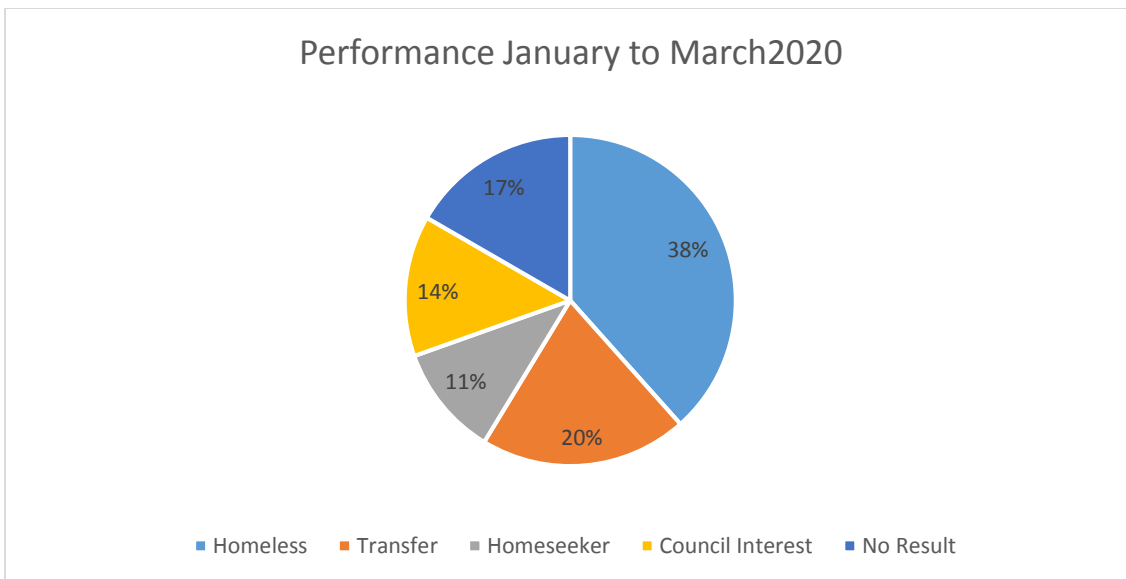
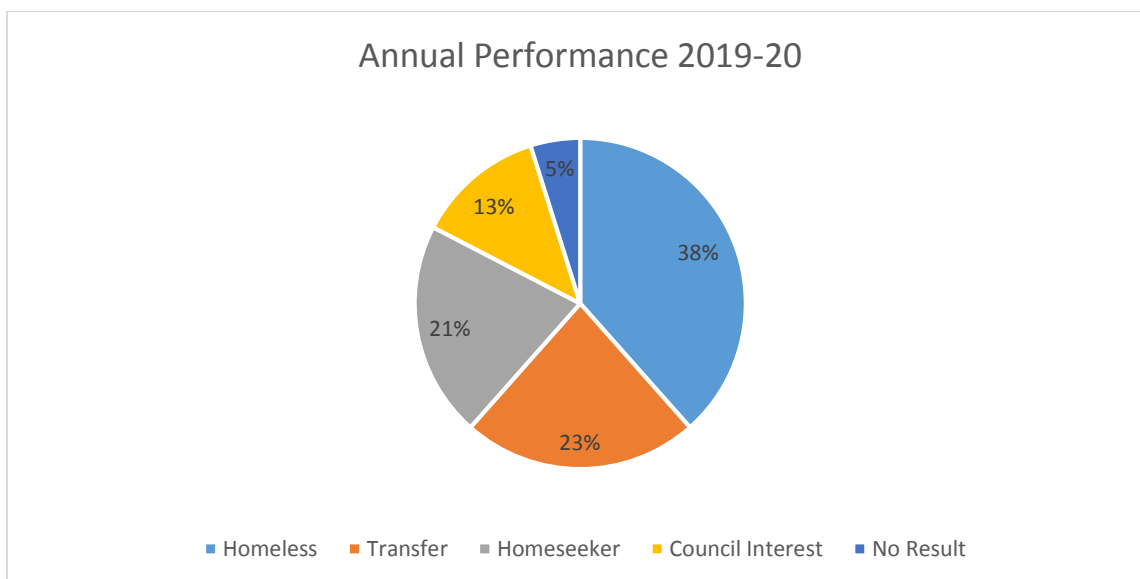


Figure 11 Performance January to March 2020



Annual Performance 2019-2020

The performance for 2019-20 has been severely disrupted because of Covid 19. This is particularly noted in the final quarter of the financial year January to March 2020. There were a number of properties that were advertised and then could not proceed due to the lockdown which is why there is a high percentage of properties with no result. As the lettings process has recommenced and properties are let, if they are let in line with previous results there is no reason why the out turn would not be in line with previous years' performance.



Variance Report 2019-20

The performance outturn for 2019-20 shows that there is a variance in the Homeless and transfers queue. The main reason for the underperformance in these areas is due to the large number of properties that have yet to be resulted. Two issues have led to this situation. First, there was a reduction in the number of properties advertised. This was due to a slowdown in properties being ready to let during the handover of the Mears repairs contract to the in-house provider. Second, the impact of Covid -19 during lockdown. In the final quarter of the year 5% of lettings are yet to be resulted by landlords. The council is working with landlord partners to work on a recovery plan for post lockdown as measures are relaxed. There may however still be some issues, for example where applicants need to shield or self-isolate, that may make the lettings process more challenging in future.

Recommendations for the Allocations Plan 2020/21

The current situation is unprecedented following the pandemic. The country has been on lockdown for several months and restriction of movements has impacted across many services including lettings and void management.

There has been a substantial increase in the number of homeless households that have been accommodated under the lockdown arrangements following the Government directive to ensure all rough sleepers were offered accommodation, coupled with the slow down of move on options.

The percentage lets must consider legislation and the statutory code of guidance. The council must give a reasonable preference to groups that are outlined in law and must have due regard to the code of guidance. In 2017 the Local Government Ombudsman (LGO) dealt with a complaint against Brent Council. They had

ringfenced 80% of properties to the homeless on their register. They did not find fault that the council had provided for this within its policy. There is however some commentary that there was no challenge under the Equality Act in this case. Any fundamental change therefore would be subject to an Equality Impact Assessment to ensure that it complies with the Act.

The Council has in place allocations agreements with Housing Associations. Currently the 30% of lets to transferring social housing tenants covers the allocations agreements. Reducing these to below 25% could have negative impacts for the agreements. The number of lets to transferring tenants in Housing Association properties is a lot lower than to council tenants due to the size of their stock.

The options are

1. The Allocations Plan to remain at current levels
2. Changes are made to increase one or more groups with corresponding decreases to other groups.

Considerations may be made to the performance since the introduction of the Allocations Plan in 2016 Homeseekers tend to over perform. This is because Homeseekers form the largest group on the Housing Register.

Issues for consideration

Consideration may be made to the substantial increase in the number of households in emergency and temporary accommodation due to Covid 19 and in particular in relation to rough sleepers and other single people who are not owed a statutory housing duty but who would have been rough sleeping during the pandemic. This has placed a significant budget pressure on the Council's General Fund Budget.

Increasing the percentage of lets to the Council's Interest Queue would enable rough sleepers currently accommodated who are tenancy ready or who would be provided with intensive support and those who are ready to move on from supported accommodation to move on into long term accommodation. This would release supported accommodation for those to move in and reduce numbers in emergency accommodation.

Option 1

- | | |
|----------------------------|-----|
| 1. Homeless | 40% |
| 2. Transfers | 30% |
| 3. Homeseekers | 20% |
| 4. Councils interest Queue | 10% |

Option 2

- | | |
|----------------------------|-----|
| 1. Homeless | 50% |
| 2. Transfers | 30% |
| 3. Homeseekers | 10% |
| 4. Councils Interest Queue | 10% |

Option 3

- | | |
|-----------------------------|-----|
| 1. Homeless | 40% |
| 2. Transfers | 30% |
| 3. Homeseekers | 10% |
| 4. Council's Interest Queue | 20% |

The council may wish to consider excluding any new build developments that are due to be let, outside of the Allocations Plan. This can be achieved by using a Local Lettings Plan, contained in the Allocations Policy. This would be done to achieve a balanced community in any new development. It could also be used to increase the number of under occupying tenants who would then release their existing accommodation back into the pool available to let.

In making changes to the Allocations Plan members may wish to consider the change for one year, or two years until further report is presented to members in 2022.

Subject:	Provision of Home Improvement Agency Services		
Date of Meeting:	Housing Committee 18 November 2020 Policy & Resources Committee 3 December 2020		
Report of:	Rachel Sharpe		
Contact Officer:	Name:	Sarah Potter	Tel: 01273 290789
	Email:	Sarah.potter@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 To provide context and background to the Home Improvement Agency (HIA) service and outline the options for future provision.
- 1.2 This service supports disabled adults and families with disabled children to make well informed choices about their longer-term housing options and provide casework and technical support to those needing housing adaptations, including accessing disabled facilities grant (DFG). Those eligible are homeowners, private tenants and housing association tenants living in the City.
- 1.3 The services help to deliver national objectives for housing. They enable older and disabled people to make choices that reflect lifestyle and circumstances and to remain living safely at home for as long as possible.
- 1.4 Locally, these services help to deliver our Housing Strategy priorities, improving housing quality and support, and contribute to funding and delivery of our Affordable Warmth Strategy priorities, effectively targeting those most at risk of the health impacts of cold homes and increasing the resources and opportunities for tackling the causes fuel poverty.
- 1.5 These services are closely aligned to the Better Care Plan priorities, being person centred, designed around the individual, proactive and preventative, helping people stay healthy and remain independent.

2. RECOMMENDATIONS:**That Housing Committee:**

- 2.1 Recommends to Policy & Resources Committee that the service is brought in-house.

That Policy & Resources Committee:

- 2.2 Agrees that the service is brought in-house; and

- 2.3 Delegates authority to the Interim Executive Director, Housing to take all steps necessary to implement the recommendations in 2.1 and 2.2 above to bring the service in-house.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Since 2003, the Council has commissioned a local Home Improvement Agency service (HIA) to support disabled adults and families living in the private sector with renewals, repairs and adaptations in their homes.

- 3.2 In June 2017 a discrete contract was awarded to Mears Home Improvement Agency Ltd (Mears HIA), part of the Mears Group. The local office in Portslade provides services to Brighton & Hove residents only. The contract, originally for a period 2 years 10 months, expired 31 March 2020 and is being extended in accordance with the Public Contracts Regulations 2015 and Contract Standing Orders until 31 May 2021.

The Contract Specification for Provision of Home Improvement Service ref BHCC 12115 attached **Appendix 1**.

