

Housing Committee

Date: **22 September 2021**

Time: **4.00pm**

Venue **Hove Town Hall - Hybrid**

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

Contact: **Shaun Hughes**
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AGENDA

17 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.

18 MINUTES OF THE PREVIOUS MEETING

7 - 26

To consider the minutes of the meeting held on 23 June 2021.

Contact Officer: Shaun Hughes

Tel: 01273 290569

19 CHAIRS COMMUNICATIONS

20 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.

21 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 16 September 2021;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 16 September 2021.

22 ITEMS REFERRED FROM COUNCIL

To consider the following items referred from the Council meeting held on the 15 July 2021.

- (1) Petition
- (2) Deputation
- (3) Notice of Motion

23 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.

24 PRIVATE SECTOR HOUSING UPDATE

27 - 34

Contact Officer: Sylvia Peckham
Ward Affected: All Wards

Tel: 01273 293318

25 LEASEHOLD PAYMENT OPTIONS AND UPDATES

35 - 50

Contact Officer: Geoffrey Gage
Ward Affected: All Wards

Tel: 01273 293235

- 26 HOUSING ASSET MANAGEMENT IT SYSTEM REPLACEMENT 51 - 56**
- Contact Officer: Ododo Dafe Tel: 01273 293201
 Ward Affected: All Wards
- 27 NEXT STEPS - ROUGH SLEEPING AND ACCOMMODATION DURING COVID 19 PANDEMIC AND RECOVERY 57 - 68**
- Contact Officer: Sylvia Peckham Tel: 01273 293318
 Ward Affected: All Wards
- 28 HOUSING COMMITTEE WORKPLAN PROGRESS UPDATE AND HOUSING PERFORMANCE REPORT QUARTER 1 2021/22 69 - 96**
- Contact Officer: Tom Matthews Tel: 01273 293234
 Ward Affected: All Wards
- 29 TEMPORARY ACCOMMODATION EVICTIONS ANNUAL REPORT 97 - 104**
- Contact Officer: Davis, Alan
 Ward Affected: All Wards

30 ITEMS REFERRED FOR FULL COUNCIL

To consider items to be submitted to the 21 October 2021 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

31 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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FURTHER INFORMATION

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

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BRIGHTON & HOVE CITY COUNCIL

HOUSING COMMITTEE

4.00pm 23 JUNE 2021

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTES

Present: Councillor Gibson (Joint Chair), Williams (Opposition Spokesperson) and Meadows

PART ONE

1 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Councillor Meadows attended as substitute for Councillor Mears.

(b) Declarations of Interest: Councillor Williams declared she was a member of ACORN.

(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.

The Press and public were not excluded from the meeting.

2 MINUTES OF THE PREVIOUS MEETING

2.1 The minutes of the Housing Committee held on 17 March 2021 were accepted as a true record of the meeting.

3 CHAIRS COMMUNICATIONS

3.1 The Chair stated the following: I welcome everyone to the housing committee meeting taking place in a reduced attendance face to at Hove Town hall and via electronic link. This is the first time Housing committee has met like this and is intended to be a one off. It is limited by safety considerations and this means group leaders have agreed that for all committees before September debate will sadly be confined to 3 people, one from each group and will also be restricted to items for decision only. Items to note have been published in full for the public and members not able to attend in person to scrutinise and ask questions. It is pleasing to see that from the public engagement items later in this meeting -questions and deputations - residents have taken this opportunity to raise some important points and ask challenging questions. Nevertheless, we are keeping everything crossed that the next meeting in September will have full involvement of

councillors and officers. Today's agenda reflects our desire to progress the goals of the joint housing and homelessness programme as quickly as recovery from the pandemic allows. There are 4 decision items. Two reports, investment in the development of the Old Steine and Palace Place and the Windlesham House site, seek to progress towards our goal of 800 additional council homes to help address the desperate housing need in the city. The homes will be refurbished and built to ever higher sustainability standards in line with the carbon neutral 2030 goal. It should be noted that after 18 months of pandemic our challenging goal of 800 additional homes has been blown off course, but we are urgently exploring ways to get back on track.

In housing we are pleased to welcome our new colleagues who have joined the service from the former Mears Home Improvement Agency which we have now insourced following the Housing Committee decision in November 2020. These services are a lifeline for some of the most vulnerable households in the City. 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. Over 260 households were assisted with grant funding in 2019/2020. 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.

We also welcome the fact that this summer should see the council's independently procured IT system 'go live' enable direct procurement of housing subcontractors to proceed, meaning that we will no longer be relying on the Mears Waiver in order to enter into contracts for additional services required by the Repairs and Maintenance team (which came in-house in April last year). The Contractors Framework Report asks members to agree to eight lots per work-type with, in all but a couple of cases, multiple contractors for each. We anticipate that this will encourage interest from local SMEs, in line with our commitment to community wealth-building.

Also, of interest in relation to the Repairs and Maintenance team is the Fleet Procurement report. As members will be aware, when the team came in-house, the council retained the use of vehicles from the Mears fleet via a waiver. However, to continue to use these vehicles would not be consistent with this council's commitment to reducing its carbon emissions. We also wish to move away from reliance on this waiver. We are therefore proposing to move to an interim position under which we hire a fleet of the cleanest conventional vehicles available while at the same time testing a range of e-vehicles (six leased and one purchased). This means we can monitor their performance across all trades and better understand the associated charging infrastructure requirements – meaning officers will be better informed ahead of the purchase of a new fleet of electric vehicles.

Not for discussion today but of interest to leaseholders is the report on leaseholder payment options. We are aware that capital works often leave leaseholders facing large bills, so the report sets out a potential suite of payment options the council could make available to certain leaseholders who might otherwise struggle to pay. Our intention is to use the intervening months to discuss the proposals with the Leaseholder Action Group and other residents - indeed, we are grateful to those leaseholders who have already submitted comments since the committee papers were published. We intend to bring an updated report back to September Committee for decision.

Also, not for discussion is the Private Sector Housing update which attempts to set out progress. We are aware of and share the frustration of groups like ACORN and the Living Rent Campaign on progress with selective licensing but remain committed to achieving the pledges in our joint Labour-Green programme on housing and homelessness on introducing selective licensing, a council run ethical lettings agency and providing greater resources for enforcement.

We agree with ACORN's view that urgent improvements are needed to some private sector rented accommodation in the city. We also agree that several landlords need to do more to address this issue. This is why we have implemented additional landlord licensing resulting in over 4,000 houses in multiple occupation licensed or awaiting a licence. These HMO licences have enabled successes in driving up fire safety, thermal comfort and housing conditions over the last few years. We have also invested in providing extra staffing resources to enhance our Private Sector Housing team's enforcement capacity, including funding to enable enforcement of energy performance standards. This should, in time, mean reduced heating bills for renters as the homes they live in become more energy-efficient.

We are developing a not-for-profit ethical lettings agency and looking to expand and promote a good landlord scheme. As part of this, we are open to working with ACORN and landlords' representatives to adopt an ethical landlord charter.

With regards to selective licensing, the big problem is not any lack of desire on our part to improve things or a lack of belief that licensing can contribute to our actions improving private rented housing. The problem is that the thresholds the government has set for allowing such schemes are very high. The government withdrew approval for our previously proposed selective licensing scheme, citing a lack of specific evidence showing these thresholds have been met. We do not yet have the evidence we need, but we are continuing to collect evidence and work towards being able to apply for such a scheme. We are committed to working with groups in the city, such as ACORN, who may have additional evidence that could support a selective licensing scheme and would like to invite representatives of such groups to meet us at the earliest possible opportunity to discuss the evidence we need in order to progress licensing. We hope to bring a further report to September's Housing committee for decision on at least some of the pledges in the joint programme on an Ethical lettings scheme, enforcement and licensing.

Another report for noting reports on the progress achieving move on for rough sleepers and those at risk of rough sleeping housed in the pandemic. The report makes clear that in line with the aspirations in the recently adopted Homeless Bill of Rights that wherever we have the power we are seeking to sustain our "Everyone In" approach for all verified rough sleepers in order to consolidate the reductions in rough sleeper numbers, which so far have been greater than most other councils across the country.

We have funding until October to achieve longer-term move-on accommodation for those people we have accommodated under "Everyone In". It is pleasing that our work continues to be recognised with increased funding allocations and we have now acquired the 30 additional properties and let 12 of them for Housing First for complex needs rough sleepers and are going beyond our work programme target of trebling Housing First provision.

Finally, there is a performance update which covers progress against the work programme and housing management performance report showing the figures for the whole of the last year. As mentioned earlier whilst the pandemic has set back many of our targets there are some pleasing achievements, for example in 202/21 we achieved the largest number of additional council homes (144) for decades and the rough sleeper count/estimate was the lowest it has been for around 10 years.

The challenge now is to sustain progress in these areas and recover as fast as possible from the areas that suffered a setback during lockdowns. To that end, we are prioritising repairs to reduce the number of empty council properties (voids), aiming to return to pre-pandemic void levels. We are looking to bolster the repairs team by recruiting more people in part to assist with this. Home move is another area where a combination of IT and the pandemic have left a backlog and our service is not back up to what we would expect. We have taken on more staff to overcome the backlog as quickly as possible. We all hope that by the next housing committee in September we will no longer be operating under restrictions. We have a massive backlog of delayed reports from our original joint programme timetable. While we hope to catch up on some of these reports whilst still dealing with regular items, we need to take stock and review the joint work programme 2 years on and in the light of the delays caused by the pandemic. This will be a step towards agreeing a revised work programme for 2022 and beyond at a future housing committee.

So, we welcome people's thoughts and feedback about our priorities for the future.

4 CALL OVER

- 4.1 All agenda items (items 7, 8, 9, and 10) requiring decisions were called for discussion by the committee.

5 PUBLIC INVOLVEMENT

(a) Petitions: None

(b) Written Questions: 6 public questions were submitted.

5.1 Jim Deans:

<https://www.brighton-hove.gov.uk/news/2020/somewhere-safe-stay-rough-sleepers>

Press release stated on 6th April 2020... 200 meals a day were distributed by a group coordinated by BHCC to the street, this was completely untrue, a mere read at the press release shows it to be silly at best, 200 meals on the street to 50 rough sleepers? I would ask Cllr Williams who signed this off to have it retracted. These meals were "distributed to accommodation". As a voluntary group Sussex Homeless Support worked tirelessly through the last 18 months unfunded by BHCC but FAKE credit to others is not what the volunteers wish to read.

Jim Deans (Founder) Sussex Homeless Support

Response:

Thank you for your question. The article you refer to relates to April 2020 when we are still at the early stages of the pandemic and arranging food to both people, we had been able to bring into accommodation from the street; those from congregate accommodation and also provide food to those still on the street, in addition to others in emergency accommodation who did not have access to cooking facilities.

In that first lockdown people had to stay at home as much as possible and we facilitated this as quickly as possible working with partners and others in the city in a combined effort. This was a colossal mobilisation to arrange both accommodation and food for a substantial amount of people under challenging conditions and was significant achievement.

5.2 Beki Turner

Are there any plans for BHCC to reinstate the sanctuary scheme in the near future?

Designed to prevent some survivors of domestic abuse from becoming homeless through the provision of security works, local authorities nationally are currently able to increase security in homes through a range of measures. This includes lock changes, fire safety measures and security maintenance.

I am aware that BHCC's sanctuary scheme has not been running for over two years now, meaning that for those who wish to stay in their home, there is often no option but to flee.

This can sometimes be extremely detrimental in terms of leaving behind informal/formal support networks, for example.

Additionally, the cost of emergency accommodation or alternative accommodation can be potentially very costly for BHCC in comparison to funding these safety measures.

Response:

Thank you for your question. Brighton & Hove City Council did operate a sanctuary scheme designed to install or enhance security measures in order to keep someone safe in their home.

The council are currently undertaking a needs assessment to identify gaps in service provision in relation to safe accommodation for victims/survivors of domestic abuse.

Thank you for highlighting the sanctuary approach and we will certainly consider the benefits of a sanctuary scheme as part of that piece of work.

Supplementary question: With regard to the domestic abuse bill what plans do the council have to support survivors in their own home.

Response: The Executive Director – Housing Neighbourhoods & Communities commented that the subject of the domestic abuse bill needs to be assessed and the council will be looking at all aspects of the issue.

5.3 Lara Hockman:

I understand that since October 2020 four individuals, who have been moved by BHCC Housing to accommodation in Eastbourne, have died.

Can the council confirm that a mortality review of these deaths has, or will, take place in line with Point 13 of the Homeless Bill of Rights (recently adopted within the Homelessness & Rough Sleeping Strategy 2020-25), quoted as: *"The right to life requires public authorities to take measures to preserve life. When people who are homeless (including people in emergency accommodation) die, the Council is committed to ensuring that their deaths are recorded as such, and that in each case there is a reasonably public investigation in order to understand the causes of death and what might have prevented it"*, and in line with the council's previous commitments to mortality reviews of homeless deaths as outlined by Cllr Brennan in 2019 *"We [BHCC] are one of the first local authorities to set up a mortality review process which began in April this year. An investigation is now carried out following the death of anyone who rough sleeping, accommodated in emergency or temporary accommodation or living in supported housing designed to meet the needs of single homeless and previously rough sleeping people. We will make sure the findings are used to develop help for those in need."*

If reviews have not taken place or not intended to take place can you explain why?

Response:

Thank you for your question.

Brighton and Hove has one of the highest levels of homelessness and rough sleeping in the country. The shortfall in available suitable accommodation means that the council must look outside of the city for additional emergency accommodation. These factors have been exacerbated by the Covid-19 pandemic. The response to 'Everyone In' resulted in the city taking responsibility for around an extra 400 single people in emergency accommodation, above our normal numbers. We currently have over 800 households in emergency accommodation in total. In our drive to improve conditions we are providing more and more emergency homeless accommodation ourselves and enhancing the contractual requirements for other providers in the next contract

As of 18 June, we have 119 clients in emergency accommodation in Eastbourne, a figure we are committed to reduce. This has fallen from a figure of over 200 in February 2021.

Sadly, owing to the number of clients accommodated, some of whom have multiple and complex needs, and despite support available from our Welfare Officers and other agencies, there have been some deaths in this emergency accommodation.

Deaths of clients placed in emergency accommodation through the 'Everyone In' policy are referred via the Homeless Adult Mortality Review procedure so that we can understand the circumstances and any lessons to be learned.

The reviews themselves are also reported to the Safeguarding Adult Board. Unfortunately, during the Covid-19 pandemic there have been delays in reviewing cases. As we move into the post-Covid recovery phase, these case reviews will be revisited, including the individuals you note above. There will be a report reviewing evictions from emergency homeless accommodation at September's housing committee and this will provide an opportunity to update on case review progress then.

5.4 Sally Duffy

The Homelessness Reduction Act 2017 places a duty on the council to develop and agree with all persons which are homeless, or at risk of becoming homeless, a personalised plan of the steps that will be taken to prevent or relieve homelessness. It is our understanding there are individuals housed in temporary or emergency accommodation since March 2020 who still have not received a personalised plan.

Can the council tell us how many people are currently regarded homeless or at risk of homelessness in Brighton & Hove, and of those people how many have been provided and supported with a personalised support plan. Could the council outline the current process of putting these plans together (e.g., what contact is there between 'client' and local authority, particularly in cases of vulnerable people with multiple and complex needs) and what the turnaround time for implementing these personalised plans is?

Does the council feel that the current process and turnaround time is appropriate to fulfil their statutory duty, if not, what is being done to address this?

Response:

Thank you for your question. We currently have over 2,000 households in placed temporary and emergency accommodation. These households will be at various stages of the council assessment process, up to and including acceptance of a duty to accommodate. In accordance with the Homelessness Reduction Act 2017 requirements, a Personal Housing Plan (PHP) is developed between the client presenting as homeless or threatened with homelessness and the council; effectively a road map to stop the client becoming homeless or find housing if they've already lost their home. The PHP is a collaborative process and is dependent on the client agreeing and signing up to their individual pathway.

During the Covid-19 lockdown, the majority of PHPs were conducted by phone or email, and for those clients accommodated as part of 'Everyone In' conducted face-to-face in a Covid secure environment in the hotels. As the lockdowns have eased, we have returned to limited appointment only face-to-face casework in the customer service centre at Bartholomew House, again in a Covid safe environment.

The PHP is the foundation of early homelessness prevention and is key to successful intervention & tenancy sustainment. The turnaround time for completion of PHPs varies, as it relies upon positive and timely engagement by the client, and the council is

committed to supporting clients with multiple and complex needs throughout this process.

We are currently reviewing our systems and recording of Personal Housing Plans, including as a percentage of people housed, to enable us to report on this in future.

We have responded to the unprecedented housing demand caused during the Everyone In period and are currently reviewing all clients to ensure their casework is complete and they have a positive move-on pathway. Resources are being made available to undertake this review and complete this task.

If you are aware of clients who you believe are eligible but have either not completed their PHPs or not signed them, I would be grateful if the details of these clients are passed to the council in order for these cases to be reviewed.

5.5 David Thomas

At a national level, the number of people found by local authorities to be homeless **increased** slightly in April 2020-March 2021 compared to the same period before the pandemic¹, despite the eviction ban and other pandemic protections for renters. It is disappointing therefore to note that homelessness preventions in Brighton & Hove decreased over the same period from 791 in the previous year to 598 (item 57 3.8).

With the end of these protections and of furlough predicted to produce a massive increase in numbers becoming homeless, can you assure us that prevention is now the priority?

¹ Observer 13 June

<https://www.theguardian.com/society/2021/jun/13/at-least-130000-households-in-england-madehomeless-in-pandemic>

Response:

Thank you for your question.

Homelessness prevention is a key workstream within the Homelessness Reduction Act and is a priority within the Housing Service. Given the challenges presented during the Covid lockdowns the prevention numbers in 20/21 are a remarkable achievement. The Housing Service is now gearing up to deal with the challenges of the post pandemic housing market. This includes collaborative working with the Department of Work & Pensions and partner agencies within the city to ensure every opportunity is taken to sustain households in their current accommodation and prevent homelessness.

In discussion with landlords and agents throughout the city, we are working to ensure there is no significant increase in evictions with the ending of the moratorium on private rented sector eviction proceedings. The Housing Service work with both landlords, tenants and other agencies to sustain tenancies, and have plans in place specific to the issue of arrears built up during the Covid-19 lockdown period. These plans include looking at options for developing a scheme that may underwrite help with arrears in return for a commitment from the landlord not to evict

Supplementary question: When will bulletins be reinstated by the council.

Response: The Assistant Director of Housing commented that it is proposed that bulletins will be reinstated as soon as possible.

5.6 Daniel Harris

In agenda item 13 the council quote Covid 1 and Covid 2 verified rough sleepers assisted, from the everyone in and the extension of this provision.

Could the council please provide full details of all grants the council has received?

*please note: These should include the name of the fund how much was provided and from where and a brief summary of what the money is provided for, please can you be clear and break the figures down into the two categories mentioned above.

Response:

Thank you for your question.

There is no grant for those people termed as Covid 2. We named them Covid 1 and 2 to differentiate those which we received grant funding for and those which we didn't. Covid 1 are defined under the grant awarded by MHCLG which was ringfenced for those people who were homeless or at risk of homelessness up until 30th September 2020 and those subsequently verified as rough sleepers. Covid 2 are those who were assessed as at risk of rough sleeping after 30th September 2020 and hence are not covered by the grant. This grant information has been comprehensively detailed in our regular reports to Housing Committee with an update provided in the Next steps - Rough Sleeping and Accommodation during Covid 19 Pandemic and Recovery report which has been circulated to note ahead of this Housing Committee.

The Covid related grants are:

- Next Steps Accommodation Programme (NSAP) 2020/21: £3,426,766 revenue funding. The council were also awarded a grant of £500,000 to contribute towards the on-going costs of emergency short term accommodation at the start of 2021/22.
- The council agreed at P&R on 28th April 2021 to use £2.043m of Containment Outbreak Management Fund (COMF) grant to go towards the ongoing costs of housing those bought in under the 'Everyone In' initiative in hotels.
- The council has also applied for the Rough Sleeper Accommodation Programme (round 1) funds and expects confirmation of a grant over the next few weeks

The council have received no other grants to date specifically directed for people accommodated due to Covid-19.

Supplementary question: Can the council confirm that everyone in the Everyone In programme was spoken to and surveyed for needs and support.

Response: Councillor Gibson considered that each individual's journey was important, and the Homeless Reduction Board will consider this matter. The council are over stretched; however, the council are committed to support all.

The Assistant Director of Housing commented that the council were looking at all resources and taking a Covid safe approach.

(c) Deputations – Three deputations have been received.

1. Deputation concerning Student Rent Strikes and Student Accommodation

Spokesperson Billie Krish withdrew the deputation before the meeting after the agenda had been published.

2. Deputation concerning the Homeless Bill of Rights for Brighton & Hove

Spokesperson David Thomas

The Homeless Bill of Rights movement started in the USA ten years or more ago. In Europe, FEANTSA, the umbrella organisation for homelessness organisations, became increasingly concerned by trends towards criminalising and excluding homeless people, and they launched their own version in 2017.

We, Brighton & Hove Housing Coalition, very much liked the European Homeless Bill of Rights, which was drawn up in consultation with organisations of homeless people. It is a compilation of basic rights from European and international human rights law made highly specific to the situation of homeless people. It starts with Article 1, which is a restatement of the right to a home. It does not seek to accept or institutionalise homelessness; that there is homelessness is already a breach of this fundamental right.

