



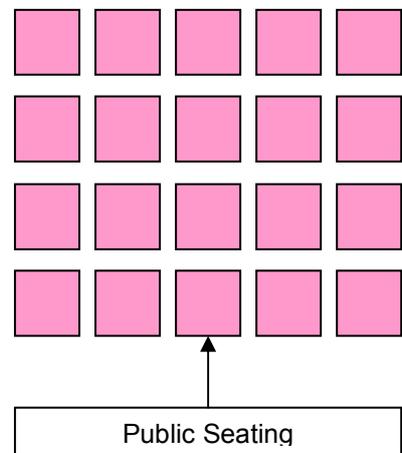
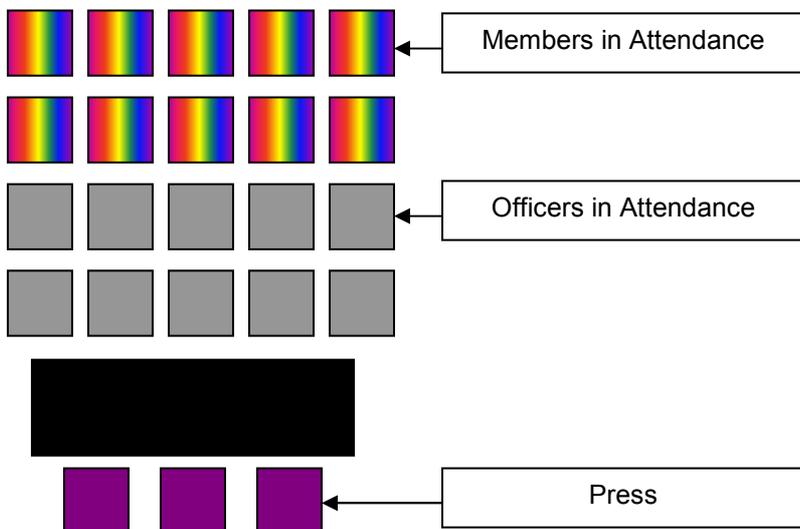
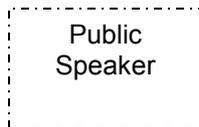
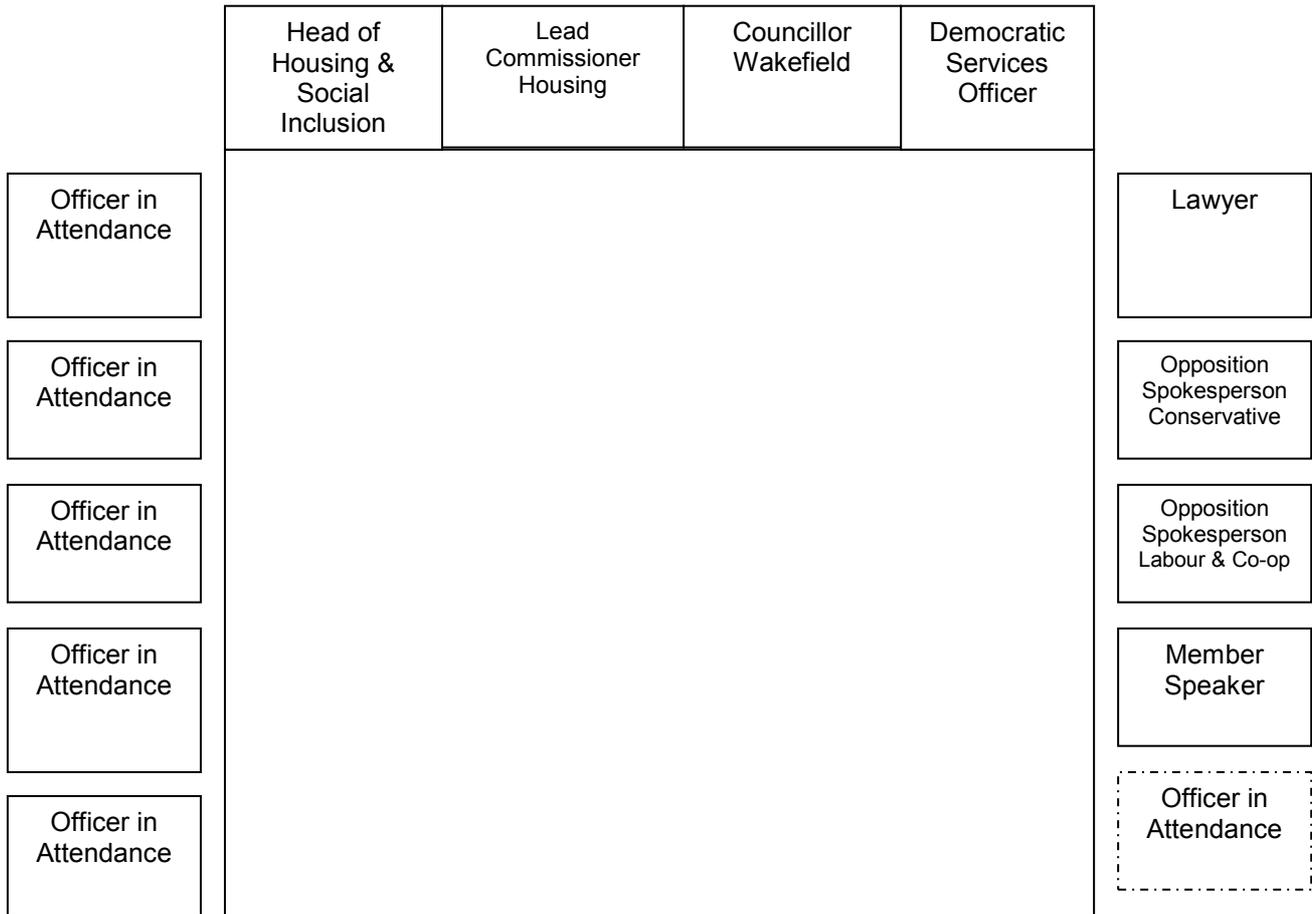
**Brighton & Hove  
City Council**

# Cabinet Member Meeting

Title:	<b>Housing Cabinet Member Meeting</b>
Date:	<b>5 July 2011</b>
Time:	<b>4.00pm</b>
Venue	<b>Committee Room 1, Hove Town Hall</b>
Members:	<b>Councillor:</b> Wakefield (Cabinet Member)
Contact:	<b>Caroline De Marco</b> Democratic Services Officer 01273 291063 caroline.demarco@brighton-hove.gov.uk

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# Democratic Services: Meeting Layout



**AGENDA**

**1. PROCEDURAL BUSINESS**

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) 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 2 of the Agenda states in its heading either that it is confidential or 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 categories of exempt information is available for public inspection at Brighton and Hove Town Halls.*

**2. MINUTES OF THE PREVIOUS MEETING**

1 - 8

Minutes of the Meeting held on 22 March 2011 (copy attached).

**3. CABINET MEMBER'S COMMUNICATIONS**

**4. ITEMS RESERVED FOR DISCUSSION**

- (a) Items reserved by the Cabinet Member
- (b) Items reserved by the Opposition Spokespersons
- (c) Items reserved by Members, with the agreement of the Cabinet Member.

*NOTE: Public Questions, Written Questions from Councillors, Petitions, Deputations, Letters from Councillors and Notices of Motion will be reserved automatically.*

**5. PETITIONS**

No petitions have been received by the date of publication.

**6. PUBLIC QUESTIONS**

(The closing date for receipt of public questions is 12 noon on 29 June 2011)

No public questions have been received by the date of publication.

## HOUSING CABINET MEMBER MEETING

### 7. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 29 June 2011)

No deputations have been received by the date of publication.

### 8. LETTERS FROM COUNCILLORS

No letters have been received.

### 9. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

### 10. NOTICES OF MOTIONS

No Notices of Motion have been received by the date of publication.