- 3.3 The overall aim of the service is to enable older people and disabled people to continue to live as independently as possible, for as long as possible in their own homes by:

- Providing high quality up to date advice, information and support to evaluate options regarding future housing.
- Providing a full case-working service to assist the service user through changes such as moving home or with casework and technical support through the adaptations process.
- Support access to appropriate financial advice and assistance whether through private means, grants, and other sources charitable and voluntary funding to meet the individual service user's needs.
- Support with getting home repairs and improvements done.
- Providing comprehensive information on and access to other suitable support services.

- 3.4 The service supports those going through the adaptations process to access disabled facilities grant (DFG). The DFG is a mandatory Housing grant toward the cost of adaptations for households on low incomes. The type of work it can fund includes:

- Improving access into and out of the home e.g. install ramps, lifts, auto door openers.
- Improving access to and providing essential facilities within the home e.g. level access shower or downstairs bathroom, kitchen adaptations, stairlifts
- Providing a suitable heating system.

The grant is means tested for adults, not for children. The mandatory grant limit is £30k, locally this can be topped up to £50k. Before approving a grant, the

council must be satisfied the works are all ‘necessary and appropriate’ and ‘reasonable and practicable.’

- 3.5 Since September 2017 Mears HIA has co-ordinated applications for grant assistance under the discretionary DFG Housing policy which offers a wider range of housing interventions, targeted at accident prevention, relieving fuel poverty and assisting with hospital discharge

DFG Housing policy attached **Appendix 2**

- 3.6 In 2019/20, working in partnership with Mears HIA, 144 mandatory DFGs plus 117 discretionary grants were completed, investing a total of £1.63m in adapting and improving the homes of some of the most vulnerable residents in the City.
- 3.7 Funding for DFGs is now channelled into the Better Care Fund. DFG funding in England for 2015/16 was £220m and increased to £394 million in 2016/17. The Autumn Statement 2015 contained a commitment to provide £500m by 2019/20 for DFGs and estimated that this would fund 85,000 home adaptations in that year, preventing 8,500 people from needing to move into a care home (Autumn Statement 2015, para 1.109). Locally, in Brighton & Hove, the DFG allocation for 2019/20 was £2.038m of which £1.7m transferred to Housing.
- 3.8 The HIA service gets its funding from several sources. It gets a level of core funding from Adult Social Care Housing-related Support, it generates a fee income paid by the grant applicant when works complete and the DFG capital budget funds a caseworker role.

HIA funding sources:

	2016-17	2017-18	2018 -19	2019-20
Adult Social Care Housing-related Support (ASC H-rS) core funding:	£90,000	£50,000	£50,000	£50,000
ASC H-rS Performance-related payment:	0	£20,000	£20,000	£20,000
DFG fee income (10% cost of work paid on grant completion)	£128,338	£89,529	£164,310	£155,500
Fees grant paid – Mears caseworker fees	0	£12,379	£38,750	£38,750
Total funding	£218,338	£171,908	£273,060	£264,250

- 3.9 The options for future provision are set out below, these are to recommission – outsource, or for provision in house:

options	opportunities	risks
<p>Recommission – outsourced</p>	<p>Retain a contractual relationship, develop working protocols to ensure good practice and quality control.</p> <p>Retain and develop an effective housing options service in the private sector to enable clients to evaluate their longer-term housing options.</p> <p>Work in partnership to ensure access to a wider range of appropriate support services, statutory and community, voluntary sector.</p> <p>Capacity to support the delivery of both mandatory DFG assisted adaptations and DFG Housing policy discretionary assistance on offer – linked to other Housing, Health & Social Care strategic priorities.</p> <p>Ensure support to 260+ residents in need of support annually.</p> <p>Provider responsible for own premises and assets.</p>	<p>Housing-related Support funding is reduced/withdrawn – unattractive offer to an external provider.</p> <p>Few providers in the market; some inconvenience moving from one provider to another.</p> <p>Potential for delays in hand overs between BHCC and the external service provider.</p> <p>The commissioning service and the service provider use different systems for case recording and progress chasing.</p> <p>Time & resource dedicated to contract management – case reviews monthly, contract reviews quarterly.</p>
<p>Commission – in - house</p>	<p>Continue to support 260+ residents annually.</p> <p>Capacity in-house to deliver the full casework and technical support service to those needing major adaptations in the private sector as well as council.</p> <p>Ensure service delivery continues to be closely aligned to Housing & Health</p>	<p>TUPE - BHCC would take on staffing costs and one-off costs i.e. salaries, equipment, travel, support service costs.</p> <p>Co-location with Housing Adaptations Service will require</p>

	<p>& Social Care strategic priorities including better integration.</p> <p>Capacity to develop an effective housing options service in house.</p> <p>Potential to invest £70k core funding plus a generated income, in 2019-20 a total of £225,500.</p> <p>The transfer and protection of employment of skilled and experienced staff under TUPE.</p> <p>Reduction in potential for delays at hand over to an outsourced service provider.</p> <p>Reduce the contract management time and resource.</p> <p>Potential to make the best use of the additional staff resource</p>	<p>additional space/workstations to be found at Hove Town Hall (or work from home).</p> <p>BHCC would have responsibility for premises and assets.</p>
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3.10 These options were presented at the Procurement Advisory Board (PAB) 27 January 2020. The Head of Procurement advised a vote was needed, and it was the Board's view that the service should be brought in house.

Extract from PAB minutes 27 January 2020 **Appendix 3**

3.11 The cost comparison between an in-house service and re-commissioning via contract is set out below

Re-commissioning via contract – based on 2019/20 HIA funding structure	Direct costs per year – based on 2019/20	Total cost per year – based on 2019/20
ASC Hr-S core funding	£70,000	£70,000
Caseworker fee - direct payment, costs charged to the dfg capital budget	£38,750	£38,750

Mears fee income (10% cost of work paid on grant completion) paid through the DFG		£155,500
Total funding	£108,750	£264,250

The total cost includes the indirect cost to the council of the DFG funding for Mears fees i.e the 10% of the cost of work paid by the grant applicant to the HIA on completion of works, the cost of which is eligible for and included in the amount of DFG the applicant is awarded.

Commission in house	Estimated Annual Cost	One off cost
Staffing (figures rounded to nearest thousand)	169,000	
Equipment	1,600	4,230
Travel	3,600	
Support Service Costs (SSC)	22,300	
Total Excl SSC	174,200	4,230
Total Incl SSC	196,500	4,230

The staffing costs are calculated using the hourly rate of each member of staff (6 staff, 5.3 full time equivalents) from the TUPE Matrix and with the council's pension and National Insurance (NI) contributions factored in. Equipment costs assume each additional staff member will have a laptop and phone to complete their work and a one-off cost to purchase. Travel costs assume car hire, Enterprise car club, for visits. The increase in Service support costs is estimated based on the number of staff to transfer over (full time equivalents)

These costs could be met as now, with a level of core funding via Housing-related Support and with some staffing costs charged to the capital DFG budget.

- 3.12 The option to provide an in-house service will have TUPE (Transfer of Undertakings, Protection of Employment) implications. Mears HIA Ltd currently employs 6 staff (5.3 ftes) These staff would become employed by the Council, unless any employee chooses not to transfer. Staff would transfer on their existing terms and conditions, with the option to opt into the Local Government Pension Scheme. The council would be responsible for NI and pension contributions. These costs are shown above. Further harmonisation would be negotiated after the transfer in house. We are not aware of any current industrial disputes within the contracted service that may transfer over to the council should we proceed to insource.

a. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- a. Not re-commissioning

	opportunities	risks
De-commission/no service offer	Savings achieved: Core funding including performance related: £70k Grant funded – directly i.e. caseworker fees £38,750, indirectly, fees paid by the applicant on grant completion: £155k.	The risks to older and disabled people in the private sector if the service is decommissioned are as identified in the HIA options report in Sept 16: Loss of housing options advice and support to older and disabled people in the private sector, with the associated risks that re-housing options will not be explored, households will remain socially isolated, living in fuel poverty, and an increase in costs to Health and Social Care. Loss of the full casework and technical support services for households going through the adaptations process could result in fewer people accessing DFG assistance – fewer homes adapted, fewer grant completions, spend below target, the capital allocation via DFG not spent on its primary purpose - housing adaptations. With no contract in place BHCC would have no leverage in terms of quality of the service provided to older and disabled people or the referral process and outcomes. Decommissioning the service presents a risk to 260+ residents in need of support annually.

b. COMMUNITY ENGAGEMENT & CONSULTATION

- a. The background on the service, options and legal advice that TUPE would apply was presented at the Departmental Consultative Committee 3 March 2020. It was agreed Unions to be kept updated.
- b. Staff in-house have been advised of the report to Housing Committee and will be kept updated.
- c. Mears HIA staff have been advised of the report to Housing Committee and will be kept updated. Mears HIA have confirmed they are willing to continue to provide the same service on the same current terms and conditions up to 31 May 2021.

6. CONCLUSION

- 6.1 The decision is sought because the contract extension for the services will expire on 31 May 2021 and it is necessary to plan for and implement arrangements for the future provision, particularly as TUPE will apply.
- 6.2 These services are a lifeline for some of the most vulnerable households in the City. Over 260 households were assisted with grant funding last year, the range of services provided helping to prevent higher needs arising, promote health and wellbeing and independent living and are closely aligned to both Housing and Better Care Plan strategies and priorities.
- 6.3 Not providing the service would have a significant detrimental impact on vulnerable households on low incomes living in the City.
- 6.4 Re-commissioning the service or provision in-house ensures continuity of the proactive and preventative work in the context of rising demand and a significant increase in funding via DFG.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The report identifies in paragraph 3.11 the cost of the current HIA service operated by Mears Home Improvement Agency Ltd. as £264,250 in 2019/20 (funded through a HASC general fund budget of £70,000 and £194,250 by the Disabled Facilities Grant (DFG)). The report compares this cost to the estimated cost of undertaking this service in-house. This is currently estimated as £196,500 with a small one-off equipment cost of £4,230. Therefore, estimates show that the in-house service could cost £67,750 less.
- 7.2 The actual cost of this service being operated in-house will depend on whether there are any costs associated with harmonisation of terms and conditions. If costs did subsequently increase above current levels (by more than £67,750), this would need to be met from the DFG and would therefore reduce the sum available for adaptations. Given the numbers of staff involved (5.3 FTE) this is unlikely.

Finance Officer Consulted: Monica Brooks

Date: 09/11/2020

Legal Implications:

- 7.3 If the recommendation to bring this service in-house is approved by Policy & Resources Committee, the Transfer of Undertakings (Protection of Employment Regulations) 2006 (TUPE) will apply. This means that the workers who are employed by Mears HIA immediately before the service is brought in-house will automatically become the council's employees on their existing terms of employment. This will include their existing rates of pay and without a break in their period of employment. Both Mears HIA and the council must inform and (if it

is proposed to take any “measures” in relation to the employees) consult representatives of their own affected employees in relation to the transfer. Legal Services will continue to advise in relation to this project.