It also contains some highly specific rights. No-one should ever be forced to sleep rough. Everyone should have access to sanitary facilities and fresh water. Homeless people should have the same right of access to public spaces as everyone else. There should be respect for their privacy and data, and they should not be discriminated against.

After consultation with our local rough sleepers, with FEANTSA's agreement, we amended the European document a little to make the English more colloquial without changing the meaning, and we added two extra Articles; the right to respect for belongings and the right to have the deaths of homeless people recorded and investigated.

On 28th October 2018 the Brighton & Hove Homeless Bill of Rights was launched, at the Sunday Street Kitchen and at Brighthelm Centre. All three local MPs and Arch Healthcare sent supportive messages and Lloyd Russell-Moyle MP joined us at the

Street Kitchen. Our much missed chair, Steve Parry, chaired the launch, and Maria Jose Aldanas of FEANTSA and Jamie Burton of Just Fair came and spoke in support. Many of the councillors presently serving the city were present, from Labour, Green and Conservative parties. Both the Green and Labour Parties pledged to adopt the Homeless Bill of Rights in their manifestos. Following the election, we presented a petition with more than 2,500 signatures to Full Council on 25th June 2019, which was welcomed by speeches from all three parties. Accordingly, the Council Plan 2019-23 states that “We will ... adopt a Bill of Rights for homeless people”. The Homeless Bill of Rights was incorporated into the Homelessness and Rough Sleeping Strategy 2020-25 as an aspiration and a standard against which the Council and its partners will judge its policies and practices.

The Homeless Bill of Rights comes before Full Council now for adoption. It has been accepted by officers, the legal department, and the Housing Committee. Last autumn, it had been adopted by nine European cities, including Barcelona and Santiago de Compostela in Spain and Gdansk in Poland. Since then, it has been sweeping through Greece, where 35 cities (including Thessaloniki and Korinthos) have so far adopted it; as they say, “for these municipalities, endorsing the bill is only a starting point for continuous commitment, improvement, and engagement to defend rights of homeless people”.

Councillors, it is time for the City of Brighton & Hove to become the first UK city to adopt the Homeless Bill of Rights!

Response:

The Chair thanked the spokesperson and invited David Thomas to address the committee.

David Thomas noted the deputation was not heard at the last full council, although the bill was adopted on 25 March 2021. It was considered that the bill needs to be used as a standard and noted that the bill was not referred to in the Next Steps report on the agenda for noting. The Homeless Reduction Board need also to use the bill. It was also stated that the bill handbook should be used to assist the council.

The Chair confirmed to Councillor Meadows that the council has adopted the bill and noted that tents occupied by the homeless were an issue and agreed that personal belongings should be respected. Tents would be stored safely if a person was removed for any reason.

3. Deputation ‘I need my own front door’.

Spokespersons: Rebecca Rieley, Gemma Harfleet

Lived Experience from female living in supported accommodation, her voice shared.

I was placed in a large mixed hostel in Brighton after leaving rehab, at the time I was grateful to not be rough sleeping but after 3 years hostel living ruined my life. I am writing this from prison after feeling the only way out was to commit crime. I had been on

a waiting list for lower support housing for over a year but had had enough and no longer felt able to cope living in a hostel.

As a female I was often surrounded by men that scared me and had to share living space, bathrooms and dining rooms with. I was scared to show feminine side of myself as this would have drawn more attention to me and felt unsafe. I constantly felt on edge and this is exhausting, the only way I knew to survive was to use drugs to block this out, but this would lead to more danger. I felt conditioned, it took my identity and privacy. I lost my living skills as I didn't need to cook and had little responsibility so felt all I had was drugs and it is detrimental to people. I was a young carer for my mum and brother as a child and had my own accommodation after, so I have always had responsibility until placed in hostel. Living in a hostel took away my belief that I could be independent again and institutionalized me.

My drug use really increased in hostel and this become barrier to moving on but the only way to survive hostel living is to block it out. I witnessed regular fights and violence, self-harm, deaths, overdoses and severe mental health which was a trigger for me. There is so much sadness, grief and trauma felt by everyone and we are all pit together and its chaos. I am very triggered by anger and violence so at times would hide in my room for days as it felt so unsafe to go out. I felt like I lost my voice as no one was listening to my struggles or had quick solution to situation as there are few options.

Housing ask people to be stable and reduce/stop drug use before they can move on, but have you ever tried to live in this nightmare. At night you can hear shouting, crying and people in distress just like in the day and you feel vulnerable all the time and can't sleep or relax so you take something to help you sleep. I hate confrontation but was surrounded by it all the time and people changing in and out of hostel with their own struggles and agendas.

I did things I never thought I would in order to stay safe and survive hostel, since being in prison I have had time to reflect and think about what I want. I have been able to re-connect with family with support and am re-locating out of Brighton for my recovery. I never want to go back to hostel living, I have got my life back on track. I am now re-gaining my identity and able to be feminine again as I am not around lots of males. I am not using drugs and starting to think about future volunteering and supporting other women with similar experience.

What I feel would have worked better is housing first model, where I would have had a home and own front door. This would have given me privacy and ability to say who comes in, I would have kept my living skills and receive support. It's so sad that I felt my only way out was prison, but it has worked for me but have added to criminal record. If I had my own place sooner, I could have got my recovery so much sooner and reconnected with family, who have also witnessed my addiction and struggles.

Please consider this experience, which I know is shared by most women living in hostels when housing women and their safety. I would love to see the end of large hostels as they ruin lives not support them as people end up stuck for years giving up hope of a better life.

Thank you for giving me a voice.

Response:

Thank you for bringing this deputation. It raises some really important points about the kind of accommodation that is used by the council and how suitable it is, particularly for women in mixed hostels. It is concerning to hear a woman's perspective of the experience of living in such supported accommodation in the city. Thank you for sharing this with Committee today. It is difficult to comment in detail without knowing specific details of the accommodation in question and the needs of the individual.

We would be happy to follow this up with the client direct to understand more about her experience and lessons we can learn from this.

We do commission 19 units specifically for women, these came online in 2017 specifically to address the needs of women being supported in a single-sex environment.

With regard to Housing First, our Housing Committee Work Plan recognises the value of having your own private space and commits the council to treble Housing First provision.

We are making good progress with this. We have and are commissioning more Housing First and Housing led supported accommodation. Last year we purchased 30 flats under the Home Purchase Scheme using grant from the Next Steps Accommodation Programme for use as Housing First. The first 12 of these have been let and the remaining 18 are just having refurbishment completed and will be ready for letting at the end of June/early July. We are also looking to purchase a further 18 properties over the next 12 months funded through the Housing Revenue Account and are hoping for an additional 12 if successful for additional capital grant from government under the Rough Sleepers Accommodation programme – with revenue funding for support for all 30 properties as Housing led support until 2023/24.

This will provide a total of 60 units in addition to those that are provided through our existing social housing. Whilst Housing First and Housing led support models we are committed to; they are not suitable for meeting the needs of all our clients and so we will still need supported accommodation with on-site support staff so that we can provide for the range of needs of single people that become homeless.

We will be shortly starting to consider the commissioning plan for future years and identifying what we need to provide differently to reflect the changing landscape of need, particularly post pandemic. The experiences expressed in the deputation will help us in the process, thank you.

6 ISSUES RAISED BY MEMBERS

- a) Petitions – None
- b) Written Questions – None.
- c) Letters – None.

d) Notices of Motion – Two motions were submitted.

6.1 Covid Related Rent Debt

There is mounting evidence that as direct consequence of Covid, a significant number of Brighton and Hove residents are in rent arrears. This is resulting in poverty, insecurity and inevitably for many, homelessness. It is critical that this is addressed urgently.

Housing Committee instructs the Executive Director of Housing, Neighbourhoods and Communities to:

1 - prioritise the current investigation into the use of additional approaches to alleviating rent debt, such as extending housing discretionary payments and/or providing no interest loans, and report back to members of the Housing Committee as a matter of urgency

2 - write to Robert Jenrick MP Secretary of State for Housing, Communities and Local Government to request Government funding and support to fund the alleviation of Covid-related rent debt.

Proposer - Councillor David Gibson
Seconder - Councillor Gill Williams

6.2 Councillor Williams introduced the Notice of Motion.

6.3 Councillor Meadows noted that £50m has been paid to the council during the pandemic and that some people had been furloughed and some had lost their jobs and the benefits recovery was ongoing. The councillor asked that those who lost their jobs be considered first.

Vote

6.4 The Notice of Motion was agreed unanimously.

6.5 Private Rental Sector Improving Conditions and Standards

The private rented sector is a disproportionately large sector and is an important source of accommodation for a large number of households covering many different income scales, from basic accommodation through to luxury end. There is a major concern that some of the accommodation, particularly at the lower end of the market where vulnerable households may reside, is not safe and not well managed. Therefore, it is imperative that we take steps to address this.

This motion moves that:

1 - the Committee restates its commitment in the joint housing and homelessness programme to work towards introducing selective landlord licencing in the City of

Brighton and Hove as soon as is possible. We note that a previous licensing scheme was blocked by the secretary of state, but we believe the need for a scheme remains.

We will therefore ask officers to seek evidence and learn from other local authorities where selective licencing schemes have been introduced and will invite tenants' representatives (such as ACORN) to provide evidence for further investigation by the Council.

2 - the Committee restates its joint programme commitment to introduce a not-for-profit ethical lettings agency.

3 – The committee will work with Acorn and other stakeholders to draft an ethical landlords' charter.

Proposer - Councillor Gill Williams
 Seconder - Councillor Martin Osborne

6.6 Councillor Williams introduced the Notice of Motion.

6.7 Councillor Meadows noted that ACORN was not part of the council and was informed that the motion was to let people see that the council are working on the issue. Landlords across the city who have not been achieving will be encouraged. It was noted that ACORN are not developing the council's policies. The council are supported by other organisations.

Vote

6.8 The Notice of Motion was agreed by a vote of 2 with 1 abstention.

7 HOUSING REPAIRS & MAINTENANCE CONTRACTS

7.1 The Head of Repairs & Maintenance introduced the report to the committee.

Questions

7.2 Councillor Meadows was informed that the Northgate Housing contract will be going live on 19 July 2021. It was noted that access to empty properties has not been possible during lockdown, lack of supplies and social distancing guidelines have also had an impact. Only urgent items have been attended to which has created a backlog which is being managed. Performance of contractors is monitored by the council Maintenance & Repair service. Contractors need to be in place to start void works. The Procurement Advisory Board (PAB) have considered the item and the committee are the decision makers. The councillor was also informed that the limit of spending was not set by PAB and that emergency sub committees can be called to investigate overspends.

7.3 Councillor Williams was informed that works carried out on properties were overseen by the council and a review is to commence soon so quality can be looked at and standards raised.

Vote

7.4 A vote was taken, and by 2 to 1 the committee agreed the recommendations.

RESOLVED:

- 2.1 That Committee approves the procurement and award of a four-year multi contractor framework agreement for the specialist works as described in paragraphs 4.2 and 4.3 of the report
- 2.2 That Committee grants delegated authority to the Executive Director of Housing, Neighbourhoods and Communities to take all necessary steps to implement recommendation 2.1 and to award call-off contracts using the framework.
- 2.3 That Committee approves the tendering of Asbestos Surveys via the Council's Construction Related Consultancy Dynamic Purchasing System (DPS).
- 2.4 That Committee approves the use of the Council Highways Works Framework for road surfacing works required in Council managed Housing car parks and garages.

8 HOUSING REPAIRS & MAINTENANCE FLEET PROCUREMENT

8.1 The Head of Repairs & Maintenance introduced the report to the committee.

Questions

8.2 Councillor Meadows was informed that the 122 vehicles to be leased included 6 'E' vehicles. It was noted that total costs come in at less than Mears and the annual costs were shown in the report added together.

Vote

8.3 A vote was taken, and by 2 to 1 the recommendations were agreed.

RESOLVED:

- 2.1 That Housing Committee approve the proposal to lease an interim fleet of up to 119 vehicles for a period of a minimum of 1 year.
- 2.2 That Housing Committee agrees to purchase three specialist drainage vehicles, including associated fittings and equipment.

9 OLD STEINE AND PALACE PLACE APPROPRIATION FROM GENERAL FUND TO HOUSING REVENUE ACCOUNT

9.1 The Head of Housing Repairs & Improvement introduced the report to the committee.

Questions

- 9.2 Councillor Williams was informed that the engagement process in July would include vulnerable people and the engagement process would be on going through out the development of the site. Lettings will be carried out carefully through the management plan and security will be installed via CCTV.
- 9.3 Councillor Meadows was informed that the building was considered to be dilapidated at the moment. The building has been within the council ownership for some time and the condition will be looked at via a full structural survey. The structural survey report, confirming the building to be acceptable, will be shared with the committee. The alleyway to the rear of the building will be looked at in the near future and will be covered by the local letting plan. CCTV will be around the whole building. It was noted that the General Fund will receive money back from the project. The build costs and price of the property are included in the £2.660m stated in the recommendations. The high costs will be reflected in the high quality of the units in development.

Debate

- 9.4 Councillor Williams stated they supported the recommendations.
- 9.5 Councillor Meadows noted there was a shortage of materials due to the pandemic and the costs were going up. The councillor requested that the build is looked at carefully with regard to costs.
- 9.6 Councillor Gibson stated that each unit in the development would cost approximately £240,000 and they would be constructed to a high standard. The councillor hoped the units would not cost more. The councillor supported the recommendations.

Vote

- 9.7 A vote was taken, and by a vote of 2 to 1 the committee agreed the recommendations.

RESOLVED:

- 2.1 The Housing Committee:

Recommends to Policy & Resources Committee that it agrees to proceed with Option A (the appropriation and development of a 100% affordable, 11-home housing scheme to meet demand for temporary accommodation).

Recommends to Policy & Resources Committee that it approves a budget of up to £2.660m to be included in the HRA capital programme for 2021/22 financed by HRA borrowing, right to buy Receipts, general capital receipts and HRA reserves.

Recommends to Policy & Resources Committee that it delegates authority to the Executive Director of Housing, Neighbourhoods and Communities to appropriate 62-63 Old Steine & 3-4 Palace Place from the General Fund to the Housing Revenue Account and agrees that the General Fund is compensated by £0.890m.

- 2.2 The Policy & Resources Committee:

Agrees to proceed with Option A (the appropriation and development of a 100% affordable, 11-home housing scheme to meet demand for temporary accommodation).

Approves a budget of up to £2.660m to be included in the HRA capital programme for 2021/22 financed by HRA borrowing, right to buy Receipts, general capital receipts and HRA reserves.

Delegates authority to the Executive Director of Housing, Neighbourhoods and Communities to appropriate 62-63 Old Steine & 3-4 Palace Place from the General Fund to the Housing Revenue Account and agrees that the General Fund is compensated by £0.890m.

10 NEW HOMES FOR NEIGHBOURHOODS - WINDLESHAM HOUSE

10.1 The Estate Regeneration Project Manager introduced the report to the committee.

Questions

10.2 Councillor Williams was informed that parking and one unit would be lost to the development if a community space was included in the proposals. The viability of the project would be affected if the number of units were reduced. It was noted that there are several community spaces in the area.

10.3 Councillor Meadows was informed that the rents would not be decided at this committee meeting and the local rents were cost effective regarding the business plan model.

Vote

10.4 A vote was taken, and unanimously the committee agreed the recommendations.

RESOLVED:

Housing Committee:

2.1 That the proposals to demolish Windlesham House and develop 17 new council homes at Windlesham Close, Portslade, under the NHFN programme be approved: and

2.2 That it be agreed that the project proceeds through the City Build Partnership, the council's Strategic Construction Partnership with Morgan Sindall.

2.3 That Policy & Resources Committee be recommended to approve a capital budget of up to £5.300m to be included in the 2021/22 HRA Capital Programme and financed by HRA Borrowing, Land Release Grant funding and HRA capital receipts.

Policy & Resources Committee:

2.4 That a HRA Capital budget of up to £5.300m financed by HRA Borrowing, Land Release Grant funding and HRA capital receipts be approved, to be included in the 2021/22 HRA Capital Programme.

The following items for Noting were not discussed at the committee meeting.

- 11 PRIVATE SECTOR HOUSING UPDATE
- 12 LEASEHOLD PAYMENT OPTIONS AND UPDATES
- 13 NEXT STEPS - ROUGH SLEEPING AND ACCOMMODATION DURING COVID 19 PANDEMIC AND RECOVERY
- 14 HOUSING COMMITTEE WORKPLAN PROGRESS UPDATE AND HOUSING PERFORMANCE REPORT QUARTER 4 AND END OF YEAR 2020/21
- 15 ITEMS REFERRED FOR FULL COUNCIL
- 16 PART TWO PROCEEDINGS

The meeting concluded at 18.42

Signed

Chair

Dated this

day of

Subject:	Private Sector Housing Update Report		
Date of Meeting:	22nd September 2021		
Report of:	Executive Director for Housing, Neighbourhoods & Communities.		
Contact Officer:	Name:	Sylvia Peckham	Tel: 01273 293318
	Email:	sylvia.peckham@brighton-hove.gov.uk	
Ward(s) affected:	All		

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

- 1.1 Improving the quality and management of homes in the private rented sector over the period 2019-2023 is a key area of focus in the Housing Committee Work Plan. The Housing Committee Work Plan (Housing Committee, 18 September 2019) includes the following key actions in relation to improving private rented sector homes:
- a) Review and resubmit selective licensing scheme proposal to improve the management and standards of private rented sector homes in the city.
 - b) Develop the enforcement approach to private sector housing to reflect the full range of potential options available to improve management and standards.
 - c) Research and develop a “not for profit” ethical letting agency to enable vulnerable people and others to obtain private rented accommodation and to be supported to retain a tenancy.
- 1.2 An update was provided to Housing Committee in June 2021 and this report provides further update on those three areas.

2. RECOMMENDATIONS:

- 2.1 Housing Committee note the updates on progress against key elements of the Housing Committee Work Plan objectives to improve the quality and management of homes in the private rented sector as set out in this report.
- 2.2 Housing Committee note the expansion of the existing Private Sector Housing enforcement team, as outlined in paragraph 3.1, and that the service will assess the impact of the Private Sector Housing Enforcement Policy and new legislation in this area.
- 2.3 Housing Committee note that, as outlined in paragraph 5.1, officers will seek to support renters to understand what legal remedies are available to them under the Private Sector Housing Enforcement Strategy, including any provided by new legislation in this area.
- 2.4 Housing Committee request a review of the current national position with regard to selective licensing designations to better understand the current context within which any approvals are being given. Identifying the resources that are required to undertake this work to be considered.

- 2.5 That Housing Committee agrees the re-purposing and expansion of the Direct Lets scheme as an ethical letting agency incorporating Good Landlord standards. Any additional costs arising as a result of these changes will be brought back to committee for approval.
- 2.6 That Housing Committee notes the funding required to explore and scope the feasibility of a broader based ethical letting agency proposal. This will require an estimated budget of £0.100m.
- 2.7 That officers urgently develop options for sustaining tenancies where a tenant with arrears faces eviction and could become homeless

3. CONTEXT/ BACKGROUND INFORMATION

Progression delivering the enforcement approach

- 3.1 The private rented sector is a disproportionately large sector in Brighton and Hove comprising around 30% of the total housing stock in the city. This compares with the national average figure of approximately 15%. In some city wards the private rented sector makes up over 50% of households. The private rented sector is an important source of accommodation for a large number of residents across a range different income groups. The council wish to ensure that such accommodation is safe and well managed. There is a concern that some of the accommodation, particularly at the lower end of the market where vulnerable households may reside, does not adhere to minimum standards.

In February 2020, Budget Council agreed additional funding of £0.150m for the Private Sector Housing Team to enable more proactive approach to enforcement. This work was not possible during most of 2020 due to the restrictions owing to the Covid 19 pandemic. The recruitment process for additional officers is now underway. Alongside this, further funding of £0.045m was identified to enable enforcement of the Energy Performance Certificate standards to ensure private rented properties achieve minimum national standards. Recruitment to this post is also underway. We anticipate officers being in post for all positions by November 2021.

We propose to continue to seek to engage with private rented sector residents and representative groups such as Acorn, to ensure that they have knowledge of our Private Sector Housing Enforcement Policy and access to the Private Sector Housing service in order that we can work with them and landlords to ensure properties are safe and well managed. We propose to monitor the impact of the enhanced enforcement approach.

Selective licensing

- 3.2 The council currently license 4,099 Houses in multiple occupation (HMOs) citywide (HMOs licensed or awaiting licence). The Housing Act 2004 has given councils the power to introduce selective licensing of private rented properties not covered by an HMO licensing scheme to improve conditions for tenants and the local community in certain specific circumstances. This would primarily cover properties occupied by single family units. Circumstances include where significant and persistent anti-social behaviour and / or poor property condition can be demonstrated to the extent required by the legislation. All but very small Selective Licencing schemes require approval by the Secretary of State. Following review of evidence, including independent research commissioned by

the council and undertaken by Mayhew Harper Associates Ltd (MHA), followed by comprehensive consultation, proposals to introduce a Selective Licensing Scheme in 12 wards in the city received cross party Housing & New Homes Committee support in November 2017. Following a legal challenge, the Secretary of State withdrew approval for the previously proposed scheme to designate 12 wards in the city as subject to selective licensing. The cost of the independent research commissioned from MHA was £27,300, the cost of consultation for a selective licensing scheme identified in the relevant Finance comments at that time (04/11/2016) was £0.020m.