### 11. MINUTES OF THE ADULT SOCIAL CARE & HOUSING OVERVIEW & SCRUTINY COMMITTEE 9 - 16

Minutes of the meeting held on 10 March 2011 (copy attached).

### 12. MINUTES OF THE HOUSING MANAGEMENT CONSULTATIVE COMMITTEE 17 - 36

Minutes of the meetings held on 7 March & 22 March 2011 (copies attached).

### 13. GENERAL INTRODUCTION TO HOUSING

Presentation from the Lead Commissioner, Housing.

### 14. AUTHORITY TO AWARD A CONSTRUCTION CONTRACT FOR THE BUILDING OF 15 NEW COUNCIL HOMES AT AINSWORTH HOUSE 37 - 42

Report of the Strategic Director, Place (copy attached).

*Contact Officer: Martin Reid Tel: 29-3321*

*Ward Affected: Hanover & Elm Grove*

### 15. RENEWAL OF PRIVATE SECTOR HOUSING RENEWAL ASSISTANCE 43 - 52

Report of Strategic Director, Place (copy attached).

*Contact Officer: Martin Reid Tel: 29-3321*

*Ward Affected: All Wards*

## HOUSING CABINET MEMBER MEETING

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

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

Agendas and minutes are published on the council's website [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk). Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Caroline De Marco, (01273 291063, email [caroline.demarco@brighton-hove.gov.uk](mailto:caroline.demarco@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

Date of Publication - Monday, 27 June 2011



### BRIGHTON & HOVE CITY COUNCIL

### HOUSING CABINET MEMBER MEETING

4.00pm 22 MARCH 2011

### COUNCIL CHAMBER, HOVE TOWN HALL

### MINUTES

**Present:** Councillor Caulfield (Cabinet Member)

**Also in attendance:** Councillor Simpson (Opposition Spokesperson)

### PART ONE

#### 112. PROCEDURAL BUSINESS

##### 112(a) Declarations of Interests

112.1 There were none.

##### 112(b) Exclusion of Press and Public

112.2 In accordance with section 100A of the Local Government Act 1972 ("the Act"), the Cabinet Member considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of the proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

112.3 **RESOLVED** - That the press and public not be excluded from the meeting during consideration of any items on the agenda. (There was no discussion of item 129).

#### 113. MINUTES OF THE PREVIOUS MEETING

113.1 **RESOLVED** – That the minutes of the Housing Cabinet Member Meeting held on 16 February 2011 be agreed and signed by the Cabinet Member.

#### 114. CABINET MEMBER'S COMMUNICATIONS

114.1 There were none.

**115. ITEMS RESERVED FOR DISCUSSION**

115.1 **RESOLVED** – That item numbers 123, 124, 125, 127, and 128 be reserved for debate and determination. Item 126 is agreed without discussion.

**116. PETITIONS**

116.1 There were none.

**117. PUBLIC QUESTIONS**

117.1 There were none.

**118. DEPUTATIONS**

118.1 There were none.

**119. LETTERS FROM COUNCILLORS**

119.1 There were none.

**120. WRITTEN QUESTIONS FROM COUNCILLORS**

120.1 There were none.

**121. NOTICES OF MOTIONS**

121.1 There were none.

**122. MINUTES OF THE ADULT SOCIAL CARE & HOUSING OVERVIEW & SCRUTINY COMMITTEE**

122.1 The Cabinet Member considered the minutes of the Adult Social Care & Housing Overview & Scrutiny Committee held on the 6 January 2011.

122.2 **RESOLVED** – That the minutes be noted.

**123. SERVICE PLEDGES FOR TENANTS AND LEASEHOLDERS IN COUNCIL MANAGED HOUSING**

123.1 The Cabinet Member considered a report of the Strategic Director Place which provided an overview of the development of service pledges with residents and included the service pledges that had been agreed with residents in the appendices. The service pledges met the Tenant Services Authority (TSA) requirement to produce local service offers by 1 April 2011, which was still a requirement of all councils who are landlords.

123.2 A wide range of consultation was carried out with resident on the development of the service pledges and this was detailed in 3.1 to 3.7 of the report.

- 123.3 The Head of Housing and Social Inclusion informed the meeting that the report had been well received by the Housing Management Consultative Committee. There had been some comments about how tenants should understand some of the Brighton & Hove Standards and as a result a leaflet would be produced explaining in plain English how these standards should be interpreted.
- 123.4 Councillor Simpson referred to paragraph 3.16 to 3.20 which related to standards not being met if two or more of the other building components were old and needed replacing or required immediate repair (these related to kitchens, bathrooms and heating distribution systems). Councillor Simpson considered that there should be clarification for tenants about these standards. She asked for confirmation that the Brighton & Hove Standard did not conflict with Decent Homes Standards.
- 123.5 The Head of Housing and Social Inclusion confirmed that there was no conflict with the Decent Homes Standards.
- 123.6 **RESOLVED** – Having considered the information and the reasons set out in the report, the Cabinet Member made the following decision:
- (1) That the Housing Cabinet Member approves the Service Pledges attached in appendices 1, 2 and 3.

#### 124. ALLOCATIONS POLICY REVIEW

- 124.1 The Cabinet Member considered a report of the Lead Commissioner for Housing which explained that the current Housing Register Allocations Policy was approved by committee on 6 January 2005 with an update in March 2009 agreed by the Housing Cabinet Member Meeting. However, following tenants' dissatisfaction it was agreed that the area of Choice Based Lettings and systems for allocating accommodation be subject to a fundamental review. This review had now been undertaken resulting in recommendations for changes to the way the Housing Register was to be operated. The recommended changes to the Allocations Policy were attached as Appendix 1 for approval. If approved the changes would be implemented by May 2011.
- 124.2 A full 12 week consultation with the City had been concluded. This further report brought back final recommendations for implementation.
- 124.3 The Head of Temporary Accommodation and Allocations reported that following consultation, recommended changes to the policy were set out in Appendix 7 of the report.
- 123.4 Councillor Simpson expressed her concern at the part of the policy relating to 50% of social housing stock being advertised with a priority being given to tenants who were working. She felt this was excessive and unnecessary. Many estates had mixed communities living in them and many households were unemployed and would become unemployed at this time. It would be a negative step to exclude them from housing. She asked for a revision of this aspect of the policy.
- 124.5 The Cabinet Member replied that she had not been in attendance at the Housing Management Consultative Committee on 7 March but had been assured by Councillor

Mears who chaired the meeting, that the recommendations had been supported by the Committee. 50% of properties would still be available for people not working.

- 124.6 The Cabinet Member commented that in certain areas such as the east area of the city, there was massive poverty and that the intention was to improve and bring income to the estates. She did not consider it an unjust policy and stressed the need to be proactive about poverty. She considered that council housing was not necessarily the best accommodation for people on housing benefit as they could access other forms of housing.
- 124.7 Councillor Simpson replied that she considered that the policy would not alleviate poverty and that it would take longer for the most disadvantaged to find permanent accommodation.
- 124.8 The Cabinet Member remarked that some people assumed that people on housing benefit were most in need. She considered that many people were on the edge and could end up on housing benefit if they did not get help and support. These people did not have access to the private rented sector.
- 124.9 **RESOLVED** – Having considered the information and the reasons set out in the report, the Cabinet Member made the following decision:
- (1) That the changes recommended in Appendix 1 be approved. (Appendix 6 was a full policy document with the changes highlighted).

## 125. BRIGHTON AND HOVE LANDLORD SOLUTIONS

- 125.1 The Cabinet Member considered a report of the Lead Commissioner for Housing concerning a proposal to amalgamate the various ways in which the council were working with the private sector under the name Brighton and Hove Landlord Solutions and to expand the work the council were doing to incorporate joint work with other organisations on head leasing with the universities in the City. There could also be other opportunities where a social letting agency would deliver accommodation more strategically.
- 125.2 Bringing all the current schemes together into Brighton and Hove Landlord Solutions would enable Brighton & Hove City Council to have a clear identity in the private market from which to attract further landlords and developers to enable access to good quality housing.
- 125.3 The Chairman considered the report to be timely and important. The result of the universities and council working together would bring peace of mind to students, parents and residents.
- 125.4 Councillor Simpson supported the proposal which she considered a good initiative.
- 125.5 **RESOLVED** – Having considered the information and the reasons set out in the report, the Cabinet Member made the following decisions:
- (1) That bringing together all the current work with private landlords and developers into Brighton and Hove Landlord Solutions, be approved.