Lawyer Consulted: Wendy McRae-Smith

Date: 09/11/20

Equalities Implications:

- 7.4 The equality implications of not continuing to provide the service are described above, as likely to have a significant and detrimental effect on older and disabled adults and children who would otherwise benefit from housing options advice and support to make well informed decisions about their longer term housing options or help with getting housing adaptations done and access to the mandatory Housing grant to make this affordable. Continuing to provide these services helps ensure the council complies with its public sector equality duty to promote disability equality.
- 7.5 Aspects affecting staffing directly apply to staff currently working for Mears HIA who will either at be risk if the serve is de-commissioned, or the opportunity to continue in employment working for an external provider or where their employment rights are protected under TUPE considerations.

Sustainability Implications:

- 7.6 The provision of these services enables older and disabled households to adapt and improve their homes and to remain living at home for as long as possible. Major adaptations, both council and grant assisted in the private sector, are carried out by specialist contractors on the council’s Adaptations Framework, a separate contract including a requirement to recycle where possible and source sustainably produced materials.

Brexit Implications:

- 7.7 None

Any Other Significant Implications:

None

Crime & Disorder Implications:

- 7.8 none

Risk and Opportunity Management Implications:

- 7.9 Addressed in the body of the report

Public Health Implications:

- 7.10 The provision of these services directly contributes to the City council’s commitment to improve public health, promoting the health and well being of older and disabled people and reducing inequalities for those who are otherwise disabled from accessing and actively participating in the community.

Corporate / Citywide Implications:

- 7.11 The investment in and delivery of timely adaptations helps prevent higher needs arising with all the associated cost savings to other Health & Adult Social Care budgets.

SUPPORTING DOCUMENTATION

Appendices:

1. The Contract Specification for Provision of Home Improvement Service ref BHCC 12115
2. DFG Housing policy
3. Extract from PAB minutes 27 January 2020

Background Documents

1. none

Schedule 1 - Service Specification

This service specification is divided into three parts:

- Part One: The service as a whole - Relevant to all aspects of the contract
- Part Two: Housing options advice and support
- Part Three: Support for housing adaptations

Part One: The service as a whole

- 1.1 The service specification is written in the context of the council's Housing Strategy 2015, Homelessness Strategy 2014-19, and the council's priorities for the integration of social care and health through Better Care.
- 1.2 The service will contribute towards the Council's corporate plan 2015 – 2019 and its service priorities, shared with city partners, and focus on health and wellbeing.
- 1.3 The service will contribute to the Better Care Keeping People Well prevention agenda and person centred outcome measures:
 - * I am enabled to remain independent for as long as possible
 - * I am supported to have social connections and feel happy
 - * I am enabled to stay well and maintain a good quality of life for as long as possible
 - * I am able to access a range of community support to help me maintain my resilience and wellbeing
 - * I have access to appropriate information and support to enable me to manage my long term health condition/s
 - * I have access to appropriate advice and support to help me to avoid harm or injury
- 1.4 The Brighton & Hove City Snapshot: Report of Statistics 2014 puts the population of the City at 275,800 in 2012 with further growth projections of 5.1 per cent by 2021, which would take the resident population to 289,900. According to the 2011 census, for more than one in twenty residents (20,445 people, seven per cent) their day to day activities are 'limited a lot' due to a long term health problem or impairment. For a further 24,124 residents (nine per cent) their day to day activity is limited a little. In 2012, 16,800 residents aged 16-64 were estimated to have a moderate or severe physical impairment. In the 65 years plus age group over half of residents (54 per cent or 19,158 people) report finding their day-to-day activities limited either a little (26.8 per cent) or a lot (26.9 per cent)
- 1.5 My Life in Brighton & Hove is an easy to use on-line directory listing local and national organisations and services supporting daily living, including support groups and charities, health and social care services and an important

resource for the locally commissioned Home Improvement Agency Service Provider

1.2 Definitions

The following are definitions of the abbreviations and terms used within this specification.

“Accessible Information Standard”	Accessible Information Standard: means the formal guidance developed and issued by NHS England, known as “SCC11605 Accessible Information”, which health and social care providers are required to comply with in accordance with s.250 of the Health and Social Care Act 2012.
“ASC”	Adult Social Care – a key partner for this service
“Care Act”	The Care Act 2014, and supporting guidance, which places a series of duties and responsibilities on local authorities about care and support for adults
“Case Worker”	Works with the service user on evaluating their housing options and assists the service user through changes such as moving home or with support through the adaptations process
“CDS”	Children’s Disability Service responsible for Occupational Therapist (OT) assessment of children’s cases
“DBS”	The Disclosure and Barring Service established under the Protection of Freedoms Act 2012
“DFG”	Disabled Facilities Grant
“disabled person”	A person assessed under the Care Act as having a permanent and substantial disability and an eligible need for services, or child assessed under the Chronically Sick and Disabled Persons Act
“Foundations”	The National Body, appointed by the Department of Communities and Local Government to oversee the national network of home improvement agencies
“Home Improvement Agency”	The locally commissioned service to support people to retain independence in their own home.

“Housing Adaptation Service”	The integrated Housing Adaptations team responsible for the specialist OT assessment of adult cases, delivery of major adaptations and the Disabled Facilities Grant (DFG) administration
“HRS”	Housing related support. Support which enables people to maintain, sustain or improve their ability to live independently in their homes.
“Major Adaptations”	Housing adaptations that will cost over £1,000
“ OT”	Occupational Therapist, qualified and registered with the Health and Care Professions Council
“Support”	Tasks, advice and involvement that help service users to maintain their independence in their homes.
“Service User”	A person who receives or who may receive the support services under this service specification.
“Service Provider”	The organisation contracted to deliver the services.
“Vulnerable older person”	Person self assessing as older (usually 65+ but can be lower), with support needs identified by assessment.
“Working Day”	Monday to Friday inclusive of each week excluding Christmas Day, Good Friday, Bank Holidays and any Public holidays in England; & working hours: 09.00 to 17.30 on Working Days

1.3 Aims of the Service

The overall aim of the Home Improvement Agency (HIA) service is to enable vulnerable older people and disabled people in the City to continue to live as independently as possible, for as long as possible in their own homes by:

- Providing high quality up to date advice, information and support to evaluate options with regard to future housing
- Where appropriate providing a full case-working service to assist the service user through changes such as moving home or with casework and technical support through the adaptations process

- Support access to appropriate financial advice and assistance whether through private means, grants, and other sources charitable and voluntary funding to meet the individual service user's needs.
- Support with getting home repairs and improvements done
- Providing comprehensive information on and access to other suitable support services

1.4 Eligibility

These services are available to vulnerable older people and disabled people resident or normally resident in Brighton and Hove who are homeowners, private renters or people living in socially rented properties.

1.5. Service Standards

- 1.5.1 The programme of support must focus on the service user and be tailored to their individual needs. In addition to housing related support services described above, business models which incorporate a chargeable service/s with the ability to generate additional income and offer a wider range of services to the individual are encouraged.
- 1.5.2 The service provider will refer service users on to other agencies where the type of support, information or help required is outside the remit and scope of the service provider's work. Aspects of support may be delivered by the service itself or by other organisations, appropriate to the needs of the service user, and with the service provider acting as liaison/co-ordinator.
- 1.5.3 The service provider will arrange, and where necessary provide, additional support for accessibility needs such as communication and language, advocacy and other issues as appropriate to the individual.
- 1.5.4 The service provider will comply with the Accessible Information Standard

1.6 Service Outcomes

The service will:

- Reduce the number of crisis-driven housing changes such as emergency admissions to hospital or care.
- Reduce the demand for major housing adaptations by an estimated 10 - 20% (based on figures supplied by Foundations) by providing advice and support around housing options at the earliest point of the 'customer journey', helping to manage proactively the demand for disabled facilities grant (DFG) assistance.
- Maximise the number of service users expressing satisfaction with the HIA service and able to remain independent and maintain a good quality of life for as long as possible.

1.7 Reviews

The service provider will review the support plan with the service user at appropriate intervals, for example:

- At agreed milestones toward the agreed outcomes
- On change of circumstances that affects the progress towards the agreed outcomes
- On change or deterioration in the service user's capacity for independence
- On achievement of the agreed outcomes

1.8 Emergencies

The service provider must be pro-active in addressing housing issues at an early stage, however there may be circumstances where advice is required in response to emergency or a sudden change in need. The service provider is required to have adequate procedures and protocols with partners to respond to such situations.

1.9 Staff

- 1.9.1 The service provider must as a minimum provide adequate staff resources so as to ensure that case management, technical advice and administrative support is available to meet the requirements of the service.
- 1.9.2 The service provider must have a fair staff recruitment and selection policy and process that take account of all relevant legislation
- 1.9.3 The service provider's staff are required to comply with relevant health and safety legislation
- 1.9.4 Staff must receive appropriate induction, training and regular formal supervision. Ongoing training must be provided to maintain and develop knowledge and support skills relating to the housing, financial, emotional and health issues affecting vulnerable older people and disabled people and their carers as appropriate.
- 1.9.5 Individual staff must have excellent interpersonal and facilitative skills in order to be able to help people work through the complex emotional issues surrounding home and change. Perfect solutions will not always be possible and staff must have clear professional and emotional boundaries in order to focus on what is achievable.

1.9.6 Staff must have good skills for fostering and building partnership working with a wide range of individuals and agencies, and have a creative, pragmatic and positive approach to joint problem solving.

1.9.7 The service provider will ensure adequate cover is in place for staff absences to ensure people receive a consistent service.

1.10 Equal Opportunities

1.10.1 The service provider must comply with all non-discrimination and equality of opportunity legislation, codes of practice and the equalities section of the Contract, including the equalities monitoring required by the Housing Adaptations Service.

1.10.2 The service must be made available and delivered to individuals on an equal and consistent basis regardless of the funding source.

1.11 Partnership Working

1.11.1 The service provider is required to put partnership working into practice and to proactively and continuously engage with other support services in the delivery of the HIA service outcomes.

1.11.2 This will include developing and working to formal service level agreements (SLAs) with the local authority and other support services.

1.11.3 The service provider will work in close partnership with third sector, community and local business organisations to support people make the most suitable changes to their housing circumstances. This may include for example:

- Estate agents, solicitors, removal firms, utility service providers
- Registered Providers of social housing in the City
- Independent financial advisors
- Local contractors
- Charitable organisations, benevolent trusts.

1.12 Care Act

1.12.1 The service provider will work in partnership with Social Care teams to be aware of the individual's entitlement under the Care Act and will have knowledge of referral pathways into Adult Social and in respect of children's cases will work with the Children's Disability Service and have a knowledge of referral pathways into children's services

1.12.2 The service provider will engage with carers, family and friends, advocates and Homecare providers where appropriate and possible.

1.13 Safeguarding Adults and Children

1.13.1 Any staff that will be in contact with service users will require an up to date DBS check

1.13.2 The service provider will work to ensure that service users are able to stay safe and secure and retain independence in their own home.

1.13.3 The service provider will be expected to work within the Sussex Safeguarding Adults Procedures and record and report safeguarding issues to Commissioners.