3.2.2 In view of the previous response of the Secretary of State and risk of judicial review, any evidence supporting a further proposed scheme needs to be robust. We have considered available evidence to support a scheme in addition to undertaking a targeted private sector stock condition survey of a sample of properties to establish the evidence base on the basis of property conditions. This includes receiving information from third sector stakeholders. The information supplied by the voluntary sector was of some assistance (it identified approximately 80 complaints across the city around disrepair), but the legal advice is that it would be subject to challenge as further detail is required to ensure it is robust if used to support consent for a selective licensing scheme and so has limited weight.

3.2.3 In June 2021 Housing Committee requested we continue to explore this option further. In the first instance we propose to undertake a review of the current national position with regard to selective licensing designations to better understand the current context within which any approvals are being given. This review will include peer review of other local authorities; current government information and approach; and any relevant independent studies and / or research. Undertaking this review will require an additional resource. It is proposed to consider this resource requirement and any funds that may be available with Budget Review Group. Once this review of the national position has been undertaken a further report will be provided to Housing Committee to enable consideration of the current context within which any selective licensing approvals are being given. Should the position as outlined in Legal comments (paragraph 7.5) change in relation to the large deficit in evidence to support an application, in order to enable members to consider a robust evidence base to support and agree any consultation on selective licensing, a broader report that would support an officer recommendation to committee in favour of consulting on a selective licensing scheme would then be required. This would encompass consideration of a more thorough level of evidence commissioned via an independent expert in order to commence any meaningful consultation on any selective licensing proposals and to withstand the high risk of challenge in the form of a Judicial Review anticipated from landlords who would be impacted. In considering the Legal advice on the level of evidence that is required, and in view of the requisite Secretary of State consent for any larger scheme and likelihood of challenge, an independent report including review of evidence, such as the one undertaken by Mayhew Harper for the previously submitted scheme is required. Despite the comprehensive independent evidence base provided by Mayhew Harper, previously, the Secretary of State consent was withdrawn from the proposed scheme based on their evidence.

- 3.2.4 The independent evidence commissioned from Mayhew Harper cost us £27,500 and we anticipate that the current costs of a similar piece of work to be £50,000.
- 3.2.5 There is currently no funding identified to commission a report and any subsequent consultation, which we estimate would cost in the region of £0.100m, this would include the independent research, meeting the consultation requirements (we previously commissioned an independent consultancy to ensure robustness of approach and results) and officer resource required to support this. Given current Legal advice that, having reviewed current available evidence, it is unlikely we would reach the bar for selective licensing consent and / or defend the anticipated challenge, and that the previous report which provided substantial evidence, was not successful, it is considered that there is a high risk that pursuing an independent review of evidence at this time may not be an effective use of resources.

Ethical Letting Agency

- 3.3 Ethical letting agency - to enable vulnerable people and others to obtain private rented accommodation and to be supported to retain a tenancy.
- 3.3.1 The council has operated a Direct Lets scheme for some time which has been expanded over recent years, details this were set out in the report to Housing committee in June 2021.
- 3.3.2 The Direct Lets scheme operates on ethical letting principles which we aim to develop and expand further. The service includes:
- i) Tenancy workshops for potential tenants setting out tenancy rights and responsibilities. These are held every week and have been developed with input from landlords.
 - ii) A Deposit Guarantee. This means that the council effectively holds the deposit and can negotiate if there is a claim at the end of the period to ensure it is fair.
 - iii) Financial incentives to landlords to mitigate potential risks of initial rent arrears whilst benefit is assessed and put into payment.
 - iv) Financial incentives to tenants to purchase belongings such as a bed/bedding, crockery etc to make accommodation a home.
 - v) Intensive management support for the first three months of a tenancy to ensure both landlord and tenant are helped to set up the tenancy well at the start including help with utilities etc.
 - vi) Ongoing support as needed by either landlord or tenant to ensure the tenancy is sustainable.
 - vii) Minimum property accommodation standards checked by the council.

This scheme is successful and held up nationally as good practice. It could be rebranded into an Ethical Letting Agency with enhanced good landlord standards for participating landlords.

- 3.3.3. Alternatively, if a broader ethical letting agency model is proposed, including accessibly to the general public, this would necessitate further scoping for which resources would be required. There are legal and commercial implications that would need to be explored to avoid the risk of unfair competition using public

funding as well as financial and IT systems development to support such an agency. Advice to scope out such a proposal would require funding. Such an agency would be a substantial undertaking requiring a team to develop and implement the proposed agency in addition to the resources required to progress from inception into operational business and to manage the agency going forwards. It is also noted that there are currently in existence local authority led ethical letting agencies, that have been subject to some challenge, a risk that necessitates greater preparation and cost being incurred, to avoid the same issues. The estimated resource requirements for specialised advice and project officers suggest a budget of £0.100m to commence exploration. Further funding of a team would subsequently be required should there be a decision to set up and develop an agency.

Preventing evictions

- 3.4 Now the eviction ban has been lifted it is anticipated that more evictions from the private rented sector may have an adverse impact on the city and homelessness. The council has written to landlords urging them not to evict and contact the council for assistance in sustaining tenancies. Officers will review options to continue to support prevention of homelessness that may arise from evictions from the private rented sector.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Enforcement - We have a statutory duty to enforce standards in the private rented sector. In some circumstances, we have a duty to act, whilst in other circumstances we have powers to act. These are outlined in the Private Sector Housing Enforcement Policy and incorporated into the procedures.

4.2 Selective Licensing

Based on the information available and collated to date, there is currently a large deficit in the evidence required to demonstrate that there is a significant problem which can only be addressed by way of a selective licencing scheme. At this time, neither property conditions or anti-social behaviour provide enough evidence to support a recommendation to commence consultation on the introduction of a selective licensing scheme. If the council were to proceed with a scheme without robust evidence of the need, there is high risk of challenge from landlords.

The council also needs to explore how new legislation is having an impact and how tenants can be empowered to help themselves under the Homes (Fitness for Human Habitation) Act 2018 and applying for Rent Repayment Orders. In addition, the council will assess the impact the of the new powers, including Civil Penalties. One of the issues which emerged from the data supplied by Acorn, was the apparent lack of knowledge of tenants as to their legal rights.

Officers cannot recommend commencing consultation on a Selective Licensing Scheme at this time as the available and commissioned evidence we currently have does not support it. To commission a broad independent survey to enhance that previously commissioned, which resulted in an unsuccessful application, cannot be recommended by officers at this time based on the

information in this report. The alternative option is to assess the impact of the enforcement policy and new legislation in this area. Also, to support renters to understand what legal remedies are available to them.

- 4.3 With regard to an ethical letting agency. Alternatives to rebranding the Direct Lets scheme will require a significant investment to scope out and obtain legal, commercial, financial and IT advice to develop the options.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 We will continue to seek to engage both with tenants and landlords and with representative organisations such as Acorn, in particular to support renters to understand what legal remedies are available to them under the Private Sector Housing Enforcement Strategy, including any provided by new legislation in this area.

6. CONCLUSION

- 6.1 The evidence considered does not currently support a recommendation to proceed with consultation on a selective licensing scheme. However, we aim to use existing powers, enhanced by new legislation and resources, to carry out effective enforcement activity. In addition, we will keep information and engagement with private rented tenants under review in order to support renters so that they are empowered to also take action to resolve any matters relating to the management and standards of their homes.
The council has an effective direct letting scheme operating on ethical letting principles which we aim to develop and expand further in our development of an ethical letting agency.
To explore either of the above options more fully requires significant funding and would not necessarily result in the outcome being sought.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 As part of the council budget setting 2020/21, Budget Council approved extra investment of £0.150m to enable the private housing team to have a more proactive approach to improving standards in the private rental sector by enforcement of landlords. Budget council in February 2021 also agreed a further £0.045m to enable enforcement of the Energy Performance Certificate standards to ensure private rented properties achieve minimum national standards on energy efficiency.
- 7.2 The costs of commissioning an independent report to gather evidence to support a new selective licensing scheme together with the consultation required is estimated to be in the region of £0.100m. The council were unsuccessful in implementing a selective licensing scheme a few years ago when the Secretary of State withdrew approval for the previously proposed scheme to designate 12 wards in the city as subject to selective licensing. The legal advice is that having reviewed current available evidence, it is considered unlikely that we would reach

the bar for selective licensing consent and / or defend the anticipated challenge, Therefore, given the history and the current legal advice, the cost of commissioning this piece of work represents a high risk to public money that would not meet the test of value for money at this time. There is currently no budget for this work and therefore this would cause a budget pressure. Recommendation 2.4 mentions the need for resources to research the current national position with regard to selective licensing designations to better understand the current context within which any approvals are being given. Resources required to undertake this research will need to be identified to enable this to go ahead.

- 7.3 Setting up an ethical lettings agency that includes accessibility to the general public would also require expert advice including the commercial and legal implications and advice on the possibility of challenge from commercial organisations about unfair competition. The report estimates costs for this advice to be in the region of £0.100m for which there is currently no budget. There is also the risk that the costs of running such an agency could be significant for the council. The council is currently overspending in 2021/22 and has a significant budget gap for 2022/23. Given the risks involved and the financial position of the council, commissioning this expert advice is not considered to be good value for money at this time.
- 7.4 The expansion of the current direct lets scheme (recommendation 2.5) has not been costed and if any additional costs arise, a further report to this committee outlining the costs of such a scheme will be needed.

Finance Officer Consulted: Monica Brooks

Date: 13/9/21

Legal Implications:

- 7.5 In terms of selective licencing, there is still a large deficit in evidence to support an application.

In terms of the ethical letting scheme, this will need to be fully explored. While there is a legal basis for creating the scheme, it has to be done in such a way so as to avoid legal challenge in its formation and also ensure that it is able to function in a way which means it is fully compliant with all statutory provisions

*Lawyer Consulted: Simon Court
2021.*

Date: 1st September

Equalities Implications:

- 7.6 The private rented sector provides accommodation for a range of people. At the lower end of the market, some of the most disadvantaged groups may be living and so by having a proactive enforcement policy and ensuring minimum electric energy performance standards (MEES), standards will be improved for those people.

Sustainability Implications:

- 7.7 The MEES are intended to ensure that private rented accommodation can be adequately warm but also is energy efficient. This contributes towards reducing carbon emissions.

Subject:	Leasehold Payment Options and Updates		
Date of Meeting:	22 September 2021		
Report of:	Executive Director Housing, Neighbourhoods and Communities		
Contact Officer:			
	Name:	Geof Gage	Tel: 01273 293235
	Email:	Geofrey.gage@brighton-hove.gov.uk	
Ward(s) affected:	All		

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Brighton & Hove City Council is responsible for keeping our residential blocks of flats in good repair including, where necessary, carrying out major works. Leaseholders are responsible for meeting the relevant costs of works under the terms of their leases so long as:
- The costs are reasonably incurred
 - The works are carried out to a reasonable standard
 - The consultation requirements have been complied with
- 1.2 Where substantial repairs and improvements are carried out to blocks this can mean that leaseholders contributions are significant.
- 1.3 The council has a range of payment support options available to support leaseholders with payments for works. The current payment support options are set out in this report. The report notes potential changes that could be made to the current payment support options.
- 1.4 The report also updates on a number of other areas of leasehold management and engagement including our satisfaction survey of leaseholders, the introduction of additional consultation with tenants and leaseholders ahead of major works and how the council will be working with tenants and leaseholders to review quality of works and address any issues as part of the end of each project.
- 1.5 Following the report to Housing Committee on 23 June 2021, this report updates Housing Committee on consultation with Area Panels (week commencing 16 August 2021) and Leaseholder Action Group meeting (19th August 2021) on potential changes that could be made to the current payment support options.
- 1.6 The report notes that the outcome of the recent consultation with the Leaseholder Action Group and Area Panels will need to be considered and a full review of the financial, legal and other implications of the points raised in relation

to proposed changes to the leaseholder payment options undertaken. It is therefore proposed that a further report will be brought to the next meeting of Housing committee to enable an informed decision.

2. RECOMMENDATIONS:

- 2.1 That committee notes the outcome of the consultation with tenants and leaseholders on proposals to make changes to the leaseholder payment options.
- 2.2 That committee note that the full financial, legal and other implications of the points arising from the consultation will need to be considered and recommendations arising from consultation on changes to the leaseholder payment options will be brought to the next meeting of Housing Committee to enable an informed decision.
- 2.3 That committee notes the progress in other areas of leasehold management as detailed in section 5 of this report.

3. RELEVANT BACKGROUND INFORMATION:

- 3.1 Brighton & Hove City Council owns around 2,900 leasehold flats across the city. Under the terms of their leases, leaseholders are responsible for paying the service charge which is a proportion of the costs incurred by the council for the works and services at their building. This includes but is not limited to:
 - Repairs to the exterior, structure or common parts
 - Major works and improvements, e.g. lift replacement, window replacement, refurbishment or insulation
 - Services to their building such as cleaning or grounds maintenance
 - Management charges
- 3.2 The term 'major works' normally refers to works that cost individual leaseholders more than £250. Where this applies the council is legally required to undertake a formal consultation process – section 20 consultation under the Landlord and Tenant Act 1985. These are typically capital works undertaken to the block.

4. Extending the Payment Options

- 4.1 The current payment options were put in place to assist resident leaseholders who could not afford the major works charges and who may be put in a position of having to sell their property to meet these costs. The options were designed to particularly assist those who had sufficient equity in their properties but had low or fixed incomes to enable them to stay in their homes.
- 4.2 The scheme was not intended to provide the same options to all leaseholders as it was likely that those who sub-let and received market rate rents for the properties could fund major works through other sources. There has been some leaseholder consultation feed-back that this may not be the case for every non-resident leaseholder. It is also important to balance the interests of leaseholders with those of tenants in considering how to plan and pay for major works.

- 4.3 In recent years there have been enquiries from a small number of non-resident leaseholders regarding the possibility of extending the payments options to them as their circumstances were such that, while non-resident, they may be in financial hardship. An extension of the policy in these cases would be of benefit to those leaseholders. It is estimated this would be of benefit to a very small number of leaseholders, at most possibly 3 to 5 a year. The council has checked with other local authority landlords to see if they operate a payment support option for non-resident leaseholders in this way but have not been able to identify any similar schemes.
- 4.4 This report sets out how the current payment options scheme could be extended to any non-resident leaseholders for whom this is the only property they own where all other options to meet the cost of the works have failed, with evidence provided of refusal of a loan from at least two specialist mortgage lenders. As a result of our leaseholder consultation, we have had feedback that this could also be extended to consider application where the property and potentially their permanent residence are the only properties they own. In addition, there has been some leaseholder feedback that asking for evidence of refusal of a loan may adversely impact upon a non-resident leaseholder's credit rating. Each case would need to be subject to an individual financial assessment at the time of the application.

While proposals may seek to restrict the flexible payment options to those leaseholders with just one property, we would need to consider the potential additional complexity in operating a scheme in this way as it would need to deal appropriately with considerations around the legal form in which a non-resident leaseholder may hold a property. Non-resident leaseholders may hold and / or transfer properties they own via different forms of company or other legal arrangements, which may make it difficult for the council to ascertain how many properties are in the ownership of one leaseholder. The intention of the policy is to support leaseholders where they are in genuine cases of hardship.

- 4.5 In addition it is proposed that the council considers working with leaseholders to offer a mix of extended payments options if this better suits the leaseholder's circumstances. For example, the leaseholder might opt for spreading some of the outstanding sum over a five-year interest period while taking an equity loan for the remainder. If a leaseholder faced a bill for, say, £18,000, and the value of their property at the point of the loan was £250,000, then an equity loan would be for 7.2% of the value at resale (after 10 years). If they could repay £8,000 over a 3-year interest free payment at £222 approximately per calendar month and then secure the remaining £10,000 on an equity loan, the share of the value owed to the council would reduce from 7.2% to 4% at resale.
- 4.6 The payment options available to both resident and non-resident leaseholders and potential changes to this are set out in Table 1 below.

Table 1 – Payment options for leaseholders (a tick denotes the availability of the option).

No.	Payment Option	Available to Resident Leaseholders	Available to Non-Resident Leaseholder	Potential change for non-resident leaseholders owning one property
1	A mortgage lender (if any) may add the amount to an existing mortgage	√	√	√
2	A loan from a private lending institution such as a bank or building society	√	√	√
3	Leaseholders over 60 may be entitled to help from the Pension Centre	√	√	√
4	Leaseholders of working age may be entitled to help from Income Support	√	√	√
5	An interest-bearing council loan to spread the cost for up to ten years for any major works bill over £1,000 or five years for over £500	√	√	√
6	An interest-only loan from the council for those of pension age, even this option may be impossible for some leaseholders on a low fixed income	√	√	√
7	A formal agreement can be made to spread the payment over a maximum of 12 months	√	√	√
8	<p>Equity Loans</p> <p>The loan will be secured on the property to which the service charge relates and charged at the Land Registry. The charge on the property is expressed as a percentage of the value of the property. The loan will be paid back either when the property is sold or earlier if the leaseholder wishes to. The amount paid back is dependent upon the valuation at the time of sale of the property.</p>	√	X	√
9	<p>Maturity Loans</p> <p>This is where a loan is agreed to fund the value of the works and a charge is placed on the property. The loan will attract interest. When the property is sold the value of the loan plus interest is repaid to the Council. There is no maturity date for the loan so it can carry on indefinitely. It will be paid either when the property is sold or earlier if agreed.</p>	√	X	√

10	Long-term interest-bearing loans up to 25 years These are interest bearing loans over 25 years offered by the council and work in the same way as any other commercial mortgage.	√	X	√
11	Extending the interest-free repayment option from 12 months to a maximum of 5 years, depending on the loan amount. This is where the Council makes a formal agreement with the leaseholder to repay in monthly instalments over a specified period without adding interest. Further information shown in table 2 below.	√	X	√

Payment option 8 – equity loans

- 4.7 In order to process applications for extended payment options, particularly Equity Loans, a current market valuation of the property needs to be obtained, this is currently undertaken by the council’s contracted valuers.
- 4.8 Valuations are normally carried out at the point of application which can be some months after both completion of the works and in some cases the invoices being sent to leaseholders.
- 4.9 A formal valuation is required to calculate the amount of equity the council will be taking in the property as this needs to be registered as a legal charge against the property to secure repayment of the “loan”.
- 4.10 There has been confusion regarding equity loans, with these being confused with Equity Release schemes operated by the financial institutions. An explanation of the scheme the council operates is set out below.
- 4.11 To give an example:

Loan requested £	£26,248.83
Costs £	£330
Total Loan amount £	£26,578.83
Property Valuation	£165,000
Loan to property value (%)	16.11%
Agreed Equity loan share (%)	0-5 years: 17.11% 5-10 years: 16.61% 10 + years: 16.11% (To be capped at BHCC average borrowing rate + 0.25%)

- 4.12 The amount of the outstanding Invoice, in this case £26,248.83 and the legal and valuation costs are wrapped into the total sum and this is calculated as a percentage of the flat value. 16.11%. If the flat is sold after 10 years, the council will recover 16.11% of new sale price. So, if it is sold for £200,000 the council will receive £32,220. The difference would be checked to see if that total is more than the council average borrowing rate over the period plus 0.25% (to pay for the administration costs of such a loan), if it was then the repayment would be capped at the lower figure.
- 4.13 The formula allows 1% to be added to the interest if the property was sold in the first five years, and 0.5 % in years 5 to 10. This protects the council against possible short-term losses if the housing market dips. However, any gain by the council at the point of sale is capped so that the maximum sum gained is equal to the interest on the loan at the council average borrowing rate plus 0.25%.
- 4.14 The equity loan is payable in full upon the death of the leaseholder. In the case where an equity loan has been granted to joint leaseholders it will be repaid on the death of the last surviving owner. This would be the same if the equity loan was made available to non-resident leaseholders.
- 4.15 The current value of the Equity Loans held by the council is £554,081 and a further £82,279 is covered by Maturity Loans/Voluntary Charges.
- 4.16 Payment Options 9 and 10 relate to interest bearing loans. In compliance with the 1985 Housing Act, the council must charge the higher of the Council's average borrowing rate or 'Local Average Rate' (LAR), and the Standard National Rate (SNR). Historically, the LAR has been higher than the SNR (currently 3.13%) so it is generally the case that this is the rate used for leaseholder loans. This rate is updated every six months. The rate for the 6 months from 1 April 2021 is 4.06%. While the council must charge these rates in compliance with the Housing Act, leaseholders may be able to find other loan arrangements from commercial lenders which will have different terms and conditions and rates.

4.17 Payment Option 11 - Interest-free repayment

4.18 Table 2 below shows the interest free repayment periods available for loan amounts.

Table 2 – Interest free repayment period

Loan Amount	Interest-free repayment period
Up to £2,000	12 months
£2,000 - £5,000	24 months
£5000 - £10,000	36 months
£10,000 - £15,000	48 months
£15,000 +	60 months

As part of our consultation, a leaseholder suggested the interest-free period should be extended to account for higher bills and applied retrospectively to those with higher monthly payments. How we would make such a definition and the potential costs and risks of this would require a full legal and financial appraisal should members wish to explore this suggestion further.