- (2) That it be approved that Brighton and Hove Landlord Solutions incorporate joint head leasing with the Universities, and undertake joint management functions with the Universities to provide efficiencies and value for money for each organisation.

## 126. OUT OF HOURS SHELTERED SERVICE

- 126.1 The Cabinet Member considered a report of the Head of Housing and Social Inclusion concerning recommended changes to the weekend call service and the service to sheltered housing tenants after out of hours.
- 126.2 Twelve proposals to revise the out of hours and weekend service provided to sheltered tenants were identified by the tenant led focus group, and agreed by the Sheltered Housing Action Group.
- 126.3 **RESOLVED** – Having considered the information and the reasons set out in the report, the Cabinet Member made the following decision:
- (1) That the twelve proposals set out in section 3 of the report be approved.

## 127. THE PROVISION OF LOFT CONVERSIONS AND EXTENSIONS TO ASSIST OVERCROWDED COUNCIL TENANTS

- 127.1 The Cabinet Member considered a report of the Strategic Director Place which explained that the Housing Revenue Account Capital Programme for 2011-2014, approved by Council on 3 March 2011, included setting aside £388,000 per annum to fund a programme of loft conversions and extensions to alleviate overcrowding in Housing Revenue Account (HRA) properties. The report set out how a loft conversion and extension programme could operate.
- 127.2 The Business Improvement Manager reported that there would be 10 conversions a year. The selection criteria broadly mirrored the Allocations criteria.
- 127.3 The Cabinet Member was pleased that people from outside the housing list were included in the scheme. She remarked that many people on the housing register needed more room and did not necessarily want to move. This was a good option for some families and a good use of resources.
- 127.4 Councillor Simpson welcomed the initiative. Many families were living in overcrowded accommodation. Her one criticism of the report related to the selection criteria which stated that 50% of properties selected would be tenanted by working households. Councillor Simpson considered that the selection criteria should be based on helping those who were most overcrowded, rather than based on whether people were in or out of work.
- 127.5 The Cabinet Member suggested that after completion of works to the first 10 properties, it would be a good idea to invite a couple of families to the Housing Management Consultative Committee to speak about their experience and how this project had benefited them.
- 127.6 **RESOLVED** – Having considered the information and the reasons set out in the report, the Cabinet Member made the following decision:

- (1) That the selection criteria, set out in Appendix A be approved.
- (2) That the selection criteria, set out in Appendix A be approved.
- (3) That discretion be awarded to the Head of Housing & Social Inclusion to amend the selection and prioritisation criteria in accordance with any relevant changes agreed to the council's Allocations Policy. (These will primarily concern priority for working households and those making a positive contribution to the city).
- (4) That the key events in the process and the estimated timetable for each event to be completed, be noted as set out in Appendix B.

## **128. HOME ENERGY EFFICIENCY INVESTMENT OPTIONS**

- 128.1 The Cabinet Member considered a report of the Lead Commissioner Housing which explained that the Housing Revenue Account Capital programme for 2011-14 included home energy efficiency investment as a housing commissioning investment priority for possible future investment. In order to maintain the Council's current level of performance and meet the Council's strategic priorities it was necessary to explore alternative funding streams to enable the continued delivery of home energy efficiency programmes in both the private sector and council stock. Previous reports and presentations to the HMCC and Housing Cabinet Member Meeting had noted the importance of continuing the work with potential partners such as energy companies to explore means of maximising investment to meet the Council's strategic housing goals, including potential opportunities offered by the Government backed Feed in Tariff scheme.
- 128.2 The Council had the opportunity to install solar PV panels onto its Council owned residential properties. This had arisen out of the Government's new Feed-in-Tariff incentive scheme.
- 128.3 The Cabinet Member reported that the Head of Housing Strategy and Development and Private Sector Housing had consulted all the Housing Area Management Panels and the Energy Efficiency Working Group on these proposals.
- 128.4 It was confirmed that the report had been supported by the Housing Management Consultative Committee and had been approved by Cabinet.
- 128.5 Councillor Simpson welcomed the proposals. She mentioned that she had heard that the climate change minister had stated that feed in tariffs could be reduced for large scale installations over 50 kw (the equivalent to 20 houses). She would be concerned if feed in tariffs were to be reduced.
- 128.6 The Head of Housing Strategy and Development and Private Sector Housing replied that his understanding of the review was that the changes would relate to larger installations.
- 128.7 The Chairman considered the proposals to be exciting opportunities and stressed the need to move the proposals forward quickly. She asked about timescales. The Head of Housing Strategy and Development confirmed that the plan was to develop the

procurement opportunities as quickly as possible. The Council was ahead of other local authorities both in terms of feed in tariffs and other energy initiatives.

128.8 **RESOLVED** – Having considered the information and the reasons set out in the report, the Cabinet Member made the following decisions:

- (1) That the Home Energy Efficiency Investment options and opportunities available to the Council, its tenants and residents through installation of solar photovoltaic panels on council and other homes to take advantage of the Feed in Tariff scheme, be noted.
- (2) That the outcome of the initial options appraisal undertaken by Climate Energy be noted. This indicated that there is an outline business case to support delivery of a solar photovoltaic scheme across the council housing stock and to meet strategic housing and other council priorities, including private sector housing renewal, reducing fuel poverty and reducing carbon emissions.
- (3) That it is noted that existing sub-regional local authority partners in the BEST consortium are also undertaking similar initiatives to install solar panels to take advantage of the Feed in Tariff scheme and that we have identified significant potential advantages to working in partnership to move quickly to enable economies of scale to be explored through procurement arrangements.
- (4) That it be agreed that BHCC works with partners in the current BEST consortium to ascertain whether BHCC can take forward any procurement of the supply and installation of solar PV panels together with those partners in order to establish actual costs to inform economies of scale and further consideration of business case and appropriate funding model. In addition, consideration will be given to procuring the supply and installation of solar PV panels with our partner Mears Ltd.
- (5) That it be noted that any final decision on funding options, level and source of funding to progress this scheme together with any procurement supply and installation of solar PV panels as set out in this Report will be subject to Cabinet approval.

## 129. PART TWO MINUTES OF THE PREVIOUS MEETING

129.1 The Cabinet Member noted the Part Two minutes of the meeting held on 16 February 2011.

129.2 **RESOLVED** – That the Part Two minutes be approved and signed by the Cabinet Member.

The meeting concluded at 4.31pm

Signed

Cabinet Member

Dated this

day of

### BRIGHTON & HOVE CITY COUNCIL

#### ADULT SOCIAL CARE & HOUSING OVERVIEW & SCRUTINY COMMITTEE

4.30PM 10 MARCH 2011

COMMITTEE ROOMS 2/3, BRIGHTON TOWN HALL

#### MINUTES

**Present:** Councillors Meadows (Chairman); Wrighton (Deputy Chairman), Allen, Davey, Janio, Kemble, Older and Pidgeon

**Co-opted Members:** Steve Lawless

#### PART ONE

#### 51. PROCEDURAL BUSINESS

##### 51A Declaration of Substitutes

51.1 There were none.

##### 51B Declarations of Interest

51.2 Steve Lawless said that in relation to item 59 (the Panel report on services for Adults with Autistic Spectrum Conditions) he managed Aspire, one of the two Asperger Syndrome services in the City. Aspire which delivers training and provides mentors and groups for people with Autistic Spectrum Conditions.