<http://sussexsafeguardingadults.procedures.org.uk/>

1.13.4 The service provider will be expected to work within the Pan Sussex Child Protection and Safeguarding Procedures and record and report safeguarding issues to Commissioners.

<http://sussexchildprotection.procedures.org.uk/>

1.14 Service User and Stakeholder involvement

1.14.1 The service provider will collect and respond to service user and staff feedback.

1.14.2 Service users, staff and stakeholders will be consulted on and be actively involved in service developments.

1.15 Service performance returns

1.15.1 The service provider will provide information on service targets and individual outcomes, including those listed in Section 4. , as required by the Housing Adaptations Service.

1.15.2 The following must be reported in line with the council's contract management duties:

- Serious incidents and complaints
- Safeguarding Alerts
- Complaints
- Equalities Information

Part Two: Housing options advice and support

2.1 Eligibility

This service is primarily aimed toward older vulnerable and disabled people however the service provider can provide the service to others if a) the service provider is satisfied an older person has a need for support to regain or maintain independent living in their own home and b) offering them the service does not compromise the service to older vulnerable and disabled people referred to the service

2.2 Service standards

2.2.1 This service will offer a housing options advice and support service to help vulnerable older and disabled people to explore and evaluate options for future housing and long term wellbeing to support their ability to live independently.

2.2.2 Developing the housing options approach in the private housing sector is expected to reduce the need for DFG assisted major adaptations by an estimated 10 - 20% (based on figures supplied by Foundations) by providing timely advice and support.

2.2.3 The provision of housing options advice and support will include, but is not limited to:

- Providing high quality up to date advice and information about support services in the City, eligibility criteria and what an eligible service user can expect from the service
- Identifying and evaluating the service user's future housing options
- Providing a case-work service to assist the service user through changes such as moving home and help with practical arrangements e.g. assisting service users to view properties, to access choice based lettings services, HelpToBuy and help plan and organise removals
- Providing help with minor repairs and alterations to the property, through work with local contractors either through the use of a Trusted Contractors List, or by the provision of a technical support service
- Providing or supporting to access appropriate financial advice and assistance whether through private means, grants, or other sources, e.g. charitable and voluntary funding.
- Providing comprehensive information on and access to other suitable support services, for example Citizen's advice Bureau, the Department. of Work & Pensions

2.2.4 Support will be outcome focussed and person centred.

2.2.5 The service provider is encouraged to develop a business model that is self-sustaining, adds social value to the City, and can offer a wider range of services to the individual. Models which incorporate a chargeable service/s, for example for a handyperson service, with the ability to generate additional income, are encouraged

2.3 Referrals

2.3.1 For housing options advice and support the service provider will accept referrals from a variety of organisations, departments and professionals, including:

- Access Point and Independent Living teams within Adult Social Care
- Local authority's Housing department
- Voluntary agencies
- Individuals and their family or representatives

2.3.2 Referral sources will be provided with information on the service to enable them to identify with their customers whether a referral to the service provider is appropriate.

2.3.3 Access Point and Independent Living teams within ASC will be the key service referring disabled people to the housing options advice and support service where they identify a potential need for major housing adaptation/s. The service provider will provide advice and support as above, identifying and evaluating the service user's housing options. Where major housing adaptation/s is the service user's preferred long term solution for meeting their needs and the type of adaptation work needed is considered to be technically feasible by the HIA then the service provider will refer the service user to the Housing Adaptations Service or Children's Disability Service for specialist OT assessment for major adaptations.

2.3.4 In the event that demand for the subsidised service exceeds capacity the service must operate a prioritisation protocol agreed with the Housing Adaptations Service.

2.4 Service Volumes

We estimate the volume of referrals for the housing options advice and support service to be in the region of 8 – 10 per month. Please note figures of service volumes are estimated based on previous years' activities, and are provided for guidance only.

Part Three: Major Adaptations

3.1 Eligibility

- 3.1.1 The need for major housing adaptations is primarily determined by the Housing Adaptations and Children's Development services through an OT assessment to assess the need for and recommend necessary and appropriate adaptations.
- 3.1.2 The casework and technical support service should be available to those who identify themselves as needing support, whether the relevant works are grant assisted or the service user is self funding. For those self funding adaptations the terms will be negotiable between the service provider and customer but this must not negatively impact on work undertaken with disabled people referred to the service provider by the council. Where there is a cost to the service user for this service it will be collected by the service provider

3.2 Service Standards

- 3.2.1 This service will provide a full case-work and technical support service to disabled people and their carers for major adaptations to the property.
- 3.2.2 The service provider will work in conjunction with a range of statutory and voluntary organisations including the council's Housing Adaptations Service and CDS to ensure that the service user's assessed needs are met through the timely provision of housing adaptations.
- 3.2.3 The service provider will provide information to the service user about the financial implications of funding major housing adaptations and provide advocacy and support to service users in accessing funding from loans, trusts, and charities and any other appropriate funding sources, as well as casework support with the Disabled Facilities Grant (DFG) application where appropriate.
- 3.2.4 The service provider will:
- Provide high quality technical support to the Housing Adaptations & Children's Disability services on the technical feasibility of major adaptations where requested and in the compilation of technical drawings and schedules of works, the selection of specialist contractors primarily through the councils Adaptations Framework or through competitive tender and managing the relevant works on site through to practical completion.
 - Provide a technical service to specify appropriate works in accordance with legislation, statutory regulations and good practice
 - Secure best value and innovation in the delivery of high quality adaptations

- Ensure that service users are kept fully involved and informed in the progress of their case throughout, and can influence and / or control the process
- Monitor the progress of cases referred to the service throughout each stage of the adaptations process and take appropriate action to ensure that adaptations are completed in a timely manner.
- Ensure that processes for DFG funded works are in compliance with legislation, statutory regulations and the council's policies and procedures.
- Attend contract review meetings with the council's Adaptations Framework contractors as required by the Housing Adaptations service

3.2.5 The service provider will be expected to agree a detailed service level agreement with the Housing Adaptations Service detailing how they work together to deliver timely major adaptations.

3.3 Referrals

For casework and technical support through the adaptations process, the service provider will accept referrals from HAS and CDS. Critical cases will be referred from these services marked as urgent.

3.4 Service Volumes

In 2015 - 16 180 DFG grant assisted adaptations were completed. As outlined above there is an expectation of a 10-20% reduction in the need for DFG funded adaptations as a result of the housing options advice and support services delivered through this contract and other initiatives. Please note figures of service volumes are estimated based on previous years' activities, and are provided for guidance only.

4 Service Targets

4.1 The service provider will provide each service user a customer satisfaction questionnaire incorporating the person centred outcomes listed at 1.3.

4.2 The Outcomes below will require a 95% satisfaction/positive response.

Outcomes	Method for collecting data
Service users assisted to make the most appropriate housing choices for their situation, appropriate to the level of input	Standard contract monitoring and outcomes returns
Service users from diverse groups able to access the service on an equal basis (focus on underrepresented groups will be followed through in the Service Level Agreement)	Quarterly return
Service users satisfied with the length of time to complete their support programme or from the date of referral to the HIA to the completion of a major housing adaptation	Quarterly return
Service users satisfied with the quality of relevant works to their property	Quarterly return

4.3 The following outputs will be monitored through Quarterly and Annual returns:

Outputs	
All major adaptations referrals from local authority progressed appropriately by the service provider within the timescales agreed with the Housing Adaptations Service (to be agreed in SLA)	Quarterly return
10% Reduction in the demand for major housing adaptations	Annual return
Reduced hospital admissions	Quarterly return
Reduced admissions to residential and nursing homes	Quarterly return

5 Review of Service Specification

5.1 The Council will work in partnership with the service provider for the duration of the contract in order to develop the service through innovative practices, implementation of best practices and in accordance with the need to provide a flexible service which seeks to deliver the best solution for the service user and which is affordable to the council. There may be changes in scope

possibly reflecting budget cuts and there may be reductions or increases in scope depending upon demographics.

- 5.2 Changes in practice and procedure arising out of the collaborative working procedures or changes in best practice, technology or in legislative requirements shall be implemented through a contract variation which may also result in changes to price, monitoring measures such as key performance indicators and outputs.
- 5.3 The service provider will be expected to be flexible and the council reserves the right to work with the service provider to review, develop and change the service over time in line with changing needs, demographics and emerging good practice.
- 5.4 The specification may be reviewed to ensure that the service provider meets local needs. A review can be triggered by either the provider or the council, although the decision to implement any changes rests at the sole discretion of the Council.

Disabled Facilities Grant Housing Policy 2017 – 2020

Contents

1. Introduction
2. Policy implementation & review
3. Strategic aims
4. Key priorities
5. Capital resources
6. The assistance being offered
7. Additional charges or fees
8. Application process
9. Complaints and redress
10. Discretion on cases that fall outside of the policy
11. Key service standards

1. Introduction

This policy sets out how the local authority intends to use its powers under the Regulatory Reform Order (2002) to introduce a wider range of housing interventions to promote independent living and well-being. It sets out the assistance available for funding essential repairs to reduce injury and accidents in the home, to ensure homes are adequately heated and the scope of adaptations available under the Disabled Facilities Grant (DFG).

Importantly it aims to provide greater flexibility in how the DFG is used to help deliver wider strategic projects to keep people warm, safe and well at home and to reduce bureaucracy in the grant's administration.

2. Policy Implementation & Review

The policy will be in place from October 2017 to end March 2020. This is in line with the government's commitment in Autumn 2015 to increase national funding to £500m by 2019/20 for DFG (compared to £220m 2015/16, £394m 2016/17).

The policy will be made available on the council's website and a summary document available on request

It is subject to funding and annual review in line with the Better Care Board funding decisions and confirmation of the transfer of funding to Housing via the DFG.

An annual report will report on performance, setting out the spend against each intervention and outcomes using the person-centred outcome measures below:

- I am enabled to remain independent for as long as possible
- I am supported to have social connections and feel happy

- I am enabled to stay well and maintain a good quality of life for as long as possible
- I am able to access a range of community support to help me maintain my resilience and wellbeing
- I have access to appropriate information and support to enable me to manage my long term health condition/s
- I have access to appropriate advice and support to help me to avoid harm or injury

An earlier review may be necessary if performance or take up falls below the expected level to ensure the policy is delivering what it is intended for.

Any changes to the policy will be published on the council's website and a summary document available on request.

The governance of the policy and the assistance given will be with Housing. Annual performance reports will be subject to scrutiny at Housing & New Homes Committee.

3. Strategic aims

The policy relates to national objectives for housing, as well as local strategies. These are summarised below:

National Strategic Context

Lifetime Homes, Lifetime Neighbourhoods ("Lifetime Homes, Lifetime Neighbourhoods, National Strategy for Housing in an Ageing Society," Communities and Local Government, February 2008) based housing in an ageing society on two clear principles - being able to make choices that reflect lifestyle and circumstances and being able to remain living safely at home for as long as possible. The strategy with subsequent removal of the DFG ring fence enables local authorities to pool budgets and provide services that best meet local need.