- 4.19 The payment support options have been in place since 2012 and there have been 98 applications for payment options. The table below sets out the take up of the various payment support options.

Table 3 – Take up of payment options since introduction in 2012 as at March 2021

Support option	Number of leaseholders
Paid by the Pension Service	3
Current Equity Loans	25
Current Maturity Loans/Charges	5
Interest bearing loans	56
Currently in progress	3
Loans redeemed/Paid/Property Sold	2
Payment Options not pursued	4

4.20 Discretionary Reduction of Service Charges

- 4.21 The Social Landlords Discretionary Reduction of Service Charges (England) Directions 2014 gives the council the discretion to reduce major works charges. This is for cases of extreme hardship. The government has issued guidance on how to comply with these directions.
- 4.22 If a leaseholder makes an application under this discretion, the case needs to be considered on its merits, taking into account whether the dwelling is the leaseholder's only home, their financial resources, their ability to pay over a longer period of time, the impact on the value of their home and other matters. Consideration of exercising any further discretion would require legal and financial review.
- 4.23 The landlord would be likely to be considered reasonable by the courts if it also took into account how any reduction of charges fits with the legislation or other rules under which it operates and, in particular, the balance between exercising its discretion to reduce service charges and its general fiduciary duty to local taxpayers and others, including its tenants.
- 4.24 Since the introduction of the Directions the council have received 4 applications for discretionary reduction in service charges from 3 leaseholders, with one being the same case which was considered twice.
- 4.25 None of the applications have been approved due to the availability of the extended payment options available to resident leaseholders.

4.26 Major Works Charges

4.27 The table below shows a summary of major works charges included in the 2019-2020 Certificates of Expenditure sent to leaseholders in September.

Table 4 – Major works charges (2019/20)

Total Major Works Charges	£2,779,289
Number of Major Works Charges	657
Average Major Works Charge	£4,230
Total Major Works Charges £10,000 - £20,000	£707,639
Number of Major Works Charges above £10,000 - £20,000	55
Average Major Works Charge £10,000 to £20,000	£12,866.17
Total Major Works Charges over £20,000	£1,121,435
Number of Major Works Charges above £10,000 - £20,000	39
Average Major Works Charge above £20,000	£28,754.76
Highest major works charge	£44,649.21

4.28 Service Charge Dispute Procedure

4.29 The disputes procedure has been set up to remedy; incorrect service charges, charges the leaseholder does not believe to be reasonable or any billed works or services which have not been carried out to a reasonable standard. Only charges that have been billed can be credited as part of a dispute and therefore this is separate from a claim for compensation. The council manages compensation claims in line with the corporate complaints process and guidance and there is a compensation policy in place to support this.

5. Further updates on leaseholder engagement

5.1 As we mobilise our new Planned and Major Works Contracts we will review how we are meeting our continued commitment to the practical measures to improve engagement with leaseholders agreed at Housing & New Homes Committee in June 2018 following an earlier leaseholder engagement review. Practical measures to improve engagement with leaseholders supported by Committee are outlined in Appendix 1.

Leaseholder satisfaction Survey

5.2 The council regularly surveys leaseholders around their satisfaction with the services offered to leaseholders. The last survey was undertaken in 2013.

5.3 The council have worked with ARP Research to design and undertake a new survey. The survey is in line with the STAR (Survey of Tenants and Residents) survey model undertaken in the regular survey of tenants with additional specific questions for leaseholders.

- 5.4 The leaseholder satisfaction survey was posted out to leaseholders on Friday 5th March. The second postal run went out on 26 March, and the final deadline for responses was the week commencing 19 April. The report will be finalised shortly.
- 5.5 The council will produce a summary of results and share this with the Leaseholder Action Group.

Communication with residents on Major Works

- 5.6 The council has been developing programmes for planned and major works and will be publishing these on the council website later this year. The programmes will then be updated each quarter to reflect any changes to delivery. The programmes will also be shared with residents through the Home Service Improvement Group and the Leaseholder Action Group. As part of our consultation, a leaseholder fed back that that the council should keep leaseholder representation and information sharing under review to ensure it is inclusive and effective.
- 5.7 Details of the practical measures to improve engagement with leaseholders agreed at Housing & New Homes Committee in June 2018 following an earlier leaseholder engagement review are outlined in Appendix 1. We will keep our continued commitment to these measures under regular review. We have now introduced a procedure detailing how we will keep residents informed and engaged around major works. This includes a robust method of informing residents of proposed works and includes meetings with all residents, suitable and adequate consultation and improved methods of communication carried out to improve the engagement experience for all residents. Key commitments are set out from 5.9 below.
- 5.8 Under the new framework for major projects, residents will be invited to be involved at the mini-competition stage to look at the quality aspect of the contractors' bids and to meet with the Major Works Team in the evaluation of tenders on the project for their property.

Managing major works

- 5.9 As detailed above and in Appendix 1 the council will be communicating with leaseholders and tenants before proposed major works and introducing a procedure to keep residents informed about progress throughout.
- 5.10 We have reviewed how we engage with tenants and leaseholders before, during and after projects. We will ensure that meetings are held, that there is suitable consultation carried out and newsletters provided to improve engagement with residents. Tenants and leaseholders will be invited to get involved at the mini-competition stage to look at the quality of the contractors' bids. Residents of the property that is the subject of the works will be invited to join the Major Works Team in the evaluation of tenders on the project for their property.

- 5.11 The council will work with Resident Inspectors on the programme to examine the quality of work throughout projects and specific council contact points will be shared with leaseholders and tenants so any issues can be raised during projects. The work of Resident Inspectors compliments but does not replace the work undertaken by our professional qualified council staff.
- 5.12 Following completion of any major work, we will be inviting residents to carry out a post completion 'walk around' of the project. This will show the work completed and allow for the recording of any observations and will be led by council quality assurance staff.
- 5.13 Surveys will also be undertaken where all residents will have a say in identifying any issues following works to their property.
- 5.14 The council will track all issues. We will keep these under review through Key Performance Indicators, applying to council performance as well as that of contractors, which we will continue to develop in consultation with tenants and leaseholders and regularly report as appropriate either on a scheme-by- scheme basis or via our more formal Performance Reports to Area Panels, Leaseholder Action Group and Housing Committee. This will include an escalation process to ensure that contractors take ownership and manage any issues through to a satisfactory conclusion, keeping residents apprised throughout the process.
- 5.15 Comprehensive reporting for planned and major works will be produced for residents through the Home Service Improvement Group which is focused around the Home and repairs, maintenance and planned works delivered by the Housing service. In addition, performance indicators will be reported through Area Panels and Housing Committee as part of the quarterly Housing Performance Report.

Lease Extensions and Home Purchase Policy

- 5.16 Leaseholders have asked whether charges for lease extensions could be waived if there was a commitment to sell the property back to the council at some point under the Home Purchase Policy. More details on the Home Purchase Policy are outlined below.
- 5.17 Lease extensions are governed by statute, namely the Leasehold Reform, Housing and Urban Development Act 1993, Section 42. This allows for a leaseholder to obtain a statutory 90-year extension of their existing lease. Landlords can informally agree to extend leases by the 90-year period, however, as a local authority our Legal Team only operate through the formal statutory process.
- 5.18 Lease Extensions and the Council's Home Purchase Policy are two independent processes, neither relies on the other. Of the 131 lease extensions applications received since October 2014, only two properties have ever been offered back under the Home Purchase Policy.

- 5.19 The council's procedure, in common with many public sector bodies, is to only process extensions of the lease in line with the Leasehold Reform Housing and Urban Development Act 1993. This is a formal procedure which requires the serving of a legal Notice on the council and a subsequent negotiation on the cost of extension. The charge for lease extensions is set at market rate by our valuer.
- 5.20 Lease extension values are calculated in line with legislative requirements.
- 5.21 It is not viable to operate a scheme whereby lease extension fees were refunded if a property is subsequently purchased by the council under the Home Purchase Policy. In this case the valuation for the offer price under the policy would reflect the extended lease and therefore be valued accordingly. It would not then be appropriate to refund the cost of the lease extension.
- 5.22 Other South East housing providers were contacted, and 9 responses were received. All apart from one, who had not yet completed a lease extension, charge not only the premium, but legal and surveying fees on top.
- 5.23 The Leasehold Reform, Housing and Urban Development Act 1993 permits the council to charge fees for lease extensions and the council is simply reclaiming expenditure it has incurred, and it is due. The charge is £1,000 per application but on occasion may reduce the fees to £800 if the same person has more than one property or where a solicitor is acting for several leaseholders at the same time.
- 5.24 The surveyor's fees which are on average about £600 are paid in addition to legal costs, if this amount is not charged then the Housing budget would need to fund this aspect.
- 5.25 Leaseholders on average have to pay a premium of around £3,000/£3,500 to extend their lease, for the financial year 2019/2020 approximately 41 lease extensions applications were made so this would potentially be a loss to the housing budget of £133,250 taking an average premium of £3,250. Extending the length of the lease is likely to increase the value of the property to the leaseholder should they wish to sell.

Home Purchase Policy

- 5.26 The council's Home Purchase Policy has proved an effective way of increasing the supply of affordable housing in support of the council's target to achieve 800 additional council owned homes by March 2023. Since the scheme began in 2017, 126 homes have been purchased under Home Purchase Policy (as at 3rd September 2021). Any former council homes brought under the Right to Buy is subject to the Right of First Refusal for 10 years. This means that if the property is due to be sold it must be offered back to the council first, who will consider whether it wishes to exercise the right. The council also encourages any other owners of former council owned homes where this right doesn't apply to approach the council if they are thinking of selling their property. The council pay market prices, subject to valuation and approaching the council direct saves on agency fees. Further information on the scheme and its criteria is available on the council's website.

Non -resident leaseholders also have the option of leasing their homes back to the council for use as temporary accommodation for households to whom we owe a housing duty.

6. COMMUNITY ENGAGEMENT

6.1 The extension of the current policy has been the subject of discussions with the Leaseholders Action Group who have made the following suggestions for consideration.

- Extended payment options be available to non-resident leaseholders.
- An opportunity to mix options together.
- Interest rates: can we review the rate and set out how it's calculated as it seems high.
- Appropriate timing of valuations relating to equity loans – related to major works. Protections that are in place as well.
- Some leaseholders fed back that they felt support should not be available to some cases of non-resident leaseholders operating as businesses.
- Update on hardship policy and the use of this.

6.2 These issues have been considered and covered in this report.

6.3 Officers have continued to work with the Leaseholders Action Group, Area Panels and the Home Service Improvement group on the items covered in this report. A further update was provided to the Leaseholder Action Group following the report to Housing Committee on 23 June 2021.

6.4 As part of our consultation exercise, the following key points arose from presentation and discussion at Area Panels (week commencing 16th August 2021) and Leasehold Action Group (19th August 2021).

Area Panels

- The proposal to provide a mix of payment options to an individual leaseholder when considering a major works charge was positively received.
- The processes for managing major works was well received and comments were made around improving the quality of financial information provided and detail around works.
- A request was made to look further into the council's approach to lease extensions and whether this could be done less formally.
- A comment was shared that the charge for lease extensions was too high or inappropriate.
- The fact that lease extensions and the council's home purchase policy should be considered as clear and separate process was supported.
- A leaseholder at one Area Panel was positive about the report and where they live. They felt it was good that the council gives a range of payment options as some bills can be unmanageable and it was important for the council and leaseholders to not be too fixed in their position or viewpoint.

Leasehold Action Group

- The attendees wanted the terminology to be clearer in the report – clarify differences between residents, resident leaseholders and non-resident leaseholders.
- A leaseholder wanted to highlight the range of people who are non-resident leaseholders, and that the council should not treat them all like wealthy landlords. The leaseholder felt circumstances can still be difficult for non-resident leaseholders and that individual circumstances should be considered.
- A leaseholder wanted to know why non-resident leaseholders could not be means tested and use that as a basis for consideration of payment options.
- It was suggested that the council review whether the council can be flexible about the leaseholder's status and whether a means testing option can be considered.
- A leaseholder wanted leeway within the policy with an appeals system to be looked at by councillors for difficult cases and advised that there could be a case of someone spending retirement money on several flats all facing Major Works costs.
- It was highlighted that Table 2 in the report was unclear and the table did not cover how high the bills could get as it only went to £15,000.
- A leaseholder wanted a longer interest free period for higher bills.
- A leaseholder was concerned that the equity loan could lead some leaseholders into negative equity – especially recent purchasers. His view was that the council could collect at any point and did not need to put charges on the property.
- It was fed back that lease extensions should be separated out from payment options.
- A leaseholder requested the requirement that, in order to be accepted for an equity loan, the applicant must provide proof they cannot get the amount added to their mortgage or similar other loan.
- A leaseholder fed back that they considered that the council had not implemented all the measures included in Appendix 1, '*Practical measures to improve engagement with leaseholders – Details from Housing & New Homes Committee report (18 June 2018)*'.
- Leaseholders asked for a portal on the new housing management system so that they could access information about their blocks directly.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Extending the payment options to non-resident leaseholders who own no other properties will allow a small number of leaseholders (possibly 3-5) to access further payment options from the council. The option with the largest cost to the council is the interest free loans for up to 60 months. Based on 5 leaseholders with loans of £20,000 each, the council is foregoing interest payments of approximately £21,000 if they were to access this interest free option rather than an interest-bearing loan over 5 years. For those wishing to access the equity loan scheme, the council takes a risk for each loan of this type offered. If house

prices reduce between the point of loan and sale of the property, the equity share the council receives may not cover the loan amount with a nominal interest. However, if house prices increase, the council will make a small margin on the equity loan.

- 7.2 The recent consultation with the Leaseholder Action Group and Area Panels will need to be considered and full financial and other implications of the points raised will be brought to the next meeting of Housing committee to enable an informed decision.

*Finance Officer Consulted: Monica Brooks, Principal Accountant
Date: 03/09/2021*

Legal Implications:

- 7.2 As is clear from the report, there is an unconsolidated statutory framework regulating the type of assistance local authorities may make available to leaseholders. It is essential that the council operates within that framework. Any changes to leaseholder payment options will need to be reviewed from a legal perspective, as well as a financial one.

Lawyer Consulted: Liz Woodley

Date: 08/09/2021

Equalities Implications:

- 7.3 Individual circumstances of leaseholders are carefully considered as part of the payment options process.

Sustainability Implications:

- 7.4 There are none.

Crime & Disorder Implications:

- 7.5 There are none.

Risk and Opportunity Management Implications:

- 7.6 This report considers potential revisions to the payment support options for leaseholders. As set out in 4.4 the intention of the policy is to support leaseholders where they are in genuine cases of hardship. Changes to the payment support options would need to ensure that intention was maintained and that any scheme dealt with the additional complexity. It would need to deal appropriately with considerations around how leaseholders hold a property, leaseholders with mixed portfolios of properties and a range of ownership and transfer risks.

Public Health Implications:

- 7.7 There are none.

Corporate / Citywide Implications:

7.8 There are none.

8. EVALUATION OF ANY ALTERNATIVE OPTION(S):

8.1 Payment options could remain as they are, however, this would mean that non-resident leaseholders in financial hardship could not access the payment options.

9. REASONS FOR REPORT RECOMMENDATIONS

9.1 This report has been formed in consideration of potential changes to payment options that require further consultation and consideration. It also updates on leaseholder services more generally.

SUPPORTING DOCUMENTATION

None

Appendix 1

Practical measure to improve engagement with leaseholders – Details from Housing & New Homes Committee report (18 June 2018)

Following a councillor working group on leaseholders a Leaseholder Engagement report was considered at Housing & New Homes Committee on 18 June 2018.

Committee agreed the following practical measures to improve engagement with leaseholders and supported their implementation.

- An agreed project plan for high cost works that includes engaging with tenants and leaseholders impacted by the works comprehensively from an earlier stage and which involves engagement at key stages such as project initiation, condition survey, options, consultation, pre-commencement, snagging and sign-off.
- Move to individual letters to tenants and leaseholders (both resident and non-resident) giving regular works updates and covering critical stages of projects such as condition survey, condition report, initial specification and cost, delays, commencement, alerts on scaffolding, progress, completion, snagging and the service charge.
- A named council officer for each project with the status and autonomy to resolve issues as they arise.
- The opportunity for leaseholders and tenants of blocks where high cost major works are undertaken to participate in commissioning structural surveying services, joining inspections and overseeing snagging of completed works.
- Create a new position of Leaseholder Liaison Officer to meet and spend time with leaseholders when problems arise and to improve communications. We will consult the LAG committee on the Job Description for recruitment to the post.
- Consult with LAG committee and the councillor working group on a new council leaseholders handbook.

- Consult with the LAG committee and the councillor working group on the next full leaseholders' satisfaction survey (proposed to be carried out in tandem with the next tenants' STAR survey).
- Ensure consideration of more accessible repairs information for leaseholders through the new IT system for Housing.
- Involvement of tenants and leaseholders in consideration of options for the delivery of repairs and maintenance services after 2020.
- Undertake workshops with officers, leaseholders and councillors to monitor progress. Improve the communication of the planned maintenance and investment programme that is published on the council's website to allow continuous updating and information to individual buildings.
- Include a customer service improvement element to the leasehold management training sessions that are rolled out across council staff and contractors.

Subject:	Housing Asset Management IT System Replacement
Date of Meeting:	22 September 2021 7 October 2021 – Policy & Resources Committee
Report of:	Executive Director Housing, Neighbourhoods & Communities
Contact Officer Name:	Ododo Dafe / Mo Lawless Tel: 01273 295975
Email:	Ododo.dafe@brighton-hove.gov.uk mo.lawless@brighton-hove.gov.uk
Ward(s) affected:	All

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

- 1.1 The Council Housing Revenue Account (HRA) Asset Management Strategy acts as a link between Housing Strategy priorities and investment programmes and reflects the Housing Committee Work Plan 2019-23. The key objectives of the current Asset Management Strategy are to:
- Provide a framework for investment and maintenance of homes and neighbourhoods to provide safe, good quality housing and support services.
 - To invest in zero carbon initiatives to support the city's commitment of becoming carbon neutral by 2030.
 - Ensure financial viability of the HRA in the long and the short term.
- 1.2 An asset management IT system is required to manage stock information on various asset types, including dwellings, blocks, garages, plant, and equipment. It is used to record details of the asset, the life of the asset and its components, to record the condition of assets and plan future investment and repairs.
- 1.3 The Housing service is seeking approval to delegate authority to the Executive Director, Housing, Neighbourhoods and Communities to procure a new asset management IT system and award a contract to the preferred supplier. A compliant procurement process to replace the current Rowanwood asset management IT system (APEX) is required and the council needs to ensure it is getting the best value for money and is using the most efficient system to manage its council housing stock.

1.4 We require the asset management IT system to:

- i) Hold key information on housing assets to enable the council to plan, resource, fund and manage the condition of all its assets, for example estates, blocks of flats, individual properties, and property elements such as boilers and water heaters.
- ii) Give an in-depth, real-time view of the council's housing stock information in one place, and enable timely, confident, and accurate decision making in forecasting and financial planning.
- iii) Ensure properties meet current legislative, compliance, regulatory and corporate standards with efficient and effective automated processes.
- iv) Support the council in delivering on its' asset management strategy and the council's objective of being carbon neutral - linked to energy and environment sustainability.

1.5 This report also seeks approval of the estimated project costs required to procure and implement a new asset management system.

2 RECOMMENDATIONS:

2.1 Housing Committee agree and then recommend to Policy & Resources Committee:

2.2 That the Executive Director Housing, Neighbourhoods & Communities is granted delegated authority to:

- i) Procure a new asset management IT system for the councils' housing service.
- ii) Award a contract with the preferred supplier for a period of five years, with an option to extend by two years subject to satisfactory supplier performance.

2.3 Approval of a £0.515m budget to be added to the Housing Revenue Account (HRA) capital programme for the project's procurement and implementation activity.

3 CONTEXT / BACKGROUND INFORMATION

Strategic Approach – IT and Housing

3.1 As previously reported to Housing Committee, key to the Housing service IT transformation programme is the replacement of the councils' lead housing management system. The first phase of this work was implemented in July 2021. Other priorities include to replace the current works management system provided by Mears as part of the repairs insourcing, and to replace the asset management system. In procuring a replacement asset management IT system it is important that there is an interface with other Housing IT systems.

3.2 The following corporate and departmental principles and priorities are driving Housing's IT transformation programme:

- i) A **Modernising Council** - to have effective and efficient IT solutions that are robust and integrated in delivering services, streamlined to improve customer services, provide value for money and technological innovation.
 - ii) Our **Customer Promise** – having joined-up integrated systems ensures services are provided right first time to improve customer satisfaction.
 - iii) To **‘Make our city carbon neutral by 2030’** – good asset information will help the Council plan for and meet the challenges of retrofitting its housing stock to contribute to being carbon neutral by 2030.
 - iv) To **‘Improve access to good quality housing - a city to call home’** – robust information and data management will help manage risk and ensure compliance.
- 3.3 The current contract with Rowanwood is an interim arrangement to allow time to carry out the procurement and project implementation activity.
- 3.4 Procuring a new system presents opportunity to modernise and deliver automated and more efficient ways of working. A new system will provide better mobile working capabilities for staff and contractors as well as improving our asset management data and interfacing into other housing systems, bringing information together to better manage strategic planning and provide full active asset management functionality whilst also ensuring effective day-to-day management and maintenance. This will support greater intelligence-based asset management decisions giving a greater understanding of the needs of our customers and their homes.