##### 51C Declarations of Party Whip

51.3 There were none

##### 51D Exclusion of Press and Public

51.4 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

51.5 **RESOLVED** – that the press and public be not excluded from the meeting.

**52. MINUTES OF THE PREVIOUS MEETING**

52.1 These were approved.

**53. CHAIRMAN'S COMMUNICATIONS**

53.1 There were no communications.

**54. PUBLIC QUESTIONS**

54.1 There were none.

**55. LETTERS FROM COUNCILLORS**

55.1 There were none.

**56. NOTICES OF MOTIONS REFERRED FROM COUNCIL**

56.1 There were none.

**57. MEMBER DEVELOPMENT SESSION - HOUSING BENEFITS**

57.1 Graham Bourne, Head of Revenues and Benefits, and John Francis, Revenues and Benefits Manager, provided members with an overview of how the Local Housing Allowance (LHA) system operated and a summary of the forthcoming changes to the LHA system. The current LHA maximum levels are due to be reduced under the new regulations; by December 2012 all existing and new claims will be on the lower level.

57.2 Members asked how claimants would be expected to make up the shortfall when the new LHA levels were introduced.

Mr Bourne said that it was not possible to predict all of the factors including landlord and tenant behaviour at present. However Mr Bourne noted that Brighton & Hove had been allocated one of the largest discretionary payment funds in the country, which recognised the importance of the private sector housing market in the city.

57.3 Members asked how much notice claimants would have about LHA changes that affected them.

Mr Bourne said that they tried to allow as much lead in time as possible to introduce changes, and that they would try to communicate changes as much as possible. For example, when LHA was first introduced into the city, the team allowed a twelve month notification period, sending out bulletins every three months.

57.4 Members said that they were concerned about the effect that the LHA changes would have on vulnerable people including those with Learning Disabilities. Had a Risk Assessment been carried out?

Mr Bourne said that the service was working with Housing Strategy to assess the impact on vulnerable clients, in order that they could put as much support in as possible. In

addition, some of the discretionary payment amount had been set aside for vulnerable groups.

- 57.5 Members asked whether the current system was perpetuating the high rent levels being set by landlords, as landlords were able to set rents at whatever level they wished.

Mr Bourne said that they could only speculate about what might happen; housing was a market and landlords will make commercial decisions. It was not possible to predict the changes that might occur; a number of academic modelling studies had been carried out but there was no consistent outcome to the studies.

- 57.6 Members noted that under the new legislation, people under the age of 35 would only be eligible for LHA for a shared room rent level. Members asked whether Brighton and Hove had the accommodation capacity that might be needed for the anticipated extra Houses of Multiple Occupation.

Mr Bourne said that Housing Strategy was working to try and assess the availability of accommodation across various housing types. There were already approximately 1000 people under the age of 35 who were claiming LHA and living in shared accommodation, and approximately 1000 others who were in self contained accommodation. It was recognised that the changes in LHA legislation would change the pressure of accommodation demands for the city.

- 57.7 Members asked whether people on DLA would be exempt from the changes in LHA levels.

Mr Bourne said that people who received middle and higher rates of DLA would be exempt from the changes.

- 57.8 Mr Bourne was thanked for his presentation and the information provided.

## **58. SCRUTINY PANEL REPORT LOOKING AT LETTING AGENTS**

- 58.1 Councillor Paul Elgood, who chaired the Panel, presented the report to the Committee.

The Panel had been established to look at the charges made by letting agents in the city. This was in response to a national report published by the Citizens' Advice Bureau. The Panel had heard from letting agencies and tenants and had heard about good and bad practice that was being carried out.

The Panel had made six recommendations, all of which could help to provide a low-cost solution to a problem that affected a great many tenants in Brighton and Hove.

The Cabinet Member for Housing had taken part in the Panel and had agreed with the recommendations made.

- 58.2 Committee Members asked Councillor Elgood questions about the report. Members asked whether there was already a national landlord accreditation system.

Councillor Elgood said that there were some voluntary schemes but that this would not help with the non-accredited and unmonitored letting agents that were operating in Brighton and Hove.

58.3 Members asked a procedural question about the route of the scrutiny report once it had been to ASCHOSC. The Committee would like to know the Executive's response to the report as well as the resource implications of each recommendation. This was agreed as good practice and it was agreed that the report would come back to ASCHOSC with the additional information.

58.4 Members asked whether the Panel had considered recommending that the Private Sector Housing Forum be reinstated. They felt that if the Forum was still in existence, it would have been able to address a number of the excessive charging problems that tenants had raised with the Panel at an earlier stage rather than allowing problems to escalate.

Councillor Elgood said that he would be happy to go back to the other Panel members to ask whether they would be happy to include a recommendation suggesting that the Private Sector Housing Forum be reinstated. He was happy for the report to be postponed whilst amendments were made. This was welcomed by Committee Members.

58.5 Members asked whether the Panel had considered issuing a set list of fees for letting agents.

Councillor Elgood said that this had been considered by the Panel but that they had agreed that it was more useful to start with an accreditation scheme; there ought to be further discussion about issuing a set list of fees. The Panel had heard from a number of tenants who had paid fees because of fears of losing their properties.

58.6 Resolved- agreed to note and endorse the recommendations and report, but to agree to the extra points raised in the discussion today. It will then come back to ASCHOSC with the extra comments before being referred on to the Executive.

## **59. SCRUTINY PANEL REPORT LOOKING AT SERVICES FOR ADULTS WITH AUTISTIC SPECTRUM CONDITIONS**

59.1 Councillor Steve Harmer Strange, Chairman of the Scrutiny Panel looking at services for Adults with Autistic Spectrum Conditions, presented the report to the Committee on behalf of the Panel. He said that this was a starting point, and that more research needed to be done in order to get the fullest possible picture of local services. It would be useful to speak to colleagues in the criminal justice system and Speech and Language Therapists for more information as it had not been possible to speak to them during the Panel's investigation.

Councillor Harmer-Strange said that, notwithstanding this, the report was a very strong piece of work and had been very well informed by a wide range of agencies and council officers. A large number of the recommendations were being taken forward in the Joint Strategic Needs Assessment, and would help to shape the direction of work for the future.

59.2 The Chair of ASCHOSC said that a member of the public had brought a number of comments and recommendations about the report to the attention of the Committee today. The comments had also been presented as a formal complaint. It was decided that it was therefore not appropriate to discuss the comments at ASCHOSC.

59.3 Members asked what would happen with the report now. The Senior Scrutiny Officer said that due to the tight timescales in the national guidance, it had been agreed to try and expedite the Panel's final report as much as possible. It was noted that this should have been made more explicit in the report or covering report.

Councillor Ken Norman, Cabinet Member for Adult Social Care (check) said that the report had already been seen by the Executive and that work was underway on the Executive response. Partner agencies had also been involved, including the work being carried out on the Joint Strategic Needs Assessment. In addition, stakeholder groups were being established.

59.4 Committee Members took the opportunity to discuss the content of the report. Steve Lawless, who manages Aspire, a service for adults with Asperger Syndrome, said that Aspire welcomed the report but had a few comments. He said that there was still a great many people who do not qualify for help from the council; they will continue to rely on the third sector for assistance. Mr Lawless welcomed the mapping of what services were available, but it was necessary to look at the funding and viability of third sector organisations.

Mr Lawless also said that it was important to look at preventative work at an early stage; buddying and mentoring were very good examples of schemes that worked. If people with Asperger have some training about how to see the world from the perspective of someone without Autism, that can be a very liberating experience.

Mr Lawless said that adult bullying should have been given more emphasis. People with ASC tend to have a lack of empathy and they do not know why people react in the way that they do. They are often bullied as adults but they do not know why. This can lead to people with ASC losing employment and affecting their entire lives.

Councillor Harmer-Strange agreed to discuss the above points with the Panel members and include them in the Panel report as needed.