The publication of the Government's Vision for Adult Social Care ("A vision for adult social care: Capable communities and active citizens Dept. of Health 2010) confirmed the Government's commitment to ensuring that personalisation will be at the centre of independent living for older and disabled people. Adaptation services and Home Improvement Agencies (HIA) are supporting the changes by adopting a more personalised approach and reducing the time taken to adapt as well as reducing costs through smarter procurement to help meet rising demand.

Funding for DFGs in England is now channelled into the Better Care Fund (BCF) One of the aims of the BCF is to achieve improved integration of care and support services. DFG funding in England for 2015/16 was £220m and increased to £394 million in 2016/17. The Autumn Statement 2015 contained a commitment to provide £500m by 2019/20 for DFGs and estimated that this would fund 85,000 home adaptations in that year, preventing 8,500 people from needing to move into a care home in 2019/20 (Autumn Statement 2015, para 1.109).

In the July 2012 White Paper, Caring for our future: reforming care and support, (HM Government, Caring for our future: reforming care and support, July 2012) the Government made a commitment to extend the work of HIAs and to work with Foundations, the national body for Home Improvement Agencies, to do more to reach out

to a wider population and extend their service to more people who fund their own adaptations.

The Care Act 2014 obtained Royal Assent in May 2014. Section 3(1) of the Act places a duty on local authorities to carry out their care and support services with the aim of integrating those services with local NHS and other health services.

Local

Corporate Plan (2015 – 2019)

The policy meets Corporate Plan principles:

- Public accountability - working with, and answerable to, citizens and partners; strengthening partnership delivery arrangements.
- Citizen focused - making services simpler, more connected and more personal.
- Increasing equality – better coordination of council and other public services to tackle inequality and protect the most vulnerable people in society.
- Active citizenship - moving to more collaborative and empowering relationships with our diverse communities.

Sustainable Community Strategy Brighton & Hove Connected and Housing Strategy 2015.

The policy contributes to delivery of Housing Strategy priorities:

Priority 2: Improving Housing Quality - work to improve housing conditions in private rented and owner occupied homes through renewal advice, assistance and enforcement; improving Home Energy Efficiency, improving thermal comfort and reducing fuel poverty and CO2 emissions.

Priority 3: Improving Housing Support – through investment in a range of housing interventions, helping people remain independent helps to mitigate pressures on the more intensive and costly services provided by Adult Social Care, Children's Services and Health.

Fuel Poverty and Affordable Warmth Strategy 2016 – 2020

The policy contributes to funding and delivery of Affordable Warmth Strategy priorities:

- Increase the energy efficiency of the City's housing stock.
- Support residents struggling to pay their energy bills - through work with local advice agencies to ensure residents have access to advice on housing, benefits, money and energy.
- Work together to tackle fuel poverty through partnership and learning - through building upon existing networks to promote available support to all sectors, relevant organisations and communities across the city.
- Increase effective targeting of vulnerable fuel poor households and those most at risk of the health impacts of cold homes.
- To maximise resources and opportunities for tackling the causes fuel poverty.

Better Care Plan 2016

The policy contributes to the Better Care plan priorities that future service provision is:

- **Person centred** - designed around the individual and delivered close to home.

- **Proactive and preventative** - helping people stay healthy and remain independent.
- **Responsive and co-ordinated** - provided in a seamless way that minimises admissions to hospital.
- **Supportive** - when someone is admitted to hospital the system will support them to recover and return home as soon as they are ready.
- **Integrated** - with organisations working together in innovative ways to provide health and social care services.

4. Key priorities

This policy sets out the local housing interventions in place to assist people with renewals, repairs and adaptations in their homes using DFG funding. The key priorities are to meet the needs of older people, disabled people or families with disabled children and to target accident prevention, relieving fuel poverty and assisting with hospital discharge.

5. Capital resources

The total amount of capital funding committed to the policy is up to £400, 000 in 2017/18. This funding comes from the central DFG allocation via the Better Care Board. Because long term commitments are not known there will be an annual review of the policy. Assistance is available subject to funding.

6. The assistance being offered

Assistance being offered	Eligibility criteria & conditions	Means test	Amount available
<p>Relocation Grants</p> <p>to support people eligible for a DFG where it is more suitable for them to move rather than remain in their current property</p>	<p>Eligible for DFG</p> <p>Available to owner – occupiers and private tenants where it is not reasonable or practicable to adapt to meet the disabled person’s assessed needs</p> <p>Conditions:</p> <p>1. Before proceeding with the process of moving, the property proposed as the new home must be confirmed as suitable by the council’s Housing Adaptations Service.</p> <p>2. Property to remain in owner-occupation for five years following the move. (not applicable for private tenants)</p>	<p>Subject to DFG means test</p>	<p>Maximum of £20,000 to cover the costs arising from the following:</p> <p>estate agents fees (limited to a maximum of 1.5% of the property value)</p> <p>stamp duty (limited to a maximum amount of £7,500)</p> <p>solicitors fees</p> <p>valuation fees</p> <p>mortgage arrangement fees</p> <p>removal costs</p> <p>necessary utility and service set up costs</p> <p>minor adaptations to make the property suitable</p>

<p>Hospital Discharge Grants to support any older or disabled person being discharged from hospital to include any older person or disabled person being discharged from intermediate care</p>	<p>Any older person aged 65 or over or disabled person being discharged from hospital or intermediate care to home - owner-occupier, private tenant or housing association tenant.</p> <p>Conditions 1. referral from the dedicated Early Response Worker within the Help After Hospital team supporting Brighton & Sussex University Hospital Trust (BSUHT) discharge teams, hospital rehabilitation/intermediate care teams, Health and Social Care teams or the Patient Liaison Service (PALS) 2. excludes packages of care funded by NHS continuing healthcare</p>	<p>Not subject to means test</p>	<p>Maximum of £2,500 The grant is not specified, so any work that supports the discharge from hospital to home is eligible under the criteria including: minor works, such as clutter clearance/deep cleaning urgent home repairs hazards removal heating systems repaired/emergency heating provided</p>
<p>Dispensing with the means test to cover the most common adaptations carried out i. e stair lifts and level access showers - a contribution of up to £5,000 toward the cost of works where the disabled person has an assessed contribution to pay.</p>	<p>Eligible for DFG Adaptations assessed as necessary and appropriate, reasonable and practicable supported with an Occupational Therapist/OT Assistant recommendation.</p>	<p>Not subject to means test</p>	<p>Maximum of £5,000</p>
<p>Warm, Safe Homes Grants to help low income home owners and private tenants to quickly access</p>	<p>Available to owner-occupiers and private tenants where the household is in fuel poverty measured by the Low Income High Costs</p>	<p>Subject to means test</p>	<p>Maximum of £7,500 to cover costs arising from: electrical and gas safety checks and repairs</p>

financial assistance for a wide range of minor adaptations and repairs to reduce risks of accidents in the home	(LIHC) indicator i.e. they have fuel costs above the national average & spending this amount leaves them with an income below the official poverty line, or the household in receipt of Housing Benefit or any of the other 'passporting benefit' for DFG		repairs or modifications to stairs, floors and steps safety and security repairs boiler repairs or replacement loft/cavity wall insulation, including loft clearance.
Handyperson services – to help with small building repairs, minor adaptations, general home safety checks and remedial actions, falls and accident prevention checks	Available to owner-occupiers and private tenants	Not subject to means test – <i>maximum amount available under £5,000</i>	Maximum of £2,500 Home safety checks falls and accident prevention checks Remedial works such as: repairing floor coverings installing locks, chains and spyholes.
Fast – track adaptations - to fund adaptations up to £5,000 using other housing professionals such as Private Sector Housing Officers (PSHO) or Trusted Assessors,	Eligible for DFG Adaptations assessed as necessary and appropriate by a PSHO or Trusted Assessor supported with a written recommendation	Not subject to means test	Maximum £5,000 Straight forward adaptations that do not need the specialist assessment of an Occupational Therapist (OT) such as external rails door intercom & automatic door entry systems
Making homes dementia friendly – to help people with dementia, to make changes to the home that would support them to live in their own home safely and for longer.	Any person diagnosed with dementia – owner-occupier, private tenant or housing association tenant Conditions 1 referral from adult social care or hospital teams, advocate, voluntary and community sector 2 excludes packages of care	Not subject to means test	Maximum £2,500

DFG Fees Grant	Eligible for DFG. To cover reasonable professional fees and charges associated with the grant application where these are incurred, such as private OT fees where engaged to advise on what works are required and specialist technical e.g Structural Engineer fees or similar to determine if a DFG project is feasible.	Not subject to means test	Maximum of £2,000
Funding in Excess of the Maximum Amount – to fund adaptations in excess of the DFG grant limit £30,000	Eligible for DFG Considered on a case by case basis	Subject to DFG means test on grant up to grant limit	Maximum of £20,000

7. Additional charges or fees

The assistance is given as a grant for a specific purpose and no repayment required. Where there are conditions attached to the grant assistance these are explained in the table above.

Where the work is required to go through the local Home Improvement Agency (HIA) the grant will include reasonable fees. The fees attached to the assistance will be paid to the HIA on completion of the relevant work.

For the handyperson services, charges for materials may be made or applicants may need to supply materials themselves.

8. Application process

Application will be by completing a short DFG application form and submitting this to the Housing Adaptations Service

- By email at: adaptations@brighton-hove.gov.uk
- post to: Housing Adaptations Service, Room G14, Hove Town Hall, Norton Road, HOVE BN3 3BQ

Where eligibility for assistance requires evidence or consents this must be submitted with the application form.

The application for grant assistance must be approved before the work can start.

Advice and assistance with the application process is available from the Housing Adaptations Service and the home improvement agency.

9. Complaints and redress

If you're not happy with the way in which we have dealt with an application please contact the Housing Adaptations Service in the first instance.

If we cannot put things right you can contact the customer feedback team at:

Email address: customerfeedback@brighton-hove.gov.uk

Phone: 01273 291229

Address: Customer Feedback Team,
Hove Town Hall
Norton Road
Hove, BN3 3BQ

10. Discretion on cases that fall outside policy

Applications which fall outside this policy will generally be refused. However, the council recognises that in certain cases it may be appropriate to approve such an application. In such cases, decisions will be made by the Executive Director - Neighbourhoods, Communities & Housing in consultation with the Chair of Housing & New Homes Committee.

11. Key service standards

Once the application is received we will notify the applicant of the decision as quickly as possible and in critical cases i.e hospital discharge cases, within two weeks. Assistance under the policy can be paid to the applicant, or to the Home Improvement Agency acting on the applicant's behalf.

Data protection, safeguarding procedures and equality standards will be fully complied with.