Procurement Approach

- 3.5 Procurement advice has been sought to ensure that the Council achieves value for money and is compliant with both The Public Contracts Regulations 2015 and the Council’s Contract Standing Orders (CSOs).
- 3.6 The procurement route being explored is a competition via an existing national framework agreement, such as the government’s G-Cloud, which would allow us to meet the requirements of the Council Contract Standing Orders. This route is where pre-qualification of providers has been completed by the framework provider to offer a quicker and efficient approach. The suppliers on the frameworks include most of the leading software providers, and some newer software providers. Suppliers on the framework enter a ‘mini competition’ against a specification, to ascertain the most economically advantageous tender.
- 3.7 The estimated costs of purchasing, implementing the new system and the project team is £0.515m for which budget approval is being sought at recommendation 2.3. The national framework agreements procurement terms and conditions are based on a five-year contract, plus option to extend a further 2 years.
- 3.8 The council has undertaken soft market testing of asset management systems where key Housing and ICT staff have observed demonstrations from both leading and emerging software providers in the market that has shown that there are many IT systems already available to buy. Planning, specification, procurement and implementation of the asset management IT system is being led by a Housing Systems Project Manager working as part of our wider Housing Systems Programme Team with the support of relevant corporate services. This work is overseen by a wider Housing ICT Programme Board.

- 3.9 The specification for the system will fit with the emerging corporate IT strategy and comply with corporate data and accessibility standards. These will require data integration, system interoperability and inclusive accessibility.
- 3.10 If recommendations are approved, based on using the framework agreement procurement route, the following provisional timescales will apply.
- | | |
|--------------------------------|-----------------------------------|
| i) winter 2021 | procurement activity starts |
| ii) spring to summer 2022 | procurement tender and evaluation |
| iii) summer 2022 | contract awarded and mobilisation |
| iv) summer 2022 to spring 2023 | pre-implementation activities |
| v) spring 2023 | go-live with a new system |

4 COMMUNITY ENGAGEMENT & CONSULTATION

- 4.1 This is not required as this is not a customer facing IT system.

5 CONCLUSION

- 5.1 The Council has a requirement to ensure that its systems and software are fit for purpose and to manage its housing stock effectively and efficiently.
- 5.2 Procurement of a new system will lead to strategic and operational improvements in the Council's council housing asset management responsibilities.
- 5.3 Due to the length of the current contract the service is bound to test the market and ensure a compliant procurement process is carried out.

6 FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 6.1 Procurement of this new IT system will enable the service to secure a system which is fit for purpose and ensures value for money for the landlord service.
- 6.2 The HRA contains over 14000 council dwellings and other commercial properties as well as plant and equipment valued at over £900m. An asset management system is required to manage stock information on various asset types, including dwellings, blocks, garages, plant, and equipment. It is used to record details of the asset, the life of the asset and its components, to record the condition of assets and plan future investment and repairs. Managing and maintaining council housing to a good standard and investing in its longer-term sustainability is integral to the long-term sustainability of the HRA and informs the HRA 30-year business plan.
- 6.3 The estimated costs of purchasing, implementing the new system and the project team is £0.515m for which budget approval is being sought at recommendation 2.3. This will be added to the HRA capital programme and funded by either HRA reserves, direct revenue funding, borrowing or a combination thereof.
- 6.4 Funding is already built into the HRA revenue budget for the annual support and maintenance of the current system. These on-going costs are not expected to be significantly higher than the current support and maintenance costs (estimates of a maximum increase of £8,000 per year). Any additional budget requirements

when a new system is implemented will be reviewed and included as part of the annual budget setting process. The benefits of a new integrated asset management system should ensure that any extra costs annual support and maintenance costs will be good value for money for the HRA.

Finance Officer Consulted: Monica Brooks

Date: 03/09/21

Legal Implications:

- 6.5 The authority of Policy & Resources Committee is required for matters with corporate budgetary implications, such as the award of a contract for a new asset management IT system by the Council where it is proposed to use a proportion of HRA reserves.
- 6.6 The Council's CSOs require that authority to enter a contract valued at £500,000 or more be obtained from the relevant committee prior to commencing procurement activity and inviting expressions of interest from potential bidders.
- 6.7 The procurement of contracts through framework agreements must comply with all relevant UK public procurement legislation as well as the Council's CSOs.

Lawyer Consulted:

Barbara Hurwood

Date 16-06-2021

Equalities Implications:

- 6.8 None arising from this report. An Equality Impact Assessment will be carried out to inform specification requirements of a new system.

Sustainability Implications:

- 6.9 A new asset management IT system would have the following sustainability implications:
- Improved asset information will help the Council plan for and meet the challenges of retrofitting our housing stock to contribute to being carbon neutral by 2030.
 - Improved our asset management data and interfacing into other housing systems, assists our strategic planning and provides full active asset management functionality whilst also ensuring effective day-to-day management and maintenance. This will mean that we are more aware of when items are due for maintenance, meaning that where possible they can be maintained/repared rather than replaced.

Public Health Implications:

- 6.10 None arising directly from this report.

Crime & Disorder Implications:

- 6.11 None arising directly from this report.

Risk and Opportunity Management Implications:

- 6.12 None arising directly from this report.

Corporate / Citywide Implications:

6.13 None arising directly from this report.

SUPPORTING DOCUMENTATION

None

Subject:	Next steps - Rough Sleeping and Accommodation during Covid 19 Pandemic and Recovery Report		
Date of Meeting:	22nd September 2021 7 th October 2021 – Policy & Resources Committee		
Report of:	Executive Director of Housing, Neighbourhoods and Communities Relevant Executive Director		
Contact Officer:	Name:	Sylvia Peckham	Tel: 01273 293318
	Email:	Sylvia.peckham@brighton-hove.gov.uk	
Ward(s) affected:	All		

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

- 1.1 As we move toward easing and removal of lockdown measures and ending of Covid-19 restrictions, this report provides a further update on key areas of action and issues arising as follows.
- 1.2 Following our successful bids for funding under the Next Steps Accommodation Programme (NSAP), we continue to work closely with Government on securing further funding and support for verified rough sleepers in the City through future Rough Sleeper Accommodation Programme grant (RSAP), Rough Sleeper Initiative (RSI) and other funding routes
- 1.3 We have been successful in bidding under round one of the RSAP for funding to support the purchase of an additional 12 properties for Housing Led Support (to complement the 18 to be purchased from the agreed Housing Revenue Account budget) plus an additional 30 units under 10-year leases for Rapid Rehousing Scheme. Both purchases require budget and borrowing approval. The borrowing will be paid for by the future rental streams.
- 1.4 Under the terms of our NSAP funding bid, we prioritised rough sleepers, including those placed in emergency accommodation under Everyone In during the pandemic, for reconnection or move on to: NSAP funded accommodation; commissioned supported accommodation; or the private rented sector. However, owing to significant pressures arising from the pandemic we continue to accommodate significant number of households to whom we owe a statutory accommodation duty under the Homelessness Reduction Act in our remaining emergency accommodation. In light of this we are seeking approval to extend some of the short-term emergency hotel provision we acquired beyond the current approved term limit of October 2021.
- 1.5 In preparing for the winter, we are also identifying hotel accommodation and seeking approval for its retention for use under our Severe Weather Emergency Protocol provisions (SWEP). It is proposed to follow the same type of provision as for last winter and in the light of guidance from MHCLG. Accommodation would be available from October as per government recommendation in the

event the weather declines and remains available until the end of March when the risk of severe weather subsides. The accommodation will only be activated when triggers are reached and will be ended upon its subsidence in the way that SWEP has been activated in the past.

2. RECOMMENDATIONS:

That Housing Committee:

- 2.1 That Housing Committee note the low number of verified rough sleepers and that the Council will continue to seek to offer accommodation to all verified rough sleepers where this is permissible within the Council's powers to consolidate this achievement.

That Housing Committee recommends to Policy and Resources Committee:

- 2.2 To approve a capital budget of £2.800m to be included in the HRA Capital Investment Programme 2021/22 financed by HRA Borrowing of £2.100m funded by the rental stream and an MHCLG contribution of £0.700m. This is for the purchase of 12 new homes to deliver a Housing Led Support scheme for higher need rough sleepers.
- 2.3 To approve a capital budget of £3.240m be included in the General fund Capital Investment Programme 2021/22 for the acquisition of 30 properties on 10-year leases to deliver Rapid Re-housing for lower need rough sleepers. This will be funded by a contribution from MHCLG of £1.163m and will require borrowing of £2.080m, funded by the rental stream.
- 2.4 To approve the extension of emergency short term hotels from October until March 2022 in light of continuing pressures of those to whom the council owes a statutory accommodation duty under the Homelessness Reduction Act in emergency accommodation.
- 2.5 To agree to use the remaining 2021/22 Contain Management Outbreak Fund (COMF) grant (estimated at £1.615m) to support the continuing pressures caused by the pandemic of those in emergency accommodation to whom the council owes a Housing duty.
- 2.6 To agree to the acquisition of a hotel to deliver in the region of 15 - 20 rooms to enable provision for the SWEP between October 2021 and March 2022.

3. CONTEXT/ BACKGROUND INFORMATION

Next Steps Accommodation Programme (Covid 1 and 2)

- 3.1 The NSAP Report, considered at previous Housing Committees set out in detail the specifics relating to the amount of grant awarded and the conditions associated with that grant. The Ministry of Housing, Communities and Local Government (MHCLG) have been clear that the grant funding is ringfenced to meet the needs of people accommodated as of 30th September 2020 and for those who are subsequently verified as rough sleepers as set out in the report to

- Housing Committee on 18th November 2020. This funding contributed towards emergency accommodation up to June 2021.
- 3.2 Policy and Resources Committee on 3rd December 2020, agreed to the continuation of the accommodation offer for those people assessed as at risk of rough sleeping who presented after 30th September 2020 during the pandemic. This group are not covered by NSAP Government funding and so we termed them as Covid 2 to distinguish between the funding sources.
 - 3.3 In line with proposed easing and ending of national Covid-19 restrictions and opening up of the council's usual homeless prevention and housing options services, Housing Committee in March 2021, agreed that by 21st June 2021, the accommodation offer to those at risk of rough sleeping, (the Covid- 2 cohort), made for the duration of the pandemic is ended where no accommodation duty is owed by the council.
 - 3.4 The number of people that have been accommodated and still need to be moved on are 167 as of 5th September 2021. Based on current projections these will be moved onto more settled accommodation by the end of October 2021. To achieve this, we are prioritising this group for move on options.
 - 3.5 Newly accommodated verified rough sleepers in emergency accommodation are no longer counted in this total as from 25th July but subject to separate recording and reporting. Whilst continuing to seek to offer accommodation to all verified rough sleepers where this is permissible within the Council's powers, in line with the no second night out approach our aim is to accommodate verified rough sleepers in commissioned accommodation not emergency accommodation where possible. Our focus is therefore on enabling the capacity in commissioned services to provide for this group.
 - 3.6 Separately we have received additional resources to provide for rough sleepers under RSAP round one, RSI4 grant award and Ex-Offender PRS access grant. This funding enables in addition to No Second Night Out, funding to develop 30 beds for the "Off the Street" Offer aimed at entrenched rough sleepers. Provision is through transitioning a building from an existing service to deliver 30 beds and is anticipated to be fully mobilised in November, following the completion of move on of people accommodated under Covid. Current provision stands at 11 of the 30 beds as of 14th September 2021. Together the total provision to enable people to move from the street will amount to 81 bed spaces.
 - 3.7 Under the RSAP round 1 funding, the MHCLG awarded £0.700m towards a £2.800m scheme to enable the purchase of 12 new homes to be used for Housing Led Support for rough sleepers with complex needs. The remainder of the purchase costs (£2.100m) will be paid for by borrowing. This will augment the HRA capital budget (£4.0m) for 18 homes previously approved at Budget Council as part of the HRA Capital Programme 2021/22.
 - 3.8 The RSAP round 1 funding also awarded £1.163m towards purchasing a further 30 properties under 10-year leases for Rapid Rehousing scheme aimed at lower need rough sleepers. The acquisition will cost an estimated £3.240m funded by the grant and £2.080m in council borrowing. Therefore, this report requests approval to add both schemes to the HRA Capital Programme. In both cases the

borrowing will be paid for by the future rental streams. Further financial details of both of these RSAP schemes can be found in the financial implications at section 7 below.

- 3.9 To enable availability in the commissioned accommodation to move rough sleepers off the street and prevent NSNO and 'Off the Street' offer from silting up, move on pathways have been developed. These encompass support and funding to move to: -
- private rented accommodation.
 - assistance to move from supported accommodation into private rented thereby freeing up supported accommodation for those who need to move in.
 - Increase in Housing First under NSAP by 30 units to create a total of 60.
 - A further 30 units of Housing Led support will be delivered in 21/22 (18 funded via Housing Revenue Budget and 12 via RSAP)
 - 30 units acquired under 10-year leases for a Rapid Rehousing Scheme for rough sleepers who have a lower support need.
 - Finally, 40 bedspaces in Houses in Multiple Occupation (HMOs) will be delivered by September 2021.
- 3.10 The Minister for Rough Sleeping and Housing, Eddie Hughes on 5th July 2021 announced the Government's commitment to ending rough sleeping by the end of this parliament. We are working with our advisors at MHCLG to revise our Action Plan aligned with the Homelessness and Rough Sleeper Strategy, to build on the work undertaken during the covid pandemic and develop the broad partnerships, including with public health; voluntary and faith sector to find tailored solutions to anyone who has, is, or will, sleep rough. There are several themes using the funding provided by MHCLG comprising Homelessness Prevention Grant, RSI4 grant and Ex Offender PRS access to target prevention and early intervention and support to enable people to move away from the street.

3.11 Total Figures

We are continuing to focus resources on improving homelessness prevention and move on but there are still challenges with identifying suitable move on options for everyone. The table below shows the number of people who remain accommodated under Covid provisions.

Numbers accommodated	30 st Sept 2020	15/02/21	31/03/21	06/06/21	25/07/21	04/09/21
Covid 1	369	191	148	111	75	43
Covid 2	0	207	234	208	149	124
Total	369	398	382	319	224	167

We have a detailed move on plan in order to monitor progress which is reported to the Homeless Reduction Board.

3.12 Supply of accommodation

We are continuing to identify supply to enable the remaining people to move on as follows:

- 3.12.1 Private rented accommodation - We are working with landlords and agents to increase supply and offer support to both landlord and tenant to ensure the accommodation is sustained. As of 4th September 2021, 120 people had been moved into suitable private rented accommodation.
- 3.12.2 Housing First - Home Purchase Policy has been expanded to purchase an additional 30 properties used as Housing First. These purchases have all been completed and properties refurbished and re all let by the end of August 2021.
- 3.12.3 Supported accommodation - An average of 3 units a week becomes available and ready to nominate into. Those ready to move on from supported accommodation are being assisted to do so to facilitate this pathway. Clarion/St Mungo's acquired 25 units of supported accommodation, this forms part of the NSAP grant. These units are now mobilised and let.
- 3.12.4 Social Housing - During the pandemic, due to the restrictions and difficulties undertaking work on empty homes work, there have been relatively few properties to let. This is now starting to improve as set out below. This table provides an overview of all social housing lets.

	Properties advertised	Properties let
Jan	22	37
Feb	75	42
Mar	48	68
Apr	45	34
May	31	43
June	57	58
July	123	30
Total	401	312

Challenges include opening up of economy, reduction of covid regulations and tourism starting again.

The table below provides information on the lets to the different priority groups across all social housing lets up until the end of March 2021.

Group (target allocation)	2017-18	2018-19	2019-20	2020-21	Jan 2021 - July 2021	Total	Overall percentage across all years
Homeless (40%)	306 (42%)	285 (40%)	230 (40.5%)	179 (47%)	140 (45%)	1140	42%
Transfers (25%)	190 (26%)	168 (24%)	138 (24.5%)	78 (21%)	57 (18%)	631	24%
Homeseekers (25%)	209 (28%)	177 (25%)	126 (22%)	64 (17%)	69 (22%)	645	24%
Council's interest (10%)*	30 (4%)	72 (10%)	75 (13%)	55 (15%)	46 (15%)	278	10%
Total	735	702	569	376	312	2694	

*This group is people nominated by Children's services and Adult Social Care, which also includes those for Housing First. We have housed 2 Housing First applicants in 2021 so far - one in Jan 2021 and one in March 2021.

The allocations data above adheres closely to the targets set out in the Allocations Plan during its period of operation. However, the target for properties advertised to accepted homeless in temporary accommodation was increased to 80% owing to the pandemic and the exceptional challenges upon the Local Authority.

3.13 Referrals and Reconnections - A total of 34 reconnections have been achieved as of 4th September 2021 for this specific group. However, in total since March 2020 there have been 149 reconnections, and since April 2021 there have been 33. This includes all reconnections by our commissioned services.

As previously advised in earlier reports, there are challenges with statutory reconnections as we must ensure there is suitable accommodation for the person to be referred into and the receiving local authority require evidence that the person has a local connection with them. This can be difficult if people are reluctant to be reconnected. To improve performance on local connection, we have established a cross agency team, which includes Housing colleagues co-located at First Base Day Centre and at No Second Night Out (NSNO). There are potentially 26 people who could be reconnected depending on establishing robust evidence to support a referral. We have expanded resources to enable reconnection following successful award under RSI4 to increase by 2 officers and a budget to assist with expenses to enable reconnection.

3.14 Housing Options -

Overall, the Housing Options service is seeing more people face to face in line with the relaxation of restrictions. This is occurring in hotels in addition to expanding capacity to see some people in the Customer Service Centre by appointment only, to refocus as the service recovers onto prevention.

In 2020/2021 the council prevented 598 households from becoming homeless, this compares with the previous year 2019/2020 when 791 households were

prevented from becoming homeless. Whilst numbers are lower than 2019/20, conditions were significantly more challenging during the pandemic. However, evictions from private rented accommodation were paused due to the Government moratorium on evictions, which was extended until 20th September 2021. In preparation for preventing eviction, we have written to all known landlords and letting agents to appeal to contact us prior to eviction so we can intervene and try to resolve or enable alternative accommodation to be identified. The Housing Options service is preparing for post pandemic changes in service demand, especially in relation to recovery of services from the impact of the pandemic and preparing for refocus on intensive prevention work. In quarter 1 2021/22, 397 households were prevented from becoming homeless which compares favourably with 2020/21.

3.15 Decanting short term hotels.

Alongside moving on people accommodated under Covid is the necessity to decant the additional hotels acquired during the pandemic. Policy and Resources in March 2021 Report agreed to extend hotel provision until the beginning of October 2021. In working towards this goal, the decant of a large hotel was achieved 21st May 2021. This will bring the total handed back as at the end of August to 159, with permission requested to retain rooms as set out below decreasing through to March 2022. Moving people on this scale necessarily puts pressure on resources both in terms of the accommodation needed to move people into and for the staffing to support such moves.

The clients in Covid 1 and 2 groups are projected to have moved on by November 2021. However, prioritising available suitable move on accommodation to this group, has reduced the move on options for other groups including those we have statutory accommodation duties towards, hence the need to extend the short-term hotels for these clients.

	start	April	May	June	July	Aug	Sept	Oct	Nov
Hotel accommodation units	351	278	219	192	192	192	184	166	136

It is difficult to forecast a reduction between November and April 2022. The risks of a demand led service are being managed and a risk action plan is in place. We will continue to report progress regularly to the Homeless Reduction Board.

3.16 The most recent forecast for Temporary Accommodation at month 4 assumes that the emergency hotel accommodation will overspend by £3.100m and the Housing Service are urgently working on a financial recovery plan to reduce this. Current projections expect that this action will reduce the overspend to at least £2.600m and this forecast will be revised for month 5 in the coming weeks and reported to P&R Committee on 7th October 2021 where further details will be available. Therefore, this report is recommending that Policy & Resources Committee agree to the remaining £ 1.615m in Contain Outbreak Management Fund (COMF) grant to support this overspend.

3.17 Out of Area placements

The council has for many years had to use some emergency short term accommodation outside the city due to the capacity of the market within the city. However, as previously reported following the outbreak of the pandemic and the increasing need for emergency accommodation, these figures escalated to a peak of 330 in Eastbourne and Lewes areas. We have worked hard to identify

additional accommodation within the city and have managed to reduce numbers down to 234 as of 10th September 2021. We are committed to continuing to reduce our need to make placements outside of the city to a pre-pandemic level, taking into account some clients will need to be placed out of borough for their own safety, and to reduce our overall need for Temporary and Emergency accommodation as we refocus on prevention.