59.5 Members thanked the Panel for their hard work on the report. It was very welcome.

59.6 Resolved- agreed to note and endorse the recommendations and report, and agreed to refer it on the Executive for endorsement. It should then come back to ASCHOSC.

## **60. UPDATE ON CVSF'S PERSPECTIVE ON PERSONALISATION**

60.1 Sally Polanski and Geraldine des Moulins presented a report on behalf of the CVSF on the progress with personalisation, updating the Committee on progress in the last six months. They said that nothing had really moved on in the last six months, problems included: nothing had happened since a review meeting in October 2010. There was no linking between the CVSF and the council. User involvement was central to successful

personalisation but support for the CVSF was not forthcoming. The council had missed out by not using user-led intelligence.

In comparison, East Sussex County Council had just launched a large programme for personalisation including £9 million for the third sector. This was a very stark contrast with Brighton and Hove.

The CVSF has concerns about the level of savings that the council's budget has forecast will be made through personalisation. They worry that savings will negatively affect service users and providers.

They are desperate to see development work taking place. There has been a three year transformation process in place; we are now at the end of this but it has not been effective.

Ms Polanski said that, from their perspective, there had been a lot of work that had needed to be done within and without the council; the work within the council had happened but it was the external work that had not happened to such an extent.

There was a need for more communication, particularly with smaller organisations.

60.2 The recently appointed Head of Adult Assessment Services, Brian Doughty, said that he was happy to facilitate a meeting to discuss the issues that had been raised, including commissioners, the third sector, and other officers. He said that the projected budget savings reflected the reshaping of Adult Social Care generally, and were not solely based on the personalisation budget.

60.3 Councillor Norman said that he was due to meet colleagues from East Sussex to discuss their system. He felt that a lot had been put into place over the last three years although it was fair to say that things had slowed down in the last few months due to problems setting up meetings. Councillor Norman confirmed that he was committed to getting things back on track and consulting with the CVSF. He would take all of the comments raised into account.

60.4 The Committee thanked Ms Polanski and Ms des Moulins for their report and hoped that progress would be made shortly.

## **61. ESTATES SERVICES MASTERPLAN**

61.1 Martin Reid gave a presentation updating the committee on the Estates Masterplan. (See minute book for copy of the presentations).

61.2 The Estates Masterplan is a plan for building new homes, and was being delivered by tenants. The first development that had been commissioned was on the site of Ainsworth House, in Wellington Road, Brighton. It uses the site of a decommissioned sheltered scheme. The bulk of funding comes from the Housing Revenue Account. The Ainsworth House scheme was a catalyst for wider estates development work. Mr Reid said that the Estates Masterplan planned to deliver up to 800 homes over ten years. There was no list of sites yet, it was planned to be a step by step process. Tenants were focussing on Ainsworth House now, and would then look at other options.

61.3 Mr Reid responded to questions from Members regarding the proportion of affordable housing on new developments. Mr Reid said that the rates of housing remained the same. Ainsworth House will all be rented accommodation; rent levels would be kept at the same level as other council accommodation.

61.4 The presentations were noted and Mr Reid thanked for his time.

**62. ITEMS TO GO FORWARD TO CABINET OR THE RELEVANT CABINET MEMBER MEETING**

62.1 The Scrutiny Panel report on services for adults with Autistic Spectrum Conditions will be going forward to Cabinet as part of the decision making process.

**63. ITEMS TO GO FORWARD TO COUNCIL**

63.1 There were none.

The meeting concluded at 6.30pm

Signed

Chair

Dated this

day of



### BRIGHTON & HOVE CITY COUNCIL

#### HOUSING MANAGEMENT CONSULTATIVE COMMITTEE

3.00pm 7 MARCH 2011

COUNCIL CHAMBER, HOVE TOWN HALL

#### MINUTES

**Present:** Councillors Mears (Chairman); Allen, Barnett, Fallon-Khan, Fryer, A Norman, Randall, Simpson (Opposition Spokesperson) and Simson

**Tenant Representatives:** Ted Harman (Brighton East Area Housing Management Panel), David Murtagh (Brighton East Area Housing Management Panel), Jean Davis (Central Area Housing Management Panel), John Melson (Central Area Housing Management Panel), Stewart Gover (North & East Area Housing Management Panel), Heather Hayes (North & East Area Housing Management Panel), David Avery (Deputy West Hove & Portslade Housing Management Area Panel), Beverley Weaver (West Hove & Portslade Area Housing Management Panel), Chris Kift (Hi Rise Action Group), Tom Whiting (Sheltered Housing Action Group) and Barry Kent (Tenant Disability Network)

**In Attendance:**

Councillor Gill Mitchell and Councillor Ken Norman.

#### PART ONE

#### 84. PROCEDURAL BUSINESS

##### 84A Declarations of Substitute Members

84.1 Councillor Fallon-Khan declared that he was attending as a substitute for Councillor Pidgeon. Councillor Ann Norman declared that she was attending as a substitute for Councillor Caulfield. Dave Avery declared that he was substituting for Tina Urquhart.

##### 84B Declarations of Interests

84.2 Councillors Barnett, Randall, and Simpson, Heather Hayes and Ted Harman declared a personal interest in any discussion on the LDV as they are Board Members of Brighton and Hove Seaside Community Homes (the Local Delivery Vehicle). Councillor Simpson also declared a personal interest in any discussion relating to Age Concern as she is an employee of the charity.

**84C Exclusion of the Press and Public**

84.3 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

84.4 **RESOLVED** - That the press and public be not excluded from the meeting.

**85. MINUTES OF THE PREVIOUS MEETING**

85.1 **RESOLVED** – That the minutes of the Housing Management Consultative Committee Meeting held on 24 January 2011 be agreed and signed as a correct record.

**86. CHAIRMAN'S COMMUNICATIONS****Financial Assistance for Council Leaseholders - Introducing Equity Loans**

- 86.1 The Committee received a presentation from the Business Improvement Manager. The presentation mentioned that high levels of investment in council homes was taking place, including major works projects to blocks of flats. These works would have a significant financial impact on leaseholders. Leaseholders paid a % share of the council's costs in carrying out works at their building. Cost for over cladding and new windows could be in excess of £10,000 for a leaseholder. Lift replacements and re-wiring could double this figure. Decent Homes by the end of 2013 could mean several costs incurred in a short period.
- 86.2 The presentation set out how leaseholders could receive help to meet these payments, including council loans. The Government now allowed councils to offer equity loans as well as interest loans and the presentation set out how equity loans worked. Officers were currently looking at how equity loans might be introduced.
- 86.3 Councillor Randall thought equity loans sounded a good idea, not unlike equity release loans in the private sector. He asked if people would have to pay back interest on the loans. The Business Improvement Manager replied that there were no interest payments.
- 86.4 Councillor Fallon-Khan asked about the flexibility of the loans if leaseholders had difficulty making payments. The Business Improvement Manager explained that the council would have an equity stake in the property. This percentage share of the selling price of the property would be repaid to the council at the next sale or transfer.
- 86.5 Chris Kift asked what would happen if someone took out an equity loan, and needed another loan the following year. Could this be added to the first equity loan? The Business Improvement Manager confirmed that another loan could be added.
- 86.6 Stewart Gover expressed worries about the costs of works to leaseholders. Some people were on fixed mortgages. If they were just managing to pay the mortgage, this

would add to their burden. The Head of Housing and Social Inclusion shared his concern and stressed that this was why the council were looking at the additional help equity loans might give. Individual leaseholders would be able to receive advice about their own set of circumstances.

- 86.7 The Chairman stressed that the council were trying to put in a safety net for leaseholders. They had bought their properties and some repairs were very expensive. It would be important to inform leaseholders about the proposal. This would give them the opportunity to discuss the proposals with officers.
- 86.8 Stewart Gover was relieved that there was a safety net. He knew of several young couples who had bought their flats. A big bill would affect the retail price of their flats.
- 86.9 Councillor Simpson welcomed the proposal to explore this option. She stressed the importance of explanation and publicity of this important proposal. It would rely on there being enough equity in the property.
- 86.10 The Chairman thanked the Business Improvement Manager for the excellent presentation. There were many options to investigate and the matter would be brought back to the HMCC for further discussion.