Please find below the minutes for the Provision of Home Improvement Agency Services report:

- 66.1 Sarah Potter, Housing Development Manager introduced the report on the provision of the Home Improvement Agency services. She confirmed that the HIA provided casework support for making an application for work and that the grant was means-tested and provided a Housing Options advice service for evaluating the housing options provided to people including moving home. In 2017 a more flexible grant was introduced with the current provider, Mears. The mandatory grant was targeted at reducing accidents in the home and the current contract expires in March 2020. The Housing Development Manager confirmed that Mears had performed well and that there were three options in the future – the first to do nothing, the second - to keep this in house and the third to outsource the service. It was confirmed that the Disabled Facilities Grant was integrated into health & social services and that the allocation had been increased by 80% in recognition of the preventative work that the grant covered such as funding the bathroom, access and food preparation areas. Nationally, hospital admissions were reduced and a reduction in reliance on care packages were two advantages. She confirmed that there had been a significant increase in demand with more complex needs at home. With an increased budget and mandatory housing grant, there was now a duty to make the grant available. She confirmed that the Board's opinion was being sought on the different options available, with the next steps being, taking the report to the Housing Committee and Policy & Resources Committee. She stated that there was core funding of around £70K transferred from Social Care, which currently generates income by charging a fee for the grant.
- 66.2 The Chair stated that she was in favour of the in house and asked about the risks related to support funding, which could also happen if this was outsourced. The Housing Development Manager replied that this should be provided in the next year's budget from 2021 and it was a risk either way. The Chair added that TUPE would be applied and Brighton & Hove would be responsible for those staff
- 66.3 Councillor Pissaridou stated that she had received positive feedback on the service, which had completed some work for a 92 year old resident within a very short deadline. The Housing Development Manager stated that the partnership had worked well, although there were also some delays sometimes and an investment in officers' time was required for this. She confirmed that there were monthly case review meetings where exceptions were reported and that she also conducted contract review meetings to discuss any issues arising.
- 66.4 The Head of Procurement Cliff Youngman quoted comments emailed from Councillor Miller who stated that, since a lot of work was already brought in-house there was now a danger in overloading in-house staff.

66.5 The Head of Procurement stated that they needed to vote on this and would put forward Councillor Miller's vote. Councillor Druitt was not able to vote.

RESOLVED: That the service should be brought in house.

Gregory Weaver | Democratic Services Officer | Democratic Services |

Brighton & Hove City Council | Room 167 Hove Town Hall |

| HOVE | BN3 2LS | Tel: 01273 291214 |

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www.brighton-hove.gov.uk | Twitter: @BHDemoServ

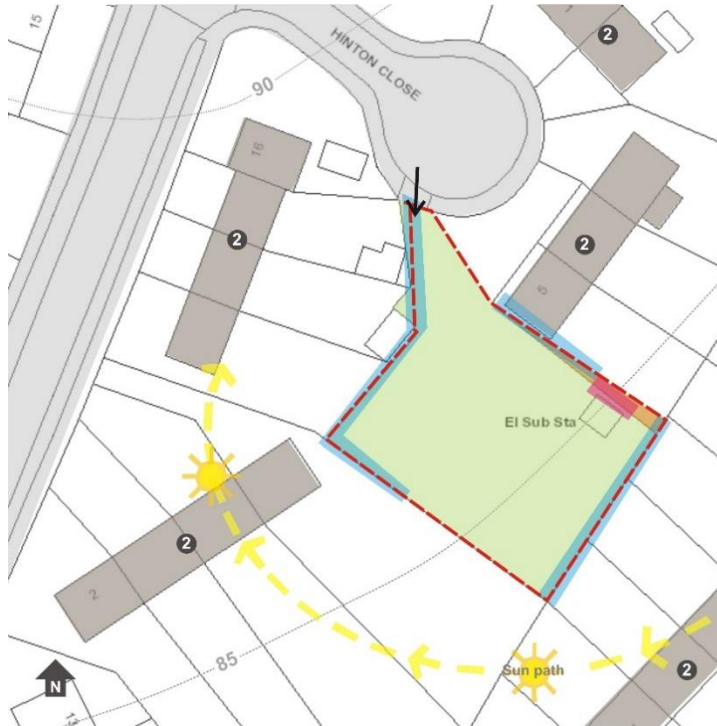
Subject:	Disposal by lease of ex garage site at Hinton Close, Hollingdean, Brighton, BN1 7BS	
Date of Meeting:	Housing Committee 18 November 2020 Policy & Resources Committee 03 December 2020	
Report of:	Executive Director for Housing, Neighbourhoods & Communities	
Contact Officer:	Name: Emma Kumar	Tel: 01273 293297
	Email: emma.kumar@brighton-hove.gov.uk	
Ward(s) affected:	Hollingdean & Stanmer;	

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The council is working with community-led housing partners to increase housing supply in the city. Bringing reports to committee identifying suitable sites to work in partnership with Brighton & Hove Community Land Trust (BHCLT) for development is a key priority of the Housing Committee Work Plan 2019-23. Our Corporate Plan, 2020-23, includes a commitment to identifying 10 sites and to work with community housing providers to develop them.
- 1.2 A pathway for identifying any council owned sites with the potential to be developed in this way has been agreed with sites reported through the cross-party Housing Supply Member Board (HSMB) for agreement to proceed to committee stage. The pathway assesses sites for a number of uses including considering if the site is viable for the council's own New Homes for Neighbourhoods programme or specialist housing use. Council owned land is one of a range of site finding options for community-led housing. So far five potential sites have been considered by HSMB.
- 1.3 Disposal of land to a community-led housing provider includes consideration of three key factors: achieving best consideration for the site: a nominations agreement with the partner and optimum use of the site in terms of density.
- 1.4 The site at Hinton Close is a small sloping site with narrow access in the ownership of the Housing Revenue Account (HRA). The site is an ex-garage site with the garages removed some years ago and was identified as part of a wider review of small sites across the city. It was considered for use by the council's regeneration team but was not progressed due to the complexities and limited capacity of the site which would require disproportionate resources within their growing pipeline.
- 1.5 Following agreement from HSMB that the site could be put forward for community led housing, the detail was given to BHCLT who are the council's

lead partner for community led housing to identify a group to take the development forward. BHCLT have identified Bunker Housing Co-operative Limited (Bunker) as developer for this site due to their previous experience and preparedness.

1.6 Location of the site



2. RECOMMENDATIONS:

- 2.1 That Housing Committee recommend to Policy & Resources Committee the disposal by lease of the area of land identified at Hinton Close to Bunker Housing Co-operative Limited for a 125 year period with the freehold retained by the council's Housing Revenue Account (HRA). Such disposal to be subject to achieving planning permission and signing a nominations agreement.
- 2.2 That Housing Committee delegate authority to the Executive Director, Housing, Neighbourhoods and Communities to take all necessary steps to implement the decision at 2.1 and report details and progress to the Housing Supply Member Board and Housing Committee including progress against the proposed delivery timetable provided by Bunker.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Future options for the use of this HRA site have been considered in the context of the city-wide Housing Strategy agreed by Council in March 2015, the HRA Asset Management Strategy agreed by Committee in March 2016 and the Fairness Commission Report released June 2016.
- 3.2 The proposed development progresses the ongoing commitment of identifying sites for community-led housing as outlined in the Corporate Plan 2020 – 2023 and the Housing Committee Work Plan agreed in September 2019.

- 3.3 The council works closely with BHCLT to expand opportunities for community-led housing in the city. This initially involved the council funding development of a local Community Led Housing Programme (CLHP) using funds allocated to the council through the government's Community Housing Fund from April 2017. This funding ended in July 2019 but the council continues to work closely with BHCLT in securing funds and identifying sites to progress development further.
- 3.4 BHCLT have secured further funding of £150k from the Ministry of Housing Communities & Local Government (MHCLG) Enabler Fund delivered via Community Homes. This is to maintain a community led housing 'hub' in the city with stated aims to raise awareness of community-led housing; enable groups to progress schemes; facilitate knowledge; build the movement and organise and lobby for policy changes locally and nationally.
- 3.5 The pathway report for this site was considered by HSMB on 29 July 2019 and it was agreed to take this forward with a community-led housing partner. This was on the basis that the site was not viable for the council's own new build housing programme and subject to best consideration, nominations and acceptable development density.
- 3.6 In line with the council's pathway for sites this confirmation was forwarded to BHCLT to allocate to one of the active community led housing partners in the city. Bunker was the chosen partner.
- 3.7 Bunker Housing Co-operative (working with BHCLT) then produced a business plan based on the development of four homes on the site to be provided at Local Housing Allowance rent levels. This was considered by HSMB on 06 December 2019.
- 3.8 As a 'land deal' no procurement is required by law but the council has worked with their partners at BHCLT to identify a suitable partner for this site based on deliverability and BHCLT have put forward Bunker Housing Co-op for this site.

Valuation

- 3.9 This site was valued in July 2019 with an independent valuer instructed to provide a market value assessment and an assessment of value based upon an assumption of 100% affordable rented housing for the site, subject to the prevailing Local Housing Allowance (LHA) rates (which the council requires as a rent 'cap' at new affordable rent homes).
- 3.10 The valuation was based on a notional scheme of a terrace of three modern environmentally friendly houses. Bunker's proposal is for four homes in three buildings.
- 3.11 Consideration was given to updating the valuation in June 2020 to reflect the timing and the change in the proposed units. However, the original valuer has stated that the value is unlikely to have materially changed. The valuations are shown in the table below:

Site	Market Value (MV) Private	MV 100% affordable rented to LHA Ceiling
Hinton Close	£230,000	£1

- 3.12 Although sale of the land to provide affordable housing creates a negligible land value, the council's intention is to lease rather than sell the land so the council retains the freehold ownership as well as receiving an annual ground rent as income. External legal advice received in 2016 for the Plumpton Road site confirmed that best consideration can take the form of an annual ground rent instead of an initial capital payment and this is still relevant for this proposal. The alternative option of selling the site on the open market would not guarantee that affordable homes would be built.
- 3.13 The council will enter into a long lease with Bunker Housing Co-operative through which they will pay an agreed annual ground rent of £250 per unit per annum, a total of £1,000 per annum.

Nominations and Lease

- 3.14 The council recognises that community-led housing offers the potential of providing alternative affordable housing (on unused and sometimes hard to develop sites) for people on low incomes while also meeting some Housing Register need for those people on the list who are willing to participate in managing their own homes cooperatively.
- 3.15 The Nomination Agreement will outline the criteria for letting the homes. The council has a community-led housing nominations protocol which forms part of the Nomination Agreement at the Plumpton Road development. This recognises that there may be additional requirements outlined by the co-operative. Bunker is a fully mutual housing co-operative and has provided details of all policies and procedures relating to the housing they will provide including their allocations process and criteria for people being housed. Their stated aim is to house lower income families and individuals.
- 3.16 Where organisations such as Bunker are not overseen by the Housing Regulator, we will develop a monitoring regime to ensure satisfactory housing management, property management and investment, health & safety and risk management measures are in place. We propose to report our monitoring proposals to a future Housing Committee. Bunker is in the process of becoming a Registered Provider and would then fall within the Housing Regulator remit.
- 3.17 The lease will include details of re-entry forfeiture and step in rights as used in the Plumpton Road lease, outlining what happens should Bunker cease to exist or be unable to meet any of the conditions including in the lease as covenants. These are wide-ranging covering matters including payment of rent, repair and maintenance etc.