Funding for 2021/22

3.18 Aside from core funding, there are other main sources of grant as follows:

- a) Homelessness Prevention Grant – as previously notified to Housing Committee this is a combination of the previously called Flexible Homeless Support Grant and Homelessness Burdens Funding. These grants are awarded by MHCLG based on previous figures of homelessness and temporary accommodation. It is primarily to fund the management element of temporary accommodation that was removed from the housing benefit several years ago, and in addition to improve prevention and reduce the need for temporary accommodation.
- b) Rough Sleepers Initiative (RSI) 4. This is bid for through submissions that aim to support people to move on from rough sleeping. For 2021/22 there is a new element for prevention and early intervention which is very welcome. We bid for a total of £2.8M for various interventions to support single homeless people and prevent homelessness and have been awarded the full amount. This is ringfenced to those projects in the bid.
- c) MHCLG awarded additional funding in April of £0.5M for the continuation of housing rough sleepers up to June 2021.
- d) Rough Sleepers Accommodation Programme (RSAP) – This is for capital schemes that can be delivered in 2021/22 or early 2022/23 with revenue support until 2023/24. There are 3 dates for submission. The first was 29th April 2021, with further opportunities in July and in September. In April we submitted a bid for 2 schemes as follows:
 - i) Housing Led Support. This is to provide 30 x 1 bed properties of which the funding for 18 had already been agreed from the Housing Revenue Account Budget 2021/22 which includes £1.200m direct revenue funding to fund 30% of a new £4.000m budget included in the capital programme with the remainder being funded from HRA borrowing, ensuring the borrowing required can be repaid from the new rental income. The remaining 12 x 1 bed properties require capital grant which we have bid for under the RSAP. Revenue support costs for all 30 properties have been requested similar to those of Housing First model provided under NSAP. As of the 6th September we had completed 4 purchases; with a further 10 properties under offer, 2 of which should complete later this month and 6 being assessed.
 - ii) Rapid Rehousing Scheme. This is to deliver 30 x 1 bed or studio properties obtained under 10-year leases with aligned support provision and aimed at those with lower needs to quickly move people into.

We have been successful in being awarded grant to provide these schemes and are planning the acquisition and delivery to be achieved by 31st Dec 2021.

We have submitted a further bid for the final tranche of bidding which we anticipate hearing the outcome of in October 2021. MHCLG advised that the capital had mostly been allocated and so our final bid is for revenue only schemes.

- e) Protect Funding - As previously notified to Housing Committee in March, we successfully bid for funding jointly with Health partners; this is working well as follows:
- A Preventing Admissions Worker is based at A&E to work with rough sleeping people.
 - 5-bed unit 'Step Down' from hospital service operational to enable patients who are ready to be discharged but are of no fixed abode and require clinical support to be safely discharged.
 - An expanded peripatetic Protect team to offer clinical support to medically vulnerable people in emergency accommodation and supported accommodation.
- f) Ex Offender Private Rented Access scheme – MHCLG awarded grant funding to enable 10 ex-offenders who do not come under statutory duties to move into private rented accommodation. Funding was awarded at two thirds of that bid for but will enable the moves and a support worker. We are currently sourcing that accommodation with the aim of delivering by end March 2022.

3.19 Government Rough Sleeping Snapshot

The Government's Rough Sleeping Snapshot in England: Autumn 2020. reported on 25.02.21 that Brighton and Hove had the third largest decrease nationally and the highest decrease outside of London with 27 people sleeping rough on 17th November 2020, a 69% decrease. In May 2021 a count was undertaken that reported 16 people sleeping rough in the city. In July 2021 the latest count reported 28 people sleeping rough in the city. This compares favourably with a count of 56 for the same period in 2020 and needs to reflect that this is the peak time of year for people sleeping rough in the city. If we are to sustain these low numbers of rough sleepers it is essential that we continue to upstream our homeless prevention work, and also continue to seek to offer accommodation to all verified rough sleepers where this is permissible within the Council's powers as soon as they are identified (avoiding the risk of entrenchment on the streets with the associated health risks) through the no second night out (NSNO) service and our Off-Street Offer funded through the RSI 4 grant. While we used our homeless emergency accommodation as part of the 'Everyone In' pandemic response, as we move out of the Covid-19 emergency provisions, we will utilise services funded and commissioned for rough sleepers. We are working with MHCLG to refresh and keep under review our Action Plans to achieve the aim of ending rough sleeping by the end of this parliament. We need to ensure that move on pathways are robust and aligned to prevent accommodation becoming silted up. The performance and outcomes against the

Homeless and Rough Sleeping strategy are regularly reported to the Homeless Reduction Board.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

We could terminate all the additional short-term hotels but as we have not resolved the move on options the impact will be to expand spot purchase accommodation, which is more expensive and likely out of area, which creates tensions with our neighbouring authorities.

5 COMMUNITY ENGAGEMENT & CONSULTATION

5.1 None at this time but we will be seeking feedback from customer, partners and providers next year as part of a review of the service going forwards.

6. CONCLUSION

6.1 We have focused our move on options to people accommodated under Covid 1 and 2 to maximise the number moving on.

6.2 While focusing resources on those in Covid 1 and 2 cohorts, we have also retained high numbers of households to whom we owe a statutory housing duty in emergency accommodation. We therefore need to extend some of the hotel provision while we continue to recover and transform the service to refocus on prevention and enabling move on options following resolving the requirements of those accommodated under pandemic provisions.

6.3 The pandemic has changed the landscape of homelessness and there are further changes anticipated as the full impact emerges and we see implications on loss of accommodation in different groups, particularly those who were previously employed. Future planning and resource allocations will need to focus on the prevention of homelessness through early intervention.

6.4 We are also committed to building on the successes achieved with regard to rough sleepers and achieve the end of rough sleeping by the end of this parliament, by focusing on prevention and moving rough sleepers through the expanded commissioned services.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The Rough Sleeper Accommodation Programme (RASP) grants have been awarded for 2 separate schemes. The first is for the purchase of 12 new homes to be used for Housing Led Support for rough sleepers with complex needs. The council were awarded £0.700m towards a £2.800m scheme for which budget approval is being sought. If approved, the remainder of the costs (£2.100m) will be paid for by HRA borrowing. The rental stream from the properties has been calculated to pay for the borrowing costs and any management and maintenance. Therefore, this scheme should be cost neutral to the council and

the HRA. The council has also been awarded £511,800 to pay for the revenue support costs for these tenants up to the end of 2023/24.

- 7.2 The council have also been awarded £1.163m in capital grant towards the acquisition of 30 properties on 10-year leases for a Rapid Rehousing Scheme aimed at lower need rough sleepers. The acquisition will cost an estimated £3.240m funded by the grant and £2.080m in council borrowing. Therefore, this report requests approval to borrow £2.080m which will be paid for by the rental stream over the ten-year period. This should be cost neutral to the council.
- 7.3 Although both schemes above are calculated to be cost neutral to the council, as with any housing scheme of this nature there are some financial risks involved. Both schemes are predicated on the clients placed being eligible to claim LHA levels of housing benefit or having the means to pay this level of rent. We have had to make assumptions for voids and rent collection for both of these schemes and so there if voids or bad debts are higher than estimated, there could be some revenue costs that will need to be managed within current budgets. These risks are assessed as low at his time.
- 7.4 The report also requests that Housing Committee recommend to P&R committee to agree the use of the remaining 2021/22 Contain Management Outbreak Fund (COMF) grant (estimated as £1.615m) to contribute towards the current forecast overspend of £2.6m on General Fund Temporary Accommodation. This is to support the continuing pressures caused by the pandemic of those in emergency accommodation to whom the council owes a Housing duty.
- 7.5 The council does not have a budget to provide for hotel type accommodation for Severe Weather Emergency Protocol (SWEP). Pre pandemic, congregate accommodation was used which meant that the costs could be contained within current budgets. As there is now a need to provide hotel type accommodation, the Targeted Budget Management (TBM) forecast as at month 5, (reported to P&R Committee), will include an estimate of £0.140m for 15-20 rooms for the six months October to March. It is anticipated that the running costs will be contained within the £0.070m budget set up for this purpose.

Finance Officer Consulted: Monica Brooks

Date: 13/9/21

Legal Implications:

- 7.2 . There are no legal implications save that where there is grant funding there will be conditions attached which will have to be complied with.

Lawyer Consulted: Simon Court

Date: 1.9.21

Equalities Implications:

- 7.3 An equalities impact assessment has been carried out

HOUSING COMMITTEE	Agenda Item 28
	Brighton & Hove City Council

Subject:	Housing Committee workplan progress update and Housing performance report - Quarter 1 2021/22		
Date of Meeting:	22 September 2021		
Report of:	Executive Director Housing, Neighbourhoods & Communities		
Contact Officer:	Name:	Ododo Dafé	Tel: 01273 293201
	Email:	ododo.dafe@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 This report illustrates progress against Housing Committee work plan 2019-23 priorities and targets, as well as other Housing service targets. The report covers Quarter 1 of the 2021/22 financial year, and is attached as Appendix 1.

1.2 Information highlights from the quarter include:

- **Customer feedback** – 73 compliments received from customers, and 81% of stage one complaints responded to within 10 working days
- **Private sector housing** – 52.4% of Houses in Multiple Occupation have met all special conditions (for licences issued over 12 months ago)
- **Major adaptations** – waiting times for applications were 23.6 weeks for private sector homes, and 7.9 weeks for council homes
- **Housing needs** – 2,113 households placed in temporary accommodation
- **Council housing management** – 96.38% of rent collected and 108 council homes were re-let in an average of 88 days
- **Council housing repairs and maintenance** – 97.7% of emergency repairs were completed within 24 hours and 69.7% of routine repairs were completed within 28 days.

2. RECOMMENDATIONS:

2.1 That Housing Committee notes the report.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The report uses red, amber and green traffic light symbols to provide an indication of performance, and also trend arrows to provide an indication of movement from the previous quarter.

4. COMMUNITY ENGAGEMENT AND CONSULTATION:

- 4.1 This report went to Area Panels in August 2021 for residents to comment and enquire upon. Additional commentary has been included following queries and feedback from residents and councillors.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The financial implications are contained in the report. An area of performance with significant financial effect is the ability to collect rents from tenants as well as the impact of the length of time that properties are empty. Over the last two years the percentage of rent collected has fallen in the HRA, and although the performance still compares favourably when benchmarked against other stock holding councils around the country, this is of concern and a review is underway to identify actions that will help to improve this. The collection of rents at 15.1 show that in Quarter 1, 2021/22, there has been a small 0.02% decrease in the collection of rents. It is noticeable that 70% of the rent arrears are for tenants in receipt of Universal Credit as shown in 15.4. This will need addressing for the service to get back to anything like the 2018/19 collection rate of 97.8%. An improvement of 0.1% increase in collection equates to approximately £53,000 more rental income in 2021/22.
- 5.2 Having empty properties extends the time those on the Housing Register are waiting for council housing and increases the costs incurred on temporary accommodation in the general fund. It is therefore imperative re-let times are improved going forward so that the HRA can maximise its rental income, reduce waiting times and reduce the costs of temporary accommodation in the general fund. On average, one empty property costs the HRA an estimated £93 per week in lost rent and also £22 per week in council tax. Indicator 15.15 shows that the average relet time has reduced from 105 last quarter to 88 days for Quarter 1. This indicates that properties are being let more quickly which is good news as shown by increase in the number of lets per quarter.
- 5.3 Although the number of re-lets per quarter is approaching pre-pandemic levels those which are being let have already been empty for long periods of time. Recovery efforts to tackle the backlog of empty council homes include using approved procurement routes to increase contractor capacity and large-scale recruitment of new permanent staff who can carry out works directly. Therefore this should improve this performance as the year progresses. Last quarter there were 311 empty council homes by the end of March 2021. For this quarter, the number of empty properties (indicator 15.17 & 15.18) has reduced slightly to 301 empty properties although the indicator shows there are 274 general needs and seniors' properties empty. This

compares to 78 as at March 2020 and so there is more work to do to address this backlog. Costs will be monitored as part of the monthly Targeted Budget Management (TBM) process.

Finance Officer Consulted: Monica Brooks Date: 3/9/21

Legal Implications:

- 5.2. There are no significant legal implications arising from this regular progress and performance report.

Lawyer Consulted: Liz Woodley Date: 08/09/2021

Equalities Implications:

- 5.3 There are no direct equalities implications arising from this report.

Sustainability Implications:

- 5.4 The average energy efficiency rating of council homes stands at 68.0 (out of a maximum of 100) and efforts to increase this rating contribute towards the council's sustainability commitments and help to reduce fuel poverty.

Crime & Disorder Implications:

- 5.5 There are no direct crime and disorder implications arising from this report. Cases of anti-social behaviour involving criminal activity are worked on in partnership with the police and other agencies.

Risk and Opportunity Management Implications:

- 5.6 There are no direct risk and opportunity implications arising from this report.

Public Health Implications:

- 5.7 A large number of services were stopped or significantly impacted in March 2020 in order to comply with Coronavirus (Covid-19) restrictions.

Corporate or Citywide Implications:

- 5.8 There are no direct corporate or citywide implications arising from this report.

SUPPORTING DOCUMENTATION

Appendices:

1. Housing Committee workplan progress update and Housing performance report - Quarter 1 2021/22

Background Documents:

None

Committee workplan progress update and Housing performance report

Quarter 1 2021/22

This report provides updates on the Housing Committee priorities and work plan for 2019-23, as well as a range of performance indicators. Delivery of a complex Housing service during the Covid-19 crisis has been, and continues to be, a challenge, but staff have worked very hard in difficult circumstances to continue to deliver vital services for council tenants, leaseholders and other residents across the city.

While there continue to be areas of good performance, with 50% (17) of Housing Committee Work Plan objectives on track for delivery and 8 performance indicators on or above target, the ongoing impact of the Covid-19 pandemic and the additional work burdens and priorities this has placed on Housing has inevitably resulted in a drop in performance against some indicators. These include functions such as lettings and routine (non-emergency) repairs which need be delivered differently and are taking longer. The service is keeping under regular review its plans to rectify areas where performance has been adversely impacted by the Covid-19 pandemic.

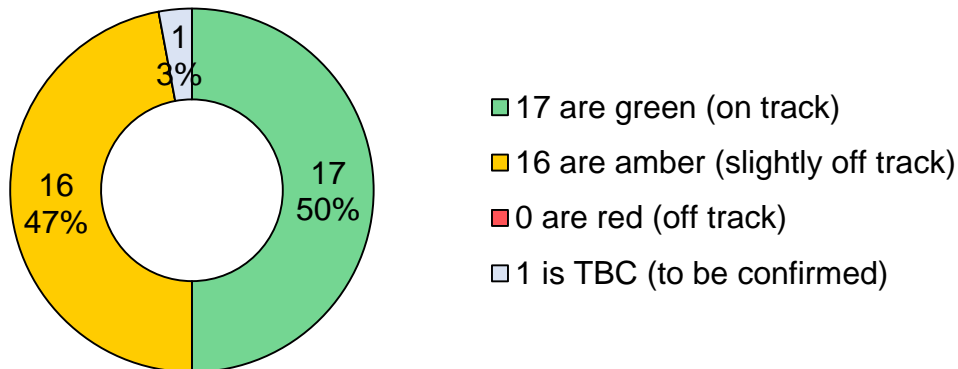
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This housing performance report covers Quarter 1 (Q1) of 2021/22 alongside end of year results. It uses red, amber and green ratings to provide an indication of performance.

Part one provides an update of performance against the Housing Committee work plan objectives 2019-23:

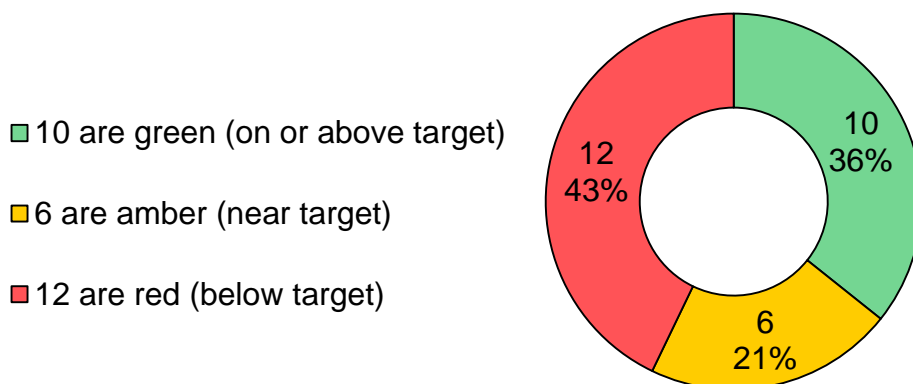
Work plan objectives



Part two presents results for a range of performance indicators across Housing and similarly uses red, amber and green ratings, as well as trend arrows. Commentary has been included for indicators which are red. During Quarter 1, the ratings and trends were as follows:

- | | | | |
|-------------------------------------------------------------------------------------|------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------------------------------|
|  | Green – on or above target
(10 indicators) |  | Improved since last time
(8 indicators) |
|  | Amber – near target
(6 indicators) |  | Same as last time
(5 indicators) |
|  | Red – below target
(12 indicators) |  | Poorer than last time
(15 indicators) |

Performance indicators



Part one: Housing Committee priorities and work plan 2019-23

1. Provide additional affordable homes

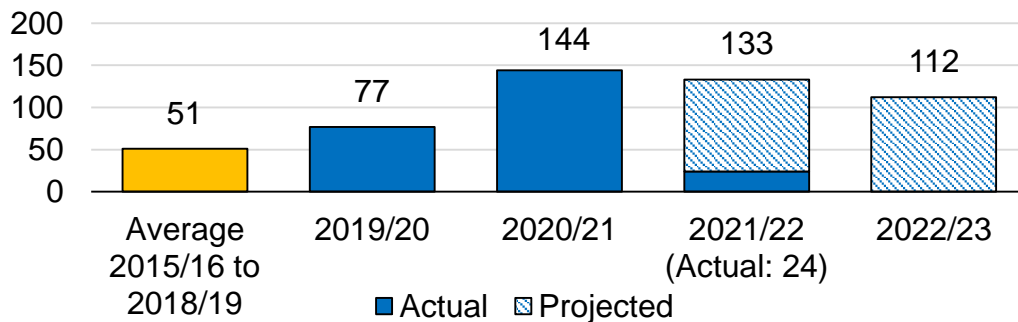
Regular updates on progress are provided to Housing Supply Member Board

1.1 Slightly off track: Achieve 800 additional council homes (including develop the existing Hidden Homes strategy)

Total of 466 homes projected for 2019 to 2023:

- 2021/22: 133 homes – buy backs (105), Hidden Homes (14), Frederick Street (4), and Oxford Street (10)
- 2022/23: 112 homes – buy backs (50), Hidden Homes (4), Rotherfield Crescent (3), Victoria Road (42) and potential further schemes (13)
- Completion dates for 408 homes have changed from 2022/23 to early 2023/24 (including 176 Homes for Brighton & Hove dwellings)

Additional council homes per year

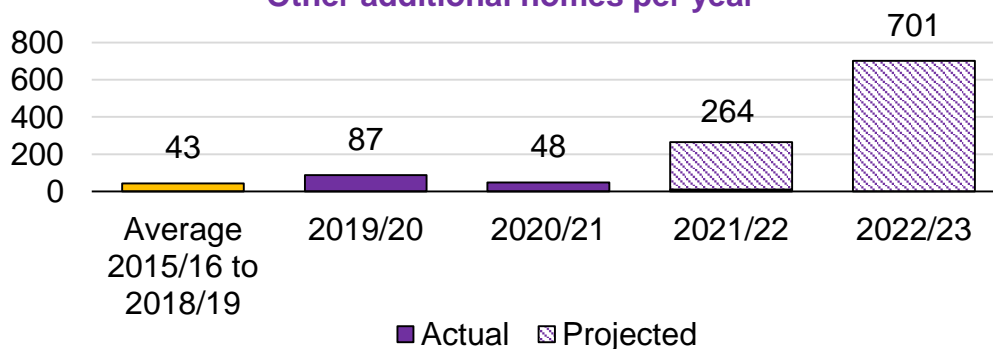


1.2 On track: Achieve 700 other additional homes (registered provider, affordable rented, shared ownership)

Total of 1,100 homes projected for 2019 to 2023 (379 rent and 721 shared ownership):

- 2021/22: 264 homes – Preston Barracks (19), Anston House (30), Edward Street (33), Falmer Avenue (13), Hangleton Way (33), Longley (22), Lions Gardens (10) and School Road (104)
- 2022/23: 701 homes – Preston Barracks (226), Eastergate Road (30), Dunster Close (2), Hinton Close (4), Graham Avenue (125), Lyon Close (154), Sackville Hotel (7), Sackville Estate (56) New Church Road (5) and King's House (92)

Other additional homes per year



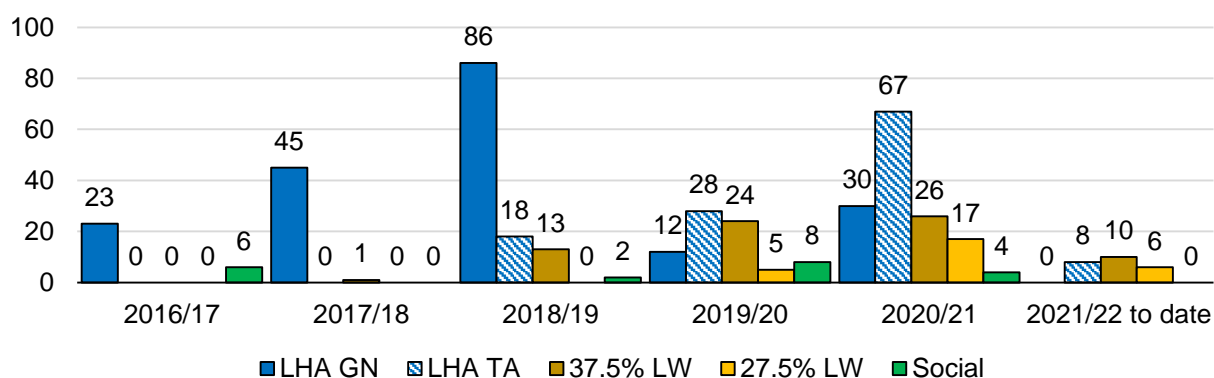
1. Provide additional affordable homes

Regular updates on progress are provided to Housing Supply Member Board

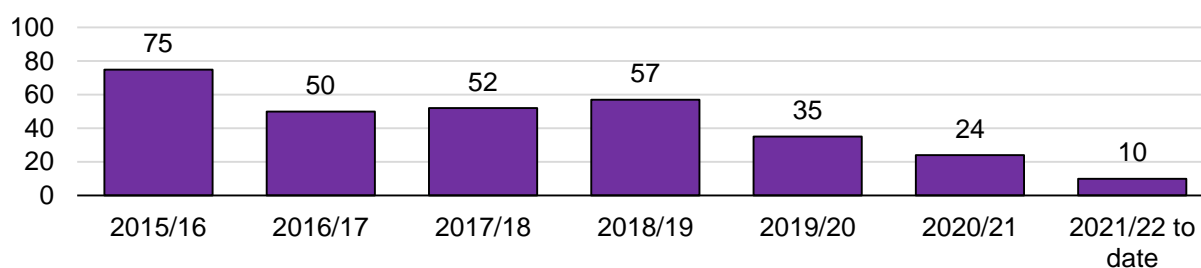
1.3 On track: Review the rent policy to maximise the number of council homes replaced at social or living wage rents (especially those at 27.5% Living Wage)

38% of new general needs council homes (6 of 16) delivered so far during 2021/22 are at social (0) or 27.5% Living Wage rents (6) with the others at 37.5% Living Wage rents (10). The temporary accommodation (TA) council homes are at Local Housing Allowance rates.