### **Ainsworth House**

- 86.11 The Committee received a presentation from the Head of Housing Strategy and Development and Private Sector Housing on the development of a scheme to deliver 15 social rented homes to meet housing need in the city, including 3 four bedroom family homes and 2 two bed fully wheelchair accessible flats, on the Ainsworth House site. The scheme would be presented to Planning Committee on 6 April 2011. Tenants had been involved in the design of the development.
- 86.12 The Chairman congratulated the tenants in their work on this project and on their involvement with the design.
- 86.13 Stewart Gover stated that he was delighted with the proposal. Tenants had worked hard on this project. It was an amazing development of houses and flats. He congratulated the Head of Housing Strategy and Development and everyone else involved in the project.

### **87. CALLOVER**

- 87.1 The Chairman asked the Committee to consider which items listed on the agenda it wished to debate and determine in full.
- 87.2 **RESOLVED** - That all items be reserved for debate and determination.

### **88. PETITIONS**

- 88.1 There were none.

**89. PUBLIC QUESTIONS**

89.1 There were none.

**90. DEPUTATIONS**

90.1 There were none.

**91. LETTERS FROM COUNCILLORS**

91.1 There were none.

**92. WRITTEN QUESTIONS FROM COUNCILLORS**

92.1 There were none.

**93. ALLOCATIONS POLICY REVIEW**

- 93.1 The Committee considered a report of the Lead Commissioner for Housing which explained that the current Housing Register Allocations Policy was approved by committee on 6 January 2005 with an update in March 2009 agreed by the Housing Cabinet Member Meeting. However, following tenants dissatisfaction it was agreed that the area of Choice Based Lettings and systems for allocating accommodation be subject to a fundamental review. This review had now been undertaken resulting in recommendations for changes to the way the Housing Register was to be operated. The recommended changes to the Allocations Policy were attached as Appendix 1 for approval. If approved the changes would be implemented by May 2011.
- 93.2 John Melson informed the meeting that he had discussed the recommendations with tenants from the Central area. He reported that they did not like the proposal relating to 50% of all permanent social housing stock being advertised with a priority being given to those who could show that the ingoing primary tenants were working or making a positive contribution to Brighton & Hove City. Mr Melson asked if this could be changed to 50% of any new build or any additional properties. The current proposal for 50% should either be reduced or not in the document at all.
- 93.3 Mr Melson also expressed concern about Right to Buy. There did not appear to be any restrictions in place to prevent Right to Buy. As the country came out of recession, the take up would become easier.
- 93.4 The Chairman stated that the proposals came from the Tenant Led Focus Group. Next week she would be meeting Eric Pickles, Secretary of State for Communities and Local Government. She would raise some of these issues with him.
- 93.5 David Murtagh stated that he agreed with the recommendation for 50%, and most of the tenants he represented in East Moulsecoomb agreed with this proposal. He stressed that the council houses in the area were originally built for people who were working. There was a lack of community in East Moulsecoomb. The 50% proposal would bring more committed people into the area.

- 93.6 Councillor Simson referred to wording in the second paragraph of page 35 of the report. "For the purposes of determining local connection, living in Brighton & Hove will not include the following:  
Occupation of a mobile home, caravan or motor caravan which is not placed on an official Council approved site or other Council approval obtained (toleration on unauthorised sites is not included)." Councillor Simson asked for an explanation of this wording.
- 93.7 The Head of Temporary Accommodation and Allocations explained that the wording came from the legal department. It referred to local people who were on an unauthorised site.
- 93.8 Stewart Gover agreed with David Murtagh. He stressed that 50% did not mean 50% of the total lettable dwellings. It was 50% of what was left over.
- 93.9 Councillor Fryer asked for clarification regarding priority changes. She also asked which properties would and which would not be included in the 50% proposal. The Head of Temporary Accommodation and Allocations explained that under the current system, homeless households in bed and breakfast were in Band A. They would now be in Band C. The 50% would apply to all properties except sheltered housing.
- 93.10 Councillor Fryer stated that she was disappointed that the report did not include all the consultation responses. She requested that these were emailed to all HMCC members and were put in the report when it was presented at the Housing Cabinet Member Meeting. Councillor Fryer stated that the Green councillors proposed a reduction to 25%. She stressed that there were many people who wanted to work who could not find work. Meanwhile, the Right to Buy take-up might increase.
- 93.11 Councillor Barnett reported that she had chaired the working group. She stressed the importance of encouraging people to go out to work. Employment was the most important way out of poverty. Working could mean paid employment or voluntary work. Meanwhile, there needed to be a more flexible age limit with regard to sheltered accommodation. She thanked all residents who had been involved in the review.
- 93.12 Tom Whiting referred to the section on Sheltered Housing on page 45 of the report. He mentioned that on 22 June 2009, the HMCC agreed a report on the Local Lettings Plan for Sheltered Housing. He asked which report would now apply to sheltered housing tenants. The Head of Housing and Social Inclusion explained that the Allocation Policy presented at this meeting was a city wide allocation policy and applied to all housing. The Local Lettings Policy only applied to sheltered housing owned by the council. Both policies would apply to sheltered housing tenants.
- 93.13 Councillor Allen referred to David Murtagh's comments. He expressed concern that there was a move away from meeting peoples' housing needs to considering their contribution to society. The 50% policy would be acceptable if there were plenty of jobs. This was not the reality. When people lost their job, it was not easy to immediately find more work. He also stressed that many voluntary organisations were in trouble due to the economic situation. The demand for accommodation was greater than the supply. The logic of the proposals was to have 50% of people gainfully employed or in voluntary work. Some people would lose out, and this would include

families. Councillor Allen considered 50% too high. With regard to Right to Buy, it might be difficult to buy council housing at the moment but this situation could change.

- 93.14 John Melson considered that the allocation policy would be a good piece of work if there was plenty of stock. It did not address the issue of providing affordable social housing to people. The group should have considered how to solve the housing problem in the city.
- 93.15 Councillor Simpson expressed concern about the 50% level. The pilot scheme did not give enough information. The report stated that people who were not accepted under the pilot scheme were helped at some later point. With the higher percentage, these people would need to wait longer. Meanwhile, Right to Buy could become an issue in the future. Councillor Simpson asked for clarification about the waiting list. She was concerned that the council were no longer letting to people in great housing need.
- 93.16 Barry Kent stated that he had lived in Brighton all his life and had waited for 10 years for a council property. People were coming in from outside and being housed before local people.
- 96.17 The Head of Temporary Accommodation explained that people with a local connection would be in Band C for 2 years. If there was no local connection the proposal would remain the same as in the previous paper.
- 96.18 Heather Hayes stated that the 50% proposal included carers like her. She was a full time carer and she did voluntary work. She mentioned a case of a young couple who had moved into a block in her area. They did not work and had late night parties. They had not come with a support package. They could have gone into private rented accommodation with support and encouraged to work.
- 96.19 Tenant representatives were asked to give an indicative vote on the proposals. 10 voted for the recommendations and one against. Councillors voted 5 for, 2 against with 1 abstention.
- 93.20 **RESOLVED** – (1) That the changes recommended in Appendix 1 be commended for approval to the Housing Cabinet Member Meeting. (The full policy document was attached at Appendix 6 with the changes highlighted)

#### **94. OUT OF HOURS SHELTERED SERVICE**

- 94.1 The Committee considered a report of the Head of Housing and Social Inclusion concerning recommended changes to the weekend call service and the service to sheltered housing tenants after out of hours.
- 94.2 Twelve proposals to revise the out of hours and weekend service provided to sheltered tenants were identified by the tenant led focus group, and agreed by the Sheltered Housing Action Group.
- 94.3 The Older Peoples Housing Manager particularly thanked Tom Whiting, Chair of the Sheltered Housing Action Group for his work on the proposals.