Business Plan / Funding

- 3.18 A detailed business plan was proposed by Bunker Housing Co-operative and considered by HSMB. This confirmed:

- Site to be developed by Bunker Housing Co-operative Limited (developers of the Plumpton Road site)
- Details of Bunkers cash-flow including funding for pre-development, planning and development works
- 4 homes (in three buildings) proposed consisting of:
 - 2 x 3 bed / 1 x 2 bed / 1 x 1 bed.
- Lease direct with Bunker Housing Co-operative Limited for 125 years
- Ground rent payable in place of capital receipt (as at Plumpton Road)
- Rent levels of up to a maximum of the LHA rate. Current rates:
 - 3 bed house £276 per week
 - 2 bed flat £230 a week
 - 1 bed flat £184 a week
- Timescales: subject to planning approval, Bunker’s programme of predevelopment and construction is currently projecting handover of the homes in March 2023. Timescale for the build will be included within the lease and monitored to ensure no default.

3.19 Bunker are seeking pre-planning advice and have prepared a schedule of community outreach which they will take forward after receiving this initial advice.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTION

Option	Risks	Benefits
Development by the council.	Not viable – the site was assessed through the council’s New Homes for Neighbourhoods programme and deemed unviable.	Provision of council housing. Underused site developed for affordable housing.
Grant a lease to a community-led housing partner (preferred option).	Capital valuation reduced as based on capitalising affordable rents. Leasing process not perceived as transparent. Community-led housing not taken up by those on the council’s Housing Register.	Delivery of housing. Rents to be within affordable levels. Community/ affordable housing use in perpetuity. Council to receive nominations housing people from the council’s Housing Register. Supports community-led housing delivery. Council retains freehold. Regenerates and improves local amenity at no cost to the council.

		Delivers self-build housing. Underused site developed for affordable housing.
Disposal on open market of the site	Council loses control of HRA asset. No affordable housing.	Capital receipt would be received and private market valuation of freehold interest higher than value based on affordable rents. Receipt could be used towards affordable housing provision elsewhere in the city.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Ward members have been notified of the proposed use of this site for community-led housing. HSMB have been consulted throughout the steps of this proposal and will continue to be updated on progress.
- 5.2 In July 2020 Housing Strategy informed local residents of the intention to use the land for community led housing. This was in line with information sent to neighbours of development proposals brought forward through the council's New Homes for Neighbourhoods programme. A letter was sent to sixteen properties in Hinton Close, Mountfields and The Crestway confirming the council's partnership working with BHCLT and that this site was proposed for community led housing development. The letter was sent jointly with Bunker and explained that they were the partner for this site and would be carrying out consultation on their proposal in due course. The properties receiving the letter are directly adjacent to or within sight of the proposed development site. No responses have been received at this time although access to mail in trays is limited both email and telephone contacts for the Housing Strategy Team and Bunker were included.
- 5.3 Bunker held a zoom meeting with neighbours on October 21st 2020 which was attending by six families. Bunker have stated there was generally support for the design and type of housing proposed. Any concerns were discussed and noted with further communication agreed. This was part of their schedule of community outreach which has the following stated aims:
- Listen to and inform the neighbouring communities about our co-op, our plans, our policies and the nature of the project and build.
 - Consult the neighbouring communities as part of the process to develop a clear, credible and coherent proposal, a sensitive design and construction schedule, and to build community awareness and understanding.
 - Involve the neighbouring communities through a range of mechanisms to ensure that issues and concerns are understood and considered as part of the decision-making process.
 - Collaborate with the neighbouring communities by developing partnerships. For example, encouraging local community-led plans via knowledge sharing.

Housing Strategy will continue to work with Bunker in keeping neighbours informed.

- 5.4 Bunker are seeking pre-planning advice for the site and accessed the site in Spring 2020 to clear plant growth in preparation for topographical studies etc. related to this.

6. CONCLUSION

- 6.1 The decision to grant a long lease of this site to a community led housing group will meet both housing needs in the city and make best use of HRA assets.
- 6.2 The city-wide Housing Strategy adopted by Council in March 2015 has as **Priority 1: Improving Housing Supply**, which includes a commitment to working with community housing partners.
- 6.3 The council's Corporate Plan 2020 – 2023 has a stated aim of identifying ten sites for community-led housing development, with this site contributing to this aim.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications

- 7.1 As outlined in paragraph 1.4 in the main body of the report, it is not viable to develop housing on the site via the traditional building methods, due to the various constraints around the site. The recommendation in 2.1 is to allow the site to be leased to Bunker Housing Co-operative Limited (Bunker) over a 125 year period to build up to four new affordable homes,. A review has been undertaken of Bunker's Business Case for the proposal and officers are satisfied that this supports the report's recommendations and includes realistic and reasonable assumptions.
- 7.2 A financial assessment of Bunkers accounts has been undertaken by the council's Treasury management team. This assessment provided no concerns at this stage for the ability of Bunker to fulfil the lease commitment being proposed.
- 7.3 The construction of the four homes will be at a nil cost to the council with Bunker Co-op taking on all the risks associated with the development of a self-build project, as detailed in their financial modelling and business plan. The Lease will include confirmation that all costs associated with the potential handing back and making good the site to the council at the end of the 125 year lease agreement will be met by Bunker.
- 7.4 An external valuation of the site has been carried out to ensure that the council is receiving best consideration for the site. The £0.002m cost of the external valuation has been met by the feasibility budget held by the Property & Investment team.
- 7.5 The result of the valuation was that the site has a small value for the development of 100% affordable homes with nomination rights given to the council. Current estimates are for the ground rent to be £0.001m per annum on

current levels of new housing assumed. HRA do not currently receive any income from this site.

Finance Officer Consulted: Craig Garoghan

Date: 01/10/2020

Legal Implications:

- 7.6 Section 32 of the Housing Act 1985 prohibits the disposal of land held within the HRA without the consent of the Secretary of State. Consent can be General or Specific. The Secretary of State has issued a General Consent to obviate the need to seek consent for each and every disposal. The Consent includes the disposal of vacant land. The grant of a long lease amounts to the disposal of land. There is a general obligation on a local authority when disposing of land to achieve the best consideration reasonably obtainable. As mentioned in paragraph 3.12 this does not have to be in the form of a lump sum. Ground rent and a nominations agreement will also satisfy this obligation.
- 7.7 Legal Services will ensure that the lease includes provisions to address the matters raised in paragraph 3.16.

Lawyer Consulted:

Name Liz Woodley

Date: 08/10/2020

Equalities Implications:

- 7.8 Bunker Housing Co-operative have provided their Allocations Policy and eligibility criteria which includes an equal opportunities statement. Their eligibility criteria requires a good understanding of equal opportunities and applications for membership and housing are subject to monitoring.

Sustainability Implications:

- 7.9 In order to obtain planning permission the homes will be required to meet sustainability standards for energy and water efficiency equivalent to Code for Sustainable Homes Level 4. Bunker aims to be as self-sustaining as possible making the most of all available green technologies including solar panels, grey water management, ecologically sensitive and sustainable materials, buried water storage systems and mechanical ventilation with heat recovery (MVHR).

Any Other Significant Implications:

- 7.10 None

SUPPORTING DOCUMENTATION

Appendices:

1. Photographs of the sites

Appendix 1 :

Photographs of site at Hinton Close, Brighton - starting from the entrance at the top of the site.





Subject:	Disposal by lease of small site at Natal Road , Moulsecomb, Brighton, BN2 4BN	
Date of Meeting:	Housing Committee 18 November 2020 Policy & Resources Committee 03 December 2020	
Report of:	Executive Director for Housing, Neighbourhoods & Communities	
Contact Officer:	Name: Emma Kumar	Tel: 01273 293297
	Email: emma.kumar@brighton-hove.gov.uk	
Ward(s) affected:	Moulsecomb & Bevendean	

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The council is working with community led housing partners to increase housing supply in the city. Bringing reports to committee identifying suitable sites to work in partnership with Brighton & Hove Community Land Trust (BHCLT) for development is a key priority of the Housing Committee Work Plan 2019-23. Our Corporate Plan, 2020-23, includes a commitment to identifying 10 sites and to work with community housing providers to develop them.
- 1.2 A pathway for identifying any council owned sites with the potential to be developed in this way has been agreed with sites reported through the cross party Housing Supply Member Board (HSMB) for agreement to proceed to committee stage. The pathway assesses sites for a number of uses including considering if the site is viable for the council's own New Homes for Neighbourhoods programme or specialist housing use. Council owned land is one of a range of site finding options for community-led housing. So far five potential sites have been considered by HSMB.
- 1.3 Disposal of land to a community-led housing provider includes consideration of three key factors: achieving best consideration for the site: a nominations agreement with the partner and optimum use of the site in terms of density.
- 1.4 The site at Natal Road is a small infill site in the ownership of the Housing Revenue Account (HRA). The site was identified as part of a wider review of small sites across the city. It was considered for use by the council's regeneration team but was not progressed due to the limited capacity of the site which would require disproportionate resources within their growing pipeline.
- 1.5 Following agreement from HSMB that the site could be put forward for community led housing, detail was given to the BHCLT who are the council's lead partner for community led housing to identify a group to take the development forward. BHCLT have identified Bunker Housing Co-operative

Limited (Bunker) as developer for this site due to their previous experience and preparedness.

1.6 Location of the site



2. RECOMMENDATIONS:

- 2.1 That Housing Committee recommend to Policy & Resources Committee the disposal by lease of the area of land identified at Natal Road to Bunker Housing Co-operative Limited for a 125 year period with the freehold retained by the council's Housing Revenue Account (HRA). Such disposal to be subject to achieving planning permission and signing a nominations agreement.
- 2.2 That Housing Committee delegate authority to the Executive Director, Housing, Neighbourhoods and Communities to take all necessary steps to implement the decision at 2.1 and report details and progress to the Housing Supply Member Board and Housing Committee including progress against the proposed delivery timetable provided by Bunker.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Future options for the use of this HRA site have been considered in the context of the city-wide Housing Strategy agreed by Council in March 2015, the HRA Asset Management Strategy agreed by Committee in March 2016 and the Fairness Commission Report released June 2016.
- 3.2 The proposed development progresses the ongoing commitment of identifying sites for community-led housing as outlined in the Corporate Plan 2020 – 2023 and the Housing Committee Work Plan agreed in September 2019.