Additional council homes by rent level



Council homes sold through the Right to Buy (RTB)



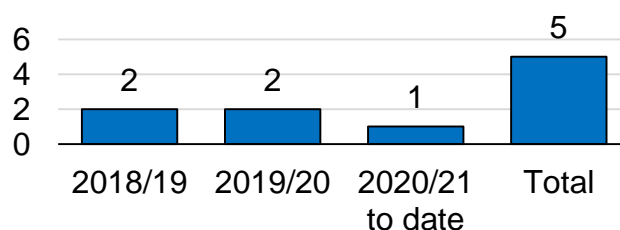
1.4 On track: Develop a policy for the council to take the role of developer on major sites

- Homes for Brighton & Hove Joint Venture is becoming a delivery company

1.5 On track: Bring a report to committee identifying suitable sites to work in partnership with Community Land Trust (CLT) for development

- Aim is to identify 10 sites for Community Land Trust development

Sites identified



2. Improving private rented housing

2.1 Slightly off track: Review and resubmit selective licensing scheme proposal to improve the management and standards of private rented sector homes in the city

- Private Sector Housing Update report went to Housing Committee in June 2021, which was noted and will be followed by a further report in September 2021



2.2 Slightly off track: Research and review an ethical loan scheme

- Committee report due for November 2020 – deferred due to Covid-19 priorities

2.3 Slightly off track: Develop or commission an information or advice hub for private renters and consider options for a private tenants' forum

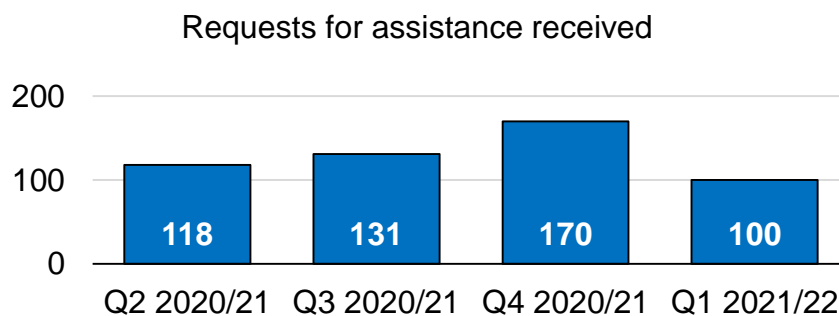
- This has been delayed while resources have been allocated to the Covid-19 response but is planned to be picked up over the next few months
- Also exploring forums that currently exist for private tenants and discussing with councillors whether these will meet requirements – briefing to go to Housing Committee in September 2021

2.4 Slightly off track: Research and develop a social lettings agency

- Research work was deferred due to Covid-19 response
- Private Sector Housing Update report went to Housing Committee in June 2021, which was noted and will be followed by a further report in September 2021

2.5 On track: Develop the enforcement approach to private sector housing to reflect the full range of potential options available to improve management and standards

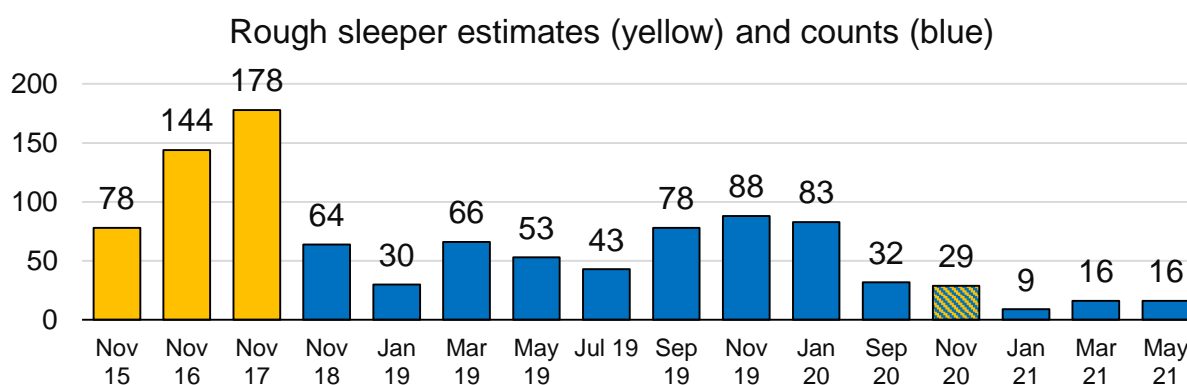
- Request for assistance top categories during Q1: disrepair (25%), dampness (11%), nuisance from neighbour's disrepair (11%) and safety concerns other than disrepair (10%)



3. Alleviating homeless and rough sleeping

3.1 On track: Develop a rough sleeping strategy (to include partnerships with community homeless and faith projects and delivery of homeless enterprise projects)

- An update on the Next Steps Accommodation Programme (NSAP) was noted at June 2021 Housing Committee. NSAP is funded through bid approved by Ministry of Housing, Communities & Local Government (MHCLG) for the costs of providing housing and support to all those accommodated due to Covid-19
- The number of rough sleeper and other Covid placements has decreased from 392 at end March 2021 to 258 at end June 2021. Of the latter, 90 were 'Covid 1' placements (funded through NSAP, includes verified rough sleepers) and 168 are 'Covid 2' placements (not funded through NSAP). There will be a further update on progress to September Housing Committee.



The November 2020 figure used a blended methodology of an estimate with a spotlight count. Please note that estimates have only been carried out at times when counts have not been. While it would have been desirable to do both simultaneously and compare them, staff capacity has not allowed this over the last few years

3.2 On track: Review/consult/adopt the Homeless Bill of Rights

- Values of the Homeless & Rough Sleeper Strategy approved by Housing Committee in June 2020 align to the Homeless Bill of Rights. Strategy states that *'The Homeless Bill of Rights should be viewed as a standard against which the Council and its partners judge our policies and practices'*
- The Homeless Bill of Rights has since been adopted by full council in March 2021 and is an aspirational document against which to measure services
- Progress of the aspirations contained in the Homeless Bill of Rights will be monitored by the Homeless Reduction Board

3.3 TBC: Provide a 365 day night shelter

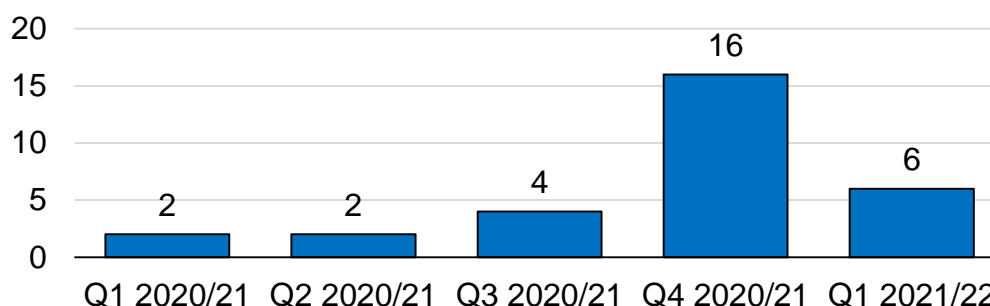
- Night shelter closed in early April 2020 on the advice of MHCLG and Public Health England due to accommodation having shared facilities. The advice from MHCLG is that congregate sleep space services should not be (re)commissioned
- We have expanded provision of the street offer of accommodation of an additional 30 beds funded through the Rough Sleeping Initiative. Mobilisation is gradual between July and September 2021.

3. Alleviating homeless and rough sleeping

3.4 On track: Expand Housing First

- The total number of Housing First units was brought to 60 in 2020/21 with further units to be delivered through buy backs during 2021/22
- 21% of (30 of 145) buy backs delivered so far are for Housing First / Next Steps

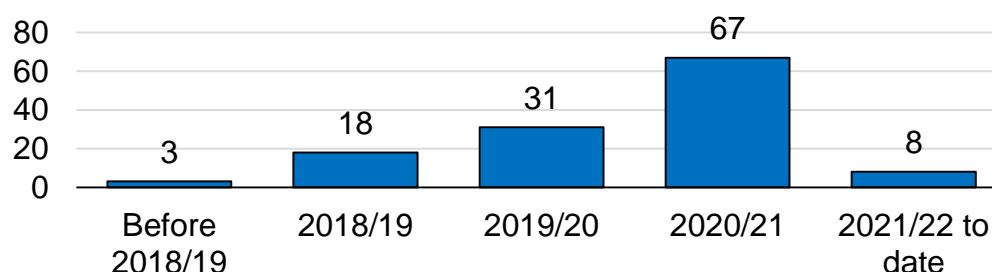
Housing First / Next Steps buy backs per quarter



3.5 Slightly off track: Develop a strategy for the provision of council run temporary accommodation including Seaside Homes

- Hartington Road (38 homes) – became ready in February 2021
- Oxford Street refurbishment (10) – expected completion delayed.
- Buy backs – 58 of 145 are for temporary or Next Steps / Housing First (8 during 2018/19, 13 during 2019/20, 29 during 2020/21 and 8 during 2021/22 to date)

Council owned temporary accommodation by year delivered (including Next Steps / Housing First)



3.6 On track: Develop a homeless strategy, ensuring homeless people are involved in the design and development of services which directly affect them

- Homeless Reduction Board has been meeting since September 2020 and its role includes monitoring progress of the aspirations contained in the Homeless Bill of Rights and making recommendations to Housing Committee
- Homeless Reduction Operational Board will meet for the first time in spring 2021 and will include people with a lived experience of homelessness

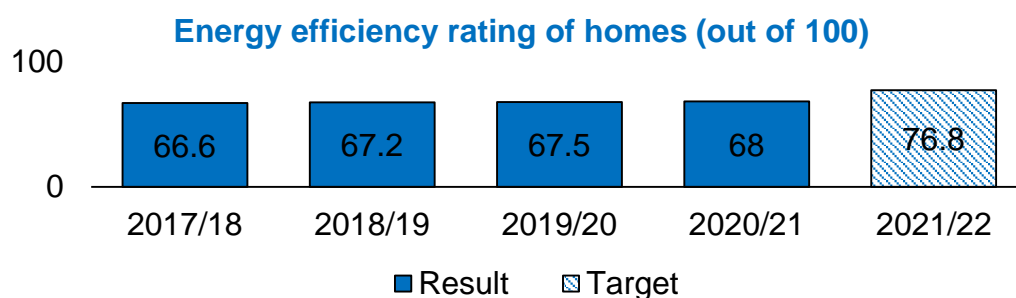
4. Achieving carbon reductions and sustainability in housing including address fuel poverty

4.1 On track: Develop an action plan to set out how we will work collaboratively to ensure housing contributes to making the city carbon neutral by 2030

- A report on 'Housing action towards carbon neutral 2030' was approved at Housing Committee in January 2021. This includes a draft Housing Revenue Account (HRA) Carbon Neutral Strategic Action Plan for 2021 to 2025 with a commitment to produce a fully costed retrofit plan towards the end of 2021
- The HRA Budget report approved at the same committee proposed to set up a reserve for £4.010m which will be used to fund the cost of delivering sustainability initiatives in the HRA including retrofit work required on existing housing stock

4.2 On track: Develop a new PV and energy efficiency strategy for council homes to include standards for new homes

- Standards for new council homes are guided by the revised new build specification – minimum Energy Performance Certificate rating of A



4.3 On track: Review the energy efficiency and provision on all new developments

- A report providing an 'Update on Sustainability Measures for New Homes and Housing Supply Sustainability Policy' went to Housing Committee in January 2021 and the committee endorsed a draft New Build Housing Sustainability Policy
- Victoria Road new build scheme will pilot a low energy 'microgrid' heating and electricity solution integrating ground source heat pumps and solar panels to reduce residents' bills

4.4 On track: Investigate and report the possibility of bulk buying PV panels and other energy saving resources

- Procurement of domestic solar PV programme on council homes (1,000 by 2023) will happen once additional project management support recruited
- Solarise projects:
 - Delivered first 'block tariff' on a council housing new build, through which residents can benefit from the solar panels on their communal roof
 - Completion of two new large solar PV arrays on a seniors housing scheme
 - Installation of solar PV arrays on new Hidden Homes flats currently on site

5. Improving council housing and community involvement

5.1 Slightly off track: Work with tenants to develop a 'decent environment' standard

- Currently on hold due to service pressures and other priorities due to Covid-19
- Consultation with residents will begin in September 2021 in line with lockdown easing, and a report will be taken to Housing Committee in November 2021

5.2 On track: Develop a fire safety programme in conjunction with tenants and residents

- Sprinklers are now fitted as standard in all council new build homes
- Sprinkler systems at St James's House and Essex Place – currently reviewing following feedback from residents
- Council is working to consider the likely impacts of the proposed Building Safety legislation including proposed resident engagement strategy for building safety
- Fire Risk Assessments are carried out regularly to council housing buildings
- Currently engaging consultancy services to support a review of the new building safety guidance and implementation

5.3 On track: Review and develop a new tenant and community involvement policy/strategy for housing, ensuring we learn from the lived experience of our clients, meet the 'Involvement and Empowerment' standard and that co-production is at the heart of our tenant and resident involvement work

- New Tenant and Leaseholder Engagement Strategy was approved at Housing Committee in March 2021
- Next stage will be to coproduce an implementation plan with residents' groups to bring to Area Panels in October 2021

5.4 Slightly off track: Extend participatory budgeting

- Report approved at March 2021 Housing Committee, having been deferred from June 2020 due to Covid-19 priorities

5.5 Slightly off track: Develop the work undertaken with leaseholders to develop a new leasehold involvement policy, setting out how leaseholders can be supported to be more proactively involved in capital works and other leasehold matters

- Consultation with leaseholders on new planned maintenance and improvement programme contracts has concluded and contracts are now operating. Leaseholders are being consulted where the council has plans to undertake works under these contracts on a block-by-block basis
- Engagement with tenants and leaseholders is underway for proposed projects that will be tendered through the major works framework.
- The council is continuing to update tenants and leaseholders that sit on the 'task and finish' group that is working on the programme. Online sessions are now operating for this group
- The council has completed a survey of all leaseholders and will share the results of this with the Leaseholder Action Group shortly

6. Enabling more affordable home ownership

6.1 On track: Work with Community Land Trust (CLT) to develop self-build opportunities

- CLT focus is on affordable rented homes which are likely to be self-build

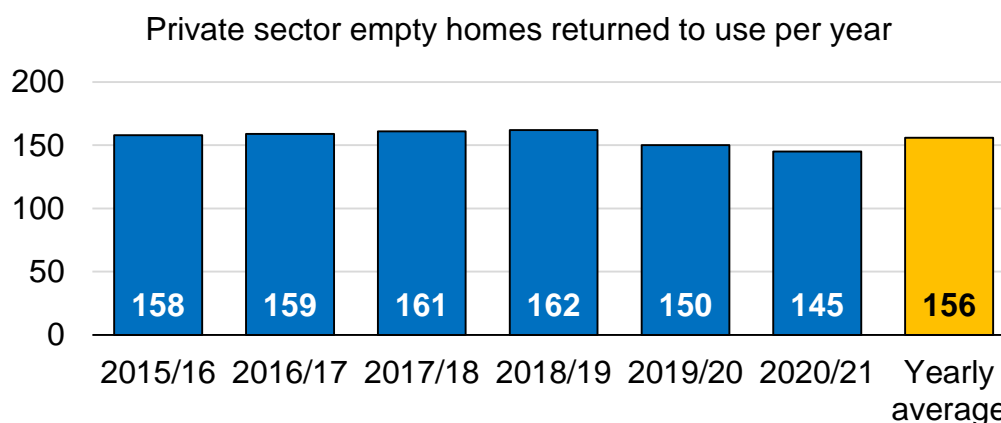
6.2 Slightly off track: Work with Homes for Brighton & Hove and registered providers in the city to develop 500 shared ownership properties for essential workers who live and work in the city

- The Living Wage Joint Venture, Homes for Brighton & Hove, has planning permission for its first two sites totalling 346 homes
- Homes for Brighton & Hove is becoming a delivery company, with 168 Hyde shared ownership homes and 178 rented homes (176 council and 2 Hyde)
- Target completion dates are in early 2023/24

7. Make fuller use of shared housing capacity

7.1 Slightly off track: Review our empty homes policy to ensure 650 empty homes are brought back into use

- Progress restricted by Covid-19 restrictions – 23 homes brought back into use during 2021/22 to date



7.2 Slightly off track: Develop a policy to incentivise households to relinquish council tenancies as an alternative to right to buy

- Committee report due for September 2020 – deferred due to Covid-19 priorities

7.3 Slightly off track: Investigate the possibility of supporting a ‘lodger’ scheme and report to Committee

- Committee report due for March 2021 – deferred due to Covid-19 priorities

7.4 On track: Undertake an impact assessment of short-term holiday lets and Air BnB in the city and consider options that may inform an approach to alleviate the most detrimental issues arising

- Report on Regulation of Short-Term Holiday Lets was agreed at Tourism, Equalities, Communities & Culture and Housing committees in March 2020. It included using existing powers to deal with complaints, ensuring coordinated approach to enforcement between services and lobbying central government for enhanced enforcement powers and a national registration scheme
- Officers have met to develop an easier reporting mechanism for the public so that relevant council teams can take appropriate enforcement action regarding holiday lets where possible

8. Alleviating poverty

8.1 Slightly off track: Ensure the in house repairs services include measures to: provide opportunities for young people to develop skills for example through apprenticeships; maximise community benefits, including through use of local firms and labour for supply chain as well as planned and major works; and, develop pathways to employment that are inclusive in offering opportunities to all the communities we serve

- Due to the Covid-19 outbreak, the planned and major works procurement was paused as were other areas of the programme, including taking on apprentices
- Some existing apprentices were moved to empty property works so they could physically distance while working, but it has not yet been possible to recruit additional apprentices
- However, the service hope to take on two electrical apprentices in September

8.2 Slightly off track: Review arrears policy to ensure all action is taken at the earliest stage, support given and eviction is used as a last resort








- Business Process Review of income collection, including arrears policies, has been delayed while resources have been diverted to the Covid-19 response
- 96.38% of rent collected from council tenants during 2020/21







8.3 Slightly off track: Develop an arrears policy for temporary accommodation, which gives tenants the same level of support and assistance as those in permanent accommodation

- Policy is in place for long term temporary accommodation which matches that in council owned housing
- All new emergency accommodation contracts are to have minimal use of or specific service charges under re-procurement, although this has been delayed due to the Covid-19 response






Part two: Performance indicators




The council is responsible for managing 11,700 council owned homes and 2,355 leaseholder homes, as well as providing temporary accommodation for 2,113 households including rough sleepers and others accommodated as a result of the Covid-19 response











	Customer feedback – all Housing services	Target	Q4 2020/21	Q1 2021/22	Status against target	Trend since Q4
9.1	 Compliments received from customers	Info	82	73	n/a	n/a
9.2	 Stage one complaints responded to within 10 working days	80%	71% (77 of 108)	81% (83 of 102)		
9.3	Stage one complaints upheld	Info	50% (54 of 108)	58% (59 of 102)	n/a	n/a
9.4	Stage two complaints upheld	18%	7% (1 of 14)	9% (1 of 11)		




  Private sector housing	Target	Q4 2020/21	Q1 2021/22	Status against target	Trend since Q4	
10.1	New licences issued for Houses in Multiple Occupation (HMOs)	Info	144	56	n/a	n/a
10.2	HMOs where all special conditions have been met (for licences issued over 12 months ago)	47%	49.8% (821 of 1,649)	52.38% (1,069 of 2,041)		
10.3	Private sector empty homes returned to use	32	35	28		

The Q4 figure above has increased from 26 to 35 since last reported. This is because Council Tax records have identified more homes brought back in use during this period, and there is a reporting lag between the date they were back in use and the date this could be confirmed.