- 94.4 Tom Whiting thanked the Older Peoples Housing Manager and Brian Balchin and Kath Davies for the work carried out. The proposals would save money and should provide a better service delivery. The quality of service delivery would need to be monitored. This was a starting point. Sometimes it could take a long time to implement proposals. That should not happen in this instance.
- 94.5 The Chairman concurred. Tom's comments should be taken on board and actioned.
- 94.6 John Melson supported the proposals. He referred to paragraph 3.12 (proposal 7). This stated "Sheltered Services should consider key safes to enable better access for the emergency services only. Key safes could either be provided on a scheme basis (with a key safe installed in the main lobby containing a "master key") or on an individual basis." Mr Melson stated that he would like more clarity on this issue. A number of residents were nervous about this proposal.
- 94.7 The Older Peoples Housing Manager agreed that he would not want to see the master key falling into the wrong hands. The working group had looked at this issue and felt it was a good proposal.
- 94.8 Councillor Simpson welcomed the report. Telecare was becoming increasingly important. She was pleased with the proposals for the weekend service. This was important for old people. She asked how long CareLink had been set up locally.
- 94.9 Councillor Ken Norman confirmed that CareLink had been in place for 22 or 23 years.
- 94.10 Chris Kift stressed the importance of people being informed that CareLink did not just apply to tenants in sheltered housing. He used the CareLink facility and received reminders three times a day to take his medication. Ted Harman informed that meeting that he also used the facility.
- 94.11 Councillor Ken Norman confirmed that CareLink was available to most residents if they required the service. CareLink was a much improved service.
- 94.12 Councillor Fryer congratulated the Sheltered Housing Action Group for the work carried out.
- 94.13 **RESOLVED** – (1) That the proposed changes to the weekend call service and the service to sheltered housing tenants after out of hours be recommended for approval to the Housing Cabinet Member Meeting.
- 95. THE PROVISION OF LOFT CONVERSIONS AND EXTENSIONS TO ASSIST OVERCROWDED COUNCIL TENANTS**
- 95.1 The Committee considered a report of the Strategic Director Place which explained that the HRA Capital Programme for 2011-2014 included setting aside £388,000 per annum to fund a programme of loft conversions and extensions to alleviate overcrowding in HRA properties. The report set out how a loft conversion and extension programme could operate.

- 95.2 Councillor Simson considered it to be an excellent programme. She queried the length of the construction period. 12 weeks seemed a long time and she asked if this was a worst case scenario.
- 95.3 The Head of Housing and Social Inclusion confirmed that 12 weeks was a worst case scenario. Officers would want to see construction moving more quickly if possible. The loft conversions would be delivered through the Mears partnership.
- 95.4 David Murtagh felt that the three year period for construction was not enough. The Head of Housing and Social Inclusion replied that the programme was a guideline to show the council was not investing in properties that would be under occupied.
- 95.5 Councillor Simpson welcomed the move to extend properties. She referred to the section of the report on page 30 that dealt with prioritisation for working households. This reported that 50% of properties selected would be tenanted by working households. She did not agree with that aspect of the report.
- 95.6 Councillor Randall supported the proposals. He considered that there should be a similar scheme for new build. Houses could be built with lofts already available for use. There was a need to look at all possibilities for using space.
- 95.7 Chris Kift considered the proposal to be a brilliant idea. It would be following what the private sector had done for years
- 95.8 Ted Harman agreed it was a good idea. He welcomed the proposals as it was one way of having more 3 and 4 bedroom houses.
- 95.9 Councillor Norman was pleased to see the proposals. Even if the current occupants of the properties moved out, the council would still have extended properties.
- 95.10 An indicative vote was taken by the tenant representatives. 10 tenants voted in favour of the proposals. A vote was taken by council representatives. The proposals were accepted by 7 votes with 2 abstentions.
- 95.11 **RESOLVED** – (1) That the selection criteria, set out in Appendix A, be recommended for approval at the Housing Cabinet Member Meeting.
- (2) That the Cabinet Member for Housing be recommended to award discretion to the Head of Housing & Social Inclusion to amend the selection and prioritisation criteria in accordance with any relevant changes agreed to the council's Allocations Policy. (These will primarily concern priority for working households and those making a positive contribution to the city).
- (3) That the key events in the process and the estimated timetable for each event to be completed, set out in Appendix B, be noted.

**96. HOME ENERGY EFFICIENCY INVESTMENT OPTIONS**

- 96.1 The Committee considered a report of the Lead Commissioner Housing which explained that the Housing Revenue Account Capital programme for 2011-14 included home energy efficiency investment as a housing commissioning investment priority for possible future investment. In order to maintain the Council's current level of performance and meet the Council's strategic priorities it was necessary to explore alternative funding streams to enable the continued delivery of home energy efficiency programmes in both the private sector and council stock. Previous reports and presentations to the HMCC and Housing Cabinet Member Meeting had noted the importance of continuing the work with potential partners such as energy companies to explore means of maximising investment to meet the Council's strategic housing goals, including potential opportunities offered by the Government backed Feed in Tariff scheme.
- 96.2 The Council had the opportunity to install solar PV panels onto its Council owned residential properties. This had arisen out of the Government's new Feed-in-Tariff incentive scheme.
- 96.3 John Melson considered that energy companies should investigate home energy efficiency investment options in blocks where there was no opportunity for Feed in Tariffs. There were 96 flats in his high rise block and it would not be possible to fit 96 panels on the roof. Options for blocks with high density residents and with a small area should be investigated.
- 96.4 Councillor Fryer welcomed many of the proposals in the report. However, she asked for more detail about funding. She understood that Feed in Tariffs finished in April 2011. Councillor Fryer asked about Renewable heating centres.
- 96.5 The Chairman pointed out that Feed in Tariffs would be reduced in April 2011 but would not stop.
- 96.6 Councillor Simpson asked if this was an initiative that would be aimed at the 50% of households who were employed.
- 96.7 The Head of Housing Strategy and Development and Private Sector Housing explained that officers were looking at a whole range of options not just Feed in Tariffs. Renewable heating centres were a new initiative. Options were being applied to a whole range of council tenants. There was a need to look at the orientation of the property and whether it was south facing.
- 96.8 Councillor Randall welcomed the options and was pleased it they were being applied to private as well as public sector housing. He considered that where there was limited space available for solar panels there should be partnerships with other organisations. For example, the Council should be looking at school buildings with flat roofs.
- 96.9 Chris Kift referred to paragraph 3.5 (first bullet point – Reducing residents' electricity bills as they can use electricity that is being generated by the Panels, either free of charge or at a reduced rate). This statement worried him.