- 3.3 The council works closely with BHCLT to expand opportunities for community led housing in the city. This initially involved the council funding development of a local Community Led Housing Programme (CLHP) using funds allocated to the council through the government's Community Housing Fund from April 2017. This funding ended in July 2019 but the council continues to work closely with BHCLT in securing funds and identifying sites to progress development further.
- 3.4 BHCLT have secured further funding of £150k from the Ministry of Housing Communities & Local Government (MHCLG) Enabler Fund delivered via Community Homes. This is to maintain a community led housing 'hub' in the city with stated aims to raise awareness of community-led housing; enable groups to progress schemes; facilitate knowledge; build the movement and organise and lobby for policy changes locally and nationally.
- 3.5 The pathway report for this site was considered by HSMB on 25 November 2019 and it was agreed to take this forward with a community-led housing partner. This was on the basis that the site was not viable for the council's own new build housing programme and subject to best consideration, nominations and acceptable development density.
- 3.6 In line with the council's pathway for sites this confirmation was forwarded to BHCLT to allocate to one of the active community led housing partners in the city. Bunker was the chosen partner.
- 3.7 Bunker Housing Co-operative (working with BHCLT) then produced a business plan based on the development of four homes on the site to be provided at Local Housing Allowance rent levels. This was considered by HSMB on 17 April 2020.
- 3.8 As a 'land deal' no procurement is required by law but the council has worked with their partners at BHCLT to identify a suitable partner for this site based on deliverability and BHCLT have put forward Bunker Housing Co-op for this site.

Valuation

- 3.9 This site was valued in September 2019 with an independent valuer instructed to provide a market value assessment and an assessment of value based upon an assumption of 100% affordable rented housing for the site, subject to the prevailing Local Housing Allowance (LHA) rates (which the council requires as a rent 'cap' at new affordable rent homes).
- 3.10 The valuation was based on a notional scheme of a terrace of two x two-storey modern environmentally friendly houses. Bunker's proposal is for four flats in two buildings.
- 3.11 Consideration was given to updating the valuation in June 2020 to reflect the timing and the change in the proposed units. However, the original valuer has stated that the value is unlikely to have materially changed. The valuations are shown in the table below:

Site	Market Value (MV) Private	MV 100% affordable rented to LHA Ceiling
Natal Road	£209,000	<£1

3.12 Although sale of the land to provide affordable housing creates a negative land value, the council's intention is to lease rather than sell the land so the council retains the freehold ownership as well as receiving an annual ground rent as income. External legal advice received in 2016 for the Plumpton Road site confirmed that best consideration can take the form of an annual ground rent instead of an initial capital payment and this is still relevant for this proposal. The alternative option of selling the site on the open market would not guarantee that affordable homes would be built.

3.13 The council will enter into a long lease with Bunker Housing Co-operative Limited through which they will pay an agreed annual ground rent of £250 per unit per annum, a total of £1000 per annum.

Nominations and Lease

3.14 The council recognises that community-led housing offers the potential of providing alternative affordable housing (on unused and sometimes hard to develop sites) for people on low incomes while also meeting some Housing Register need for those people on the list who are willing to participate in managing their own homes cooperatively.

3.15 The Nomination Agreement will outline the criteria for letting the homes. The council has a community-led housing nominations protocol which forms part of the Nomination Agreement at the Plumpton Road development. This recognises that there may be additional requirements outlined by the co-operative. Bunker is a fully mutual housing co-operative and has provided details of all policies and procedures relating to the housing they will provide including their allocations process and criteria for people being housed. Their stated aim is to house lower income families and individuals.

3.16 Where organisations such as Bunker are not overseen by the Housing Regulator, we will develop a monitoring regime to ensure satisfactory housing management, property management and investment, health & safety and risk management measures are in place. We propose to report our monitoring proposals to a future Housing Committee. Bunker is in the process of becoming a Registered Provider and would then fall within the Housing Regulator remit.

3.17 The lease will include details of re-entry forfeiture and step in rights as used in the Plumpton Road lease, outlining what happens should Bunker cease to exist or be unable to meet any of the conditions including in the lease as covenants. These are wide-ranging covering matters including payment of rent, repair and maintenance.

Business Plan / Funding

3.18 The business plan proposed by Bunker Housing Co-operative outlined the following:

- Site to be developed by Bunker Housing Co-operative Limited (developers of the Plumpton Road site)
- Details of Bunkers cash-flow including funding for pre-development, planning and development works
- 4 homes proposed consisting of 4 x 2 bed flats
- Lease direct with Bunker Housing Co-operative Limited, for 125 years
- Ground rent payable in place of capital receipt (as at Plumpton Road)
- Rent levels of up to a maximum of the LHA rate (current rate £230 a week for a 2 bed flat)
- Timescales: subject to BHCC approval and planning negotiations, a programme of predevelopment and construction resulting in handover September 2023. Timescale for the build will be included within the lease and monitored to ensure no default.

3.19 Bunker will be seeking pre-planning advice as recommended by the Housing Strategy & Enabling Team and have prepared a schedule of community outreach which they will take forward after receiving this initial advice.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

Option	Risks	Benefits
Development by the council.	Not viable – the site was assessed through the council’s New Homes for Neighbourhoods programme and deemed unviable.	Provision of council housing. Underused site developed for affordable housing.
Grant a lease to a community-led housing partner (preferred option).	Capital valuation reduced as based on capitalising affordable rents. Leasing process not perceived as transparent. Community-led housing not taken up by those on the council’s Housing Register.	Delivery of housing. Rents to be within affordable levels. Community/ affordable housing use in perpetuity. Council to receive nominations housing people from the council’s Housing Register. Supports community-led housing delivery. Council retains freehold. Regenerates and improves local amenity at no cost to the council.

		Delivers self-build housing. Underused site developed for affordable housing.
Disposal on open market of the site.	Council loses control of HRA asset. No affordable housing.	Capital receipt would be received and private market valuation of freehold interest higher than value based on affordable rents. Receipt could be used towards affordable housing provision elsewhere in the city.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Ward members have been notified of the proposed use of this site for community-led housing. HSMB have been consulted throughout the steps of this proposal and will continue to be updated on progress.
- 5.2 In July 2020 Housing Strategy informed local residents of the intention to use the land for community led housing. This was in line with information sent to neighbours of development proposals brought forward through the council's New Homes for Neighbourhoods programme. A letter was sent to seven properties in, Southall Avenue and The Highway confirming the council's partnership working with BHCLT and that this site was proposed for community led housing development. The letter was sent jointly with Bunker and explained that they were the partner for this site and would be carrying out consultation on their proposal in due course. The properties receiving the letter are directly adjacent to or within sight of the proposed development site. No responses have been received at this time, although access to mail in trays is limited both email and telephone contacts for the Housing Strategy Team and Bunker were included.
- 5.3 Bunker have provided a schedule of community outreach which has the following stated aims:
- Listen to and inform the neighbouring communities about our co-op, our plans, our policies and the nature of the project and build.
 - Consult the neighbouring communities as part of the process to develop a clear, credible and coherent proposal, a sensitive design and construction schedule, and to build community awareness and understanding.
 - Involve the neighbouring communities through a range of mechanisms to ensure that issues and concerns are understood and considered as part of the decision-making process.
 - Collaborate with the neighbouring communities by developing partnerships. For example, encouraging local community-led plans via knowledge sharing. Housing Strategy will continue to work with Bunker in keeping neighbours informed.

- 5.4 Bunker are seeking pre-planning advice for the site and accessed the site in Summer 2020 in preparation for topographical studies etc. related to this.

6. CONCLUSION

- 6.1 The decision to grant a long lease of this site to a community led housing group will meet both housing needs in the city and make best use of HRA assets.
- 6.2 The city-wide Housing Strategy adopted by Council in March 2015 has as **Priority 1: Improving Housing Supply**, which includes a commitment to working with community housing partners.
- 6.3 The council's Corporate Plan 2020 – 2023 has a stated aim of identifying ten sites for community-led housing development, with this site contributing to this aim.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implication

- 7.1 As outlined in paragraph 1.4 in the main body of the report, it is not viable to develop housing on the site via the traditional building methods, due to the various constraints around the site. The recommendation in 2.1 is to allow the site to be leased to Bunker Housing Co-op Limited (Bunker) over a 125 year period to build up four new affordable homes, this will be subject to a financial review of Bunker. A review has been undertaken of Bunker's Business Case for the proposal and Officers are satisfied that this supports the report's recommendations and includes realistic and reasonable assumptions.
- 7.2 A financial assessment of Bunkers accounts has been undertaken by the council's Treasury management team. This assessment provided no concerns at this stage for the ability of Bunker to fulfil the lease commitment being proposed.
- 7.3 The construction of the four homes will be at a nil cost to the council with Bunker Co-op taking on all of the risks associated with the development of a self-build project, as detailed in their financial modelling and business plan. The Lease will include confirmation that all costs associated with the potential handing back and making good the site to the council at the end of the 125 year lease agreement will be met by Bunker.
- 7.4 An external valuation of the site has been carried out to ensure that the council is receiving best consideration for the site. The £0.002m cost of the external valuation has been met by the feasibility budget held by the Property & Investment team.
- 7.5 The valuation indicated that the site has a negative value for the development of 100% affordable homes with nomination rights given to the council. Current estimates are for the ground rent to be £0.001 per annum on current levels of new housing assumed.. The HRA do not currently receive any income from this site.

Finance Officer Consulted: Craig Garoghan

Date: 01/10/2020

Legal Implications:

- 7.6 Section 32 of the Housing Act 1985 prohibits the disposal of land held within the HRA without the consent of the Secretary of State. Consent can be General or Specific. The Secretary of State has issued a General Consent to obviate the need to seek consent for each and every disposal. The Consent includes the disposal of vacant land. The grant of a long lease amounts to the disposal of land. There is a general obligation on a local authority when disposing of land to achieve the best consideration reasonably obtainable. As mentioned in paragraph 3.12 this does not have to be in the form of a lump sum. Ground rent and a nominations agreement will also satisfy this obligation.
- 7.7 Legal Services will ensure that the lease includes provisions to address the matters raised in paragraph 3.16.

Lawyer Consulted:

Name Liz Woodley

Date: 08/10/2020

Equalities Implications:

- 7.8 Bunker Housing Co-operative have provided their Allocations policy and eligibility criteria which includes an equal opportunities statement. Their eligibility criteria requires a good understanding of equal opportunities and applications for membership and housing are subject to monitoring.

Sustainability Implications:

- 7.9 In order to obtain planning permission the homes will be required to meet sustainability standards for energy and water efficiency equivalent to Code for Sustainable Homes Level 4. Bunker aims to be as self-sustaining as possible making the most of all available green technologies including solar panels, grey water management, ecologically sensitive and sustainable materials, buried water storage systems and mechanical ventilation with heat recovery (MVHR).

Any Other Significant Implications:

- 7.10 None

SUPPORTING DOCUMENTATION

Appendices:

1. Photographs of the sites

Appendix 1 : Photographs of site at Natal Road, Brighton.

Street frontage of the site.