 Housing adaptations	Target	Q4 2020/21	Q1 2021/22	Status against target	Trend since Q4	
11.1	Private housing – average weeks taken to approve Disabled Facilities Grant applications	10	19.8	23.6		
<p>A high number of private sector clients have chosen to defer making the grant application and have works start due to Covid-19, and there have been restrictions on visits to clients' homes. Alongside remote working to progress applications, staff are reassuring clients of the health and safety measures put in place by staff and contractors, and rescheduling deferred applications.</p>						
11.2	Council housing – average weeks taken to approve applications and commence works	10	5.6	7.9		

 Housing Needs – Housing Options and allocations	Target	Q4 2020/21	Q1 2021/22	Status against target	Trend since Q4	
12.1	Households prevented from becoming homeless (by council and partner agencies)	424	394	397		
12.2	New households accepted as homeless	Info	40	49	n/a	n/a
12.3	Number of households on the social housing waiting list	Info	6,982	4,800	n/a	n/a

 Housing Needs – temporary accommodation	Target	Q4 2020/21	Q1 2021/22	Status against target	Trend since Q4	
13.1	Total households in temporary accommodation (homeless and through service level agreements)	Info	2,111	2,113	n/a	n/a
13.2	Rent collected for emergency accommodation (year to date including loss from empty homes)	89.21%	78.35% (£4.5m of £5.7m)	73.90% (£1.2m of £1.6m)		
This indicator includes rent loss from empty emergency accommodation dwellings, which is higher than usual while people who were placed in response to Covid-19 are moved on from 'block booked' accommodation such as hotels and hostels, ahead of handing some of them back. The collection rate excluding this type of rent loss is 92.56% which is above target.						
13.3	... as above but excluding rent loss from empty homes	Info	87.30% (£4.5m of £5.2m)	92.56% (£1.2m of £1.2m)	n/a	n/a
13.4	Rent collected for leased temporary accommodation properties	96.10%	96.96% (£7.3m of £7.5m)	94.57% (£1.6m of £1.6m)		
13.5	... as above but excluding rent loss from empty homes	Info	102.21% (£7.3m of £7.1m)	99.60% (£1.6m of £1.6m)	n/a	n/a
The indicator above (like the other rent collection indicators in this table) measures the actual amount of rent collected during the year to date compared to the amount due within the same period. It is sometimes possible for the former to be larger, thereby producing results over 100%.						
13.6	 Rent collected for Seaside Homes	91.00%	89.81% (£4.5m of £5.0m)	90.31% (£1.1m of £1.3m)		
13.7	... as above but excluding rent loss from empty homes	Info	95.46% (4.5m of 4.7m)	94.30% (£1.1m of £1.2m)	n/a	n/a
13.8	Empty temporary accommodation homes (all types)	For info	112	135	n/a	n/a
13.9	Seaside Homes with a valid Landlord's Gas Safety Record	100%	99.8% (425 of 426)	99.3% (423 of 426)		
13.10	Leased properties with a valid Landlord's Gas Safety Record	For info	96.9% (625 of 645)	91.4% (571 of 625)	n/a	n/a
The indicator above no longer has a target given that the role of the council when it comes to leased properties is to monitor progress and remind landlords to arrange gas safety checks, whereas the council's gas contractor carries out checks in Seaside and council homes.						

 Council housing – supply		Q4 2020/21	Q1 2021/22
14.1	 Additional council homes	31	24
14.2	... at Local Housing Allowance (LHA) rents	61% (19 of 31)	33% (8 of 24)
*All eight homes at LHA rates from Q1 were buy backs for use as temporary housing			
14.3	... at 37.5% Living Wage rents	19% (6 of 31)	42% (10 of 24)
14.4	... at 27.5% Living Wage rents	13% (4 of 31)	25% (6 of 24)
14.5	...at social rents	6% (2 of 31)	0% (0 of 24)
14.6	Council homes sold through the Right to Buy	7	10
Of the 10 homes sold during Quarter 1, 5 were flats (2 one bed, 3 two bed) and 5 were houses (1 two bed, 4 three bed).			
14.7	Net change in the number of council homes – all rent levels	+24	+14
14.8	Net change in the number of council homes – social and 27.5% Living Wage rent homes only	-1	-4
14.9	 Total council owned homes	11,686	11,700
The figures in the row above have been adjusted to exclude 11 long term leases to housing associations, which are no longer categorised as council owned. Total stock of 11,700 includes 10,696 general needs, 877 seniors housing and 127 temporary housing (including dwellings not yet handed over).			

14.10 Council housing – buy backs (Home Purchase and Next Steps / Housing First)

Buy backs by application date	2017/18	2018/19	2019/20	2020/21	2021/22 to date	Total
Total applications	5	53	88	159	56	361
Of which, became purchases	2	32	53	58	0	145
Council declined	1	13	11	15	3	43
Owner declined offer	1	5	12	14	1	33
Owner withdrew	1	3	12	31	5	52
Outcome pending	0	0	0	41	47	88

Completed buy backs by rent level	2017/18	2018/19	2019/20	2020/21	2021/22 to date	Total
Completed purchases	1	13	43	64	24	145
... general needs social rent	0	0	1	3	0	4
... general needs 27.5% Living Wage	0	0	5	18	6	29
... general needs 37.5% Living Wage	1	5	24	14	10	54
... temporary housing at LHA rates	0	8	13	29	8	58












Summary of all buy backs since start of programmes, September 2017








Total purchases	Social rent	27.5% LWR	37.5% LWR	LHA rate	No. rent reserve applied	Total rent reserve applied	Net modelled subsidy (surplus) over all properties to date (£)
145*	4	29	54	58	26 **	£1.233m ***	£104,000




















* Of which 127 are flats (4 studio, 52 one bed, 61 two bed, 10 three bed) and 18 are houses (3 two bed, 14 three bed, 1 four bed)















** Following Housing Committee decision to use rent reserve to keep rents as low as possible

*** Applied during 2019/20 – a further £827k is anticipated to be used during 2021/22


 Council housing – management		Target	Q4 2020/21	Q1 2021/22	Status against target	Trend since Q4
15.1	 Rent collected from council tenants	95.68%	96.40% (£51.0m of £52.9m)	96.38% (£51.3m of £53.2m)		
The indicator above measures the forecast amount of rent collected by the end of 2021/22 compared to the forecast amount of rent due during the same period, excluding rent loss from empty properties but including arrears from before.						
15.2	 Tenants known to claim Universal Credit (UC)	Info	25% (2,886 of 11,297)	25% (2,837 of 11,292)	n/a	n/a
15.3	UC tenants in arrears who have an alternative payment arrangement	Info	50% (762 of 1,534)	49% (775 of 1,593)	n/a	n/a
15.4	Arrears of UC tenants as a proportion of total arrears	Info	69% (£1.3m of £1.9m)	70% (£1.3m of £1.9m)	n/a	n/a
15.5	Tenants evicted due to rent arrears	Info	0	0	n/a	n/a
15.6	Tenants evicted due to anti-social behaviour (ASB)	Info	0	0	n/a	n/a
15.7	Surveyed ASB victims satisfied with how their case was handled (year to date)	85%	78% (7 of 9)	50% (2 of 4)		
The number of households surveyed during Q1 was very small at only four. Future improvement work will include increasing the number of residents surveyed in order to provide a more statistically representative picture of satisfaction and glean further learning.						
15.8	 New ASB cases reported	Info	208	217	n/a	n/a
15.9	Closed ASB cases	Info	203	257	n/a	n/a
15.10	Average days taken to resolve ASB cases	Info	156	148	n/a	n/a
15.11	Active ASB cases (quarter end)	Info	295	255	n/a	n/a
15.12	 Calls answered by Housing Customer Services	85%	94% (3,193 of 3,410)	87% (4,573 of 5,271)		

 Council housing – management		Target	Q4 2020/21	Q1 2021/22	Status against target	Trend since Q4
15.13	Average call answering time (seconds) for Housing Customer Services	Info	39	97	n/a	n/a
15.14	Tenancies sustained following difficulties	98%	95% (21 of 22)	92% (22 of 24)		
Two tenants stopped engaging with support and their tenancies are now at risk, after not responding to repeated attempts by Tenancy Sustainment Officers to contact them through different methods. It is rare that cases have to be closed for this reason.						
15.15	 Average re-let time (calendar days) excluding time spent in major works	21	105 (103 lets)	88 (108 lets)		
Although the number of re-lets per quarter is approaching pre-pandemic levels (108 during Q1 compared to an average of 111 per quarter during 2019/20), those which are being let have already been empty for long periods of time. Recovery efforts to tackle the backlog of empty council homes include using approved procurement routes to increase contractor capacity and large-scale recruitment of new permanent staff who can carry out works directly.						
15.16	Average 'key to key' empty period (calendar days) including time spent in major works	Info	156 (103 lets)	122 (108 lets)	n/a	n/a
15.17	 Empty general needs and seniors council homes (includes new homes)	Info	268	274	n/a	n/a
15.18	Empty council owned temporary accommodation homes (includes new homes not handed over)	Info	43	27	n/a	n/a

 Council housing – repairs and maintenance	Target	Q4 2020/21	Q1 2022/22	Status against target	Trend since Q4	
16.1	Emergency repairs completed within 24 hours	99%	98.3% (3,377 of 3,437)	97.7% (3,129 of 3,204)		
16.2	 Routine repairs completed within 28 calendar days	92%	65.9% (2,572 of 3,902)	69.7% (2,845 of 4,081)		
A backlog of older routine repairs has built up since the start of the pandemic, so that emergency jobs could be prioritised with diminished resource at the time. Although the number of routine repairs per quarter is approaching pre-pandemic levels (4,081 during Q1 compared to an average of 4,500 per quarter during 2019/20), those which are now being completed are in excess of target timescales. This will remain the case while the backlog is being addressed. As with empty council homes, recovery efforts to tackle the backlog of repairs include using approved procurement routes to increase contractor capacity and large-scale recruitment of new permanent staff who can carry out works directly.						
16.3	Average time to complete routine repairs (calendar days)	15	41	36		
As above.						
16.4	 Appointments kept as proportion of appointments made	97%	97.9% (6,653 of 6,798)	97.9% (6,357 of 6,492)		
16.5	 Tenants satisfied with standard of repair work	96%	96% (1,291 of 1,351)	98% (889 of 903)		
16.6	Repairs completed at first visit	92%	90.2% (6,622 of 7,339)	89.5% (6,522 of 7,285)		
Although supplies in vans have been affected by the pandemic, this is an ambitious target even when compared to pre-pandemic performance by other local authorities (the median for our HouseMark peer group was 88% during 2019/20) and a revised target is being considered.						
16.7	 Calls answered by Repairs Helpdesk	85%	94% (18,695 of 19,786)	94% (19,144 of 20,277)		
16.8	Average call answering time (seconds) for Repairs Helpdesk	Info	37	45	n/a	n/a

 Council housing – repairs and maintenance		Target	Q4 2020/21	Q1 2021/22	Status against target	Trend since Q3
16.9	 Dwellings meeting Decent Homes Standard	100%	91.88% (10,747 of 11,697)	91.88% (10,750 of 11,700)		
<p>The stock condition survey identified many dwellings which did not meet the standard, and there was a lack of planned installations of new kitchens and bathrooms through 2020 due to Covid restrictions, shortages of supplies and components, and the mobilisation of new contractors. However, contractors are now in place and mobilised and focused around making homes decent, prioritising empty homes (in order to reduce the backlog) before moving on to occupied homes.</p>						
16.10	Energy efficiency rating of homes (out of 100)	76.8	68.0	68.0		
<p>A very ambitious target was set in line with performance by other local authorities (the median for our HouseMark peer group was 76.8 at the end of March 2021). A retrofit plan is being prepared for Housing Committee to show how Housing can contribute to the Carbon Neutral 2030 objective, and a programme to install solar panels on 1,000 council homes is to begin in 2021/22.</p>						
16.11	 Council homes with a valid Landlord's Gas Safety Record	100%	100% (10,026 of 10,026)	100% (10,043 of 10,043)		
<p>The indicator 'Lifts – average time taken (hours) to respond' has been taken out of this report ahead of a review of lifts performance measures and targets at Core Group in late September, although the two below are likely to remain as they are.</p>						
16.12	 Lifts restored to service within 24 hours	95%	96% (301 of 313)	91% (215 of 236)		
<p>There have been delays in repairing some lifts due to aging equipment and difficulty sourcing spare parts. Aging equipment is being modernised at Seniors schemes during 2021/22 and 2022/23; and the lift contractor will investigate potential to retain a greater stock of critical spares from European supply chains.</p>						
16.13	Lifts – average time taken (days) to restore service when not within 24 hours	7	5	9		

New performance indicators relating to planned and major works are currently being developed and will accompany future versions of these performance reports.

 Leaseholder disputes		Q4 2020/21	Q1 2021/22
17.1	Stage one disputes opened	3	0
17.2	Stage one disputes closed	1	3
17.3	Active stage one disputes (end quarter)	22	19
17.4	Stage two disputes opened	0	3
17.5	Stage two disputes closed	1	1
17.6	Active stage two disputes (end quarter)	1	3
17.7	Stage three disputes opened	1	0
17.8	Stage three disputes closed	0	0
17.9	Active stage three disputes (end quarter)	2	2
<p>The figures in this table count individual disputes, which can involve one or several leaseholders because they range in scale in complexity. The Covid-19 pandemic and lockdown restrictions has made it harder to arrange the home inspections required to resolve many disputes</p>			

Subject:	Temporary Accommodation Evictions Annual Report		
Date of Meeting:	22 September 2021		
Report of:	Executive Director Housing, Neighbourhoods & Communities		
Contact Officer:	Name:	Alan Davis	Tel: 01273 293786
	Email:	alan.davis@brighton-hove.gov.uk	
Ward(s) affected:	All		

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

- 1.1 Since June 2017 an annual report has been presented to Housing Committee, highlighting the numbers of placements ended by the contracted providers of Emergency Accommodation over the year.
- 1.2 This report outlines a review of placements ended over the past year and a comparison to previous year/s. The previous regular annual report of Emergency Accommodation placements ended by the Emergency Accommodation providers was presented to Housing Committee on 16th September 2020. The significant impact of the pandemic on the Housing service, including accommodating more than 800 people who had been rough sleeping or in congregate accommodation and those at risk of rough sleeping as part of the 'Everyone In' response to the Covid-19 emergency should be noted. Any comparison between ending of Emergency Accommodation placements by the provider over the past year and previous years should be viewed in this context.

2. RECOMMENDATIONS:

- 2.1 That Housing Committee notes the performance and end of placements by Emergency Accommodation providers reported.
- 2.2 That Housing Committee note that 2020/21 was an exceptional year in terms of both client placements and the complexity of client need.
- 2.3 That Housing Committee acknowledges the continuing efforts of staff within the service, our commissioned services and contractors to maintain tenancies throughout the Covid 19 period.
- 2.4 That Housing Committee notes that the forthcoming emergency accommodation re-procurement of contracts (unavoidably delayed due to Covid 19), seeks to enhance tenancy support and sustainment of emergency accommodation.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 Housing Committee requested a report into the evictions from Emergency Accommodation which was considered in June 2017. It was requested that the position be kept under review and an update report provided yearly. This report sets out the findings of the analysis of placements ended by the provider over the past year. It focuses on emergency/short term accommodation only and not longer-term leased accommodation.

3.2 Total placements / number of placements ended by the provider:

Period	Number of placements*	Number of placements ended	Percentage of those accommodated where accommodation ended by provider
01/04/17 to 21/03/18	996	33	3.3
01/04/18 to 31/03/19	1040	39	3.7
01/04/19 to 31/03/20	1706	185	11
01/04/20 to 31/03/21	1581	253**	16

*total number of placements made and not the total of different households accommodated, excluding Care & Protect clients

** includes 46 placements ending in eviction, subsequently reaccommodated and evicted from second / third property

The number of placements and placements ended increased significantly in 2019/20 and whilst placements reduced slightly in 2020/21, the ending of accommodation and percentage against placements remains high.

A more detailed breakdown is provided in Appendix 1.

By way of context, the majority of households maintain their accommodation and move on positively, including in 2020/21: 179 moved to social housing; over 120 moved to new private sector tenancies; 60 moved into supported accommodation; around 35 households were reconnected or referred to accommodation in the area they had a local connection; and 34 family reconciliations.

3.3 Reasons for the end of placements in 2020/21:

Reason for placement ending	Client numbers
Abandoned	5
Arrested / sectioned	15
ASB	63
Physical assault	15
Damage	28
Unauthorised visitors	22
Substance Misuse inc. dealing	58
Theft	11
Threats to staff or clients	36
	253

- 3.4 Prior to a placement ending, providers have to issue warnings to residents and to inform our Welfare Officer team so that we can work with those residents to try and resolve issues.

Evictions are always the last resort and are undertaken once council staff have been notified and all avenues to sustain the placement have been exhausted.

Below are some examples of the reasons for evictions:

- Swearing shouting, barricading self into other resident's room, tampering with fire detector.
- Violent and aggressive behaviour, assault on other resident (police attended).
- Fights with another resident, police called twice.
- Damages to property including ripping out light fixture.
- Heavily intoxicated, homophobic comments, punched staff member, arrested.
- Threatened to burn down hotel.
- Assaulted another resident, visitor violations, smoking cannabis on the premises, antagonising and aggressive behaviour.
- Drinking alcohol on premises, having other residents in room, complaints about music and noise, then a row with residents when intoxicated.
- Threatened other residents with knife.
- Evicted due to drugs and drink in room, bringing people into the hotel and stealing.
- Extensive malicious damages.
- Drugs, drinking, serious threats to staff, involved in an altercation in a group more than once and spat in another resident's face.

- 3.5 Of the 253 placements ended by the accommodation provider:

144 placements were ended by 'spot purchase' providers or hotels procured as part of the 'Everyone In' initiative in response to Covid. These hotels have both onsite support workers and a security presence.

109 were ended by contracted providers (emergency accommodation block booked providers).

152 residents were subsequently re-accommodated, 6 declined further offers of accommodation, 1 was recalled to prison.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 During 2019/20 and 2020/21 emergency short term accommodation was provided under 'Everyone In' Government guidance at short notice for rough sleepers, those at risk of rough sleeping, and those in congregate accommodation due to Covid-19. Under the circumstances alternative options could not be considered.
- 4.2 During this time additional welfare officers were recruited to provide support to people placed into emergency accommodation. In addition, commissioned

support providers for rough sleeping services provided support for higher needs clients placed into the Care and Protect hotel accommodation.

- 4.3 The No Second Night Out (NSNO) accommodation offer has been developed and re-tendered to provide additional bedspaces for rough sleepers to meet those needs going forward and reduce the need for emergency accommodation.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Engagement is carried out through the Temporary Accommodation Action Group which comprises current and former residents, various support agencies, council members and other homelessness services. Since the start of the current Covid 19 emergency, this has been challenging and we are considering how we can safely achieve this going forwards.

6. CONCLUSION

- 6.1 The council's response to the Covid 19 pandemic resulted in short term emergency accommodation being made available to a large group of clients with a variety of care and support needs in addition to those owed a statutory accommodation duty.
- 6.2 As outlined in paragraph 3.2, the majority of people accommodated have been provided with a positive move on option.
- 6.3 Learning from 'Everyone In' & the lockdown periods will be considered in the developing emergency accommodation contracts and will inform our future engagement with support agencies, services and other partners.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Recommendation 2.4 notes that the forthcoming emergency accommodation re-procurement of contracts seeks to enhance tenancy support and sustainment of emergency accommodation. The 2021/21 budget includes £0.230m extra investment to enhance the level of service in the re-procurement of emergency accommodation.

Finance Officer Consulted: Monica Brooks

Date: 10/09/2021

Legal Implications:

- 7.2 There are no legal implications within this report

Lawyer Consulted: Simon Court

Date: 10/09/2021

Public Health Implications:

7.7 In response to the pandemic and in line with advice from Public Health England, accommodation was provided for all verified rough sleepers and those becoming homeless who would otherwise be rough sleeping. This was to minimise the spread of infection and to safeguard rough sleepers who are considered to be amongst people at high risk if they contracted Covid-19. Many people we have provided emergency and short term accommodation for would not be owed a statutory housing duty. This is reflected in the significant increase in the number of placements since April 2020.

APPENDIX ONE

Detailed breakdown of figures for ending of Emergency Accommodation placements by provider.

Accommodation Provider	Total number of bookings	Licence ended by provider	% 2020/21	Licence ended by provider 2019/20
A	267	22	8%	36
B	122	24	20%	45
C	326	57	17%	46
D	127	6	5%	5
Misc supply inc 'Everyone In'	739	144	19%	53
1581			253	16%
				185

There is a natural variation between providers who accommodate families as opposed to single vulnerable clients, which is most clearly demonstrated by provider D who provides mostly 1-4 bed family size property.

Throughout 2020/21, we have worked collaboratively with our accommodation contractors in order to sustain clients in accommodation, including support provided by primarily by our Welfare Officers, our security team onsite and BHT who were commissioned to provide additional onsite support.

There was a reduction in cancellations from 132 to 109 by our longer term contracted accommodation providers (A, B, C & D) between 2019/20 and 2020/21. The largest rise in cancellations in 2020/21 was by hotel and short term 'spot purchase' providers, accommodation provided as part of the 'Everyone In' initiative.