- 96.10 The Head of Housing Strategy and Development and Private Sector Housing explained that some people would get reduced electricity bills. It might not be cost effective to provide people with free electricity.
- 96.11 Councillor Simson stated that the proposals had been well received at the Housing Area Panel she chaired. She asked if these options could be looked at when loft conversions were being completed. The Chairman confirmed this was the case.
- 96.12 Councillor Fallon-Khan welcomed the proposals, which were a creative way of helping people in the city.
- 96.13 Stewart Gover applauded the proposals, but made the following observations. He had noticed windows and doors on his estate with large gaps. He raised the problem of seagull droppings in relation to solar panels. He observed that most flats did not have lofts and cavity wall insulation was not always useful. If pellets were pumped into cavities it could cause rising damp. Meanwhile, some blocks of flats had large boilers and could not have combination boilers fitted. These were areas that needed to be looked at.
- 96.14 The Chairman noted Stewart's concerns and considered that the report was proposing a forward looking and different way of working.
- 96.15 John Melson stated that he had discussed the issue of seagulls with the Head of Housing Strategy who had confirmed that this matter had already been considered along with the problem of the salt corrosion of panels.
- 96.16 **RESOLVED** – (1) That the Cabinet Member for Housing note the Home Energy Efficiency Investment options and opportunities available to the Council, its tenants and residents through installation of solar photovoltaic panels on council and other homes to take advantage of the Feed in Tariff scheme.
- (2) That the Cabinet Member for Housing note the outcome of the initial options appraisal undertaken by Climate Energy, indicating that there is an outline business case to support delivery of a solar photovoltaic scheme across the council housing stock and to meet strategic housing and other council priorities, including private sector housing renewal, reducing fuel poverty and reducing carbon emissions.
- (3) That the Cabinet Member for Housing note that existing sub-regional local authority partners in the BEST consortium are also undertaking similar initiatives to install solar panels to take advantage of the Feed in Tariff scheme and that we have identified significant potential advantages to working in partnership to move quickly to enable economies of scale to be explored through procurement arrangements.
- (4) That the Cabinet Member for Housing be recommended to agree that BHCC works with partners in the current BEST consortium to ascertain whether BHCC can take forward any procurement of the supply and installation of solar PV panels together with those partners in order to establish actual costs to inform economies of scale and further consideration of business case and appropriate funding model. In addition, consideration will be given to procuring the supply and installation of solar PV panels with our partner Mears Ltd.

- (5) That the Cabinet Member for Housing notes any final decision on funding options, level and source of funding to progress this scheme together with any procurement supply and installation of solar PV panels as set out in this Report will be subject to Cabinet approval.

## **97. BUILDING NEW COUNCIL HOMES AND ESTATES MASTER PLAN UPDATE**

- 97.1 The Committee received a presentation from the Head of Housing Strategy and Development and Private Sector Housing. HMCC and Cabinet had agreed that an Estates Master Plan be developed in partnership with tenant representatives to inform best use of HRA assets and identify opportunities to build new council homes. The procurement, design and delivery options for new council housing on identified sites were being developed.
- 97.2 The Chairman congratulated the tenants on their key involvement in these developments.
- 97.3 Councillor Fryer asked if it would be possible for ward councillors to have a list of potential sites. The Chairman replied that this would be possible once tenants had had the opportunity to discuss the potential sites. The initiative would be tenant led.
- 97.4 Councillor Fryer asked about the type of housing to be provided. The Chairman replied that some sites might be set aside for people with disabilities. The Lead Commissioner Housing explained that all the housing provided would be affordable social housing of some kind.
- 97.5 Councillor Simpson welcomed any new housing but considered that a great deal of work was required to reach the numbers of homes proposed. She hoped councillors could be involved in the proposals. It would be important for councillors to be informed of these plans as they were developed. Councillor Simpson considered it would have been helpful to have received a presentation much earlier.
- 97.6 Councillor Simpson asked about the Localism Bill in relation to the proposals and raised an issue relating to Right to Buy. She understood that the government were now saying that the proceeds from Right to Buy would be restricted to 25%. The Chairman replied that there would be a need to look at the Localism Bill when it was published. She agreed councillors should be involved with the proposals but stressed that tenants should have time to discuss and bring forward proposals.
- 97.7 The Head of Housing and Social Inclusion explained that Councillor Simpson was right in saying that in the latest information from the government, the council would retain 25% of the proceeds from Right to Buy. The debt settlement had been adjusted accordingly. This was a different approach but had a compensatory effect.
- 97.8 Councillor Randall welcomed the proposals and the tenant's involvement. He stressed that the tenants and councillors had worked well together on the LDV and he considered that the tenants and councillors should work together on these proposals. Councillor Randall stressed that the LDV could have a role in funding some of the new build.
- 97.9 Councillor Allen considered that Members should be involved in the process in a positive way. Meanwhile, he did not consider the proposals a master plan at the

moment. It was just a handful of sites. He asked to see the full details as soon as possible. The Chairman took on Councillor Allen's comments but stressed that the tenants must carry out their work first.

- 97.10 Heather Hayes stated that she was pleased to hear about Ainsworth House. She asked if St Gabriel's and some other derelict buildings at the side of Ainsworth House could be developed at some point. The Chairman replied that the council were not the leaseholders of these buildings.
- 97.11 Chris Kift praised the presentation and stated that it underlined how far ahead the tenants movement in the city was, in relation to the rest of the country. Brighton & Hove could show other local authorities and tenants how things should be done.
- 97.12 John Melson remarked that the council could only develop a small number of properties at the moment. He agreed with Councillor Randall that the LDV could help. By 2013 the LDV would have caught up with a good deal of the homes work. There was no reason why part of the money could not be used for compulsory purchase orders to fund new building.
- 97.13 Stewart Gover stated that the council were not in the business of building new estates. Ainsworth House was at the vanguard of these proposals. He was keen to see some garage sites developed.
- 97.14 **RESOLVED** – That the presentation be noted.

## **98. HOUSING MANAGEMENT PERFORMANCE REPORT (QUARTER 3)**

- 98.1 The Committee considered a report of the Head of Housing & Social Inclusion which set out the Housing Management Performance for the year 2010-2011.
- 98.2 Councillor Fallon-Khan referred to paragraph 3.1.0 in the report, relating to Rent Collection and Current Arrears. He commented that he would like to see a column showing the targets for previous years, in order to measure success.
- 98.3 The Head of Housing and Social Inclusion explained that there had been much discussion on how to present the report in the future. The next HMCC would discuss services pledges. A future HMCC would discuss a performance compact. At that point, the performance report would be presented in a different way.
- 98.4 Councillor Randall considered the performance figures to be good, but noted that there had only been 37 evictions in the year. He also asked if figures were kept for people who left without paying arrears. The Head of Housing and Social Inclusion explained that 37 people had been evicted for non payment of rent. There would have been other evictions in addition to this figure. He would ensure Councillor Randall was sent figures for people who left their properties without paying arrears.
- 98.5 Ted Harman noted that there seemed to be a vast improvement on rent arrears. Meanwhile evictions were fewer each year.

- 98.6 The Chairman stated that officers should be thanked and commended for the work they had done to achieve these improvements.
- 98.7 John Melson agreed that 37 evictions was a good figure for rent arrears. He raised two areas of concern relating to the Estates Service in paragraph 3.5.0. These were the figures for the completion of cleaning tasks, and a concern about lights in public ways being left on in the daytime.
- 98.8 The Head of Housing and Social Inclusion explained that officers were visiting sites with tenants in the East area to be shown problems with lights. He would arrange for this review of lights to be extended to the Central area.
- 98.9 Ted Harman mentioned that some lights were left on in the daytime. The Head of Housing and Social Inclusion asked tenants to let officers know if lights were not working or left on in the daytime.
- 98.10 Stewart Gover referred to the target for total recharge debt (paragraph 3.1.0). He stressed that more should be done to claim recharge debt payments. These payments should be paid for damage to properties.
- 98.11 Councillor Simson commented that under the old allocations policy, allocations were made to people who could not manage properties well. There should be a vast improvement with the implementation of the new allocations policy.
- 98.12 Jean Davis mentioned a problem she was experiencing with condensation on her windows. She had been told that windows could only be repaired one at a time. The Head of Housing and Social Inclusion replied that James Cryer from Mears Ltd would arrange to send someone to look at her windows.
- 98.13 **RESOLVED** – (1) That the report and the above comments be noted.

The meeting concluded at 5.37pm

Signed

Chair

Dated this

day of



### BRIGHTON & HOVE CITY COUNCIL

#### HOUSING MANAGEMENT CONSULTATIVE COMMITTEE

2.00pm 22 MARCH 2011

COUNCIL CHAMBER, HOVE TOWN HALL

#### MINUTES

**Present:** Councillors Caulfield (Chairman); Fallon-Khan, Mears, Pidgeon and Simson

**Tenant Representatives:** Ted Harman (Brighton East Area Housing Management Panel), David Murtagh (Brighton East Area Housing Management Panel), Jean Davis (Central Area Housing Management Panel), Trish Barnard (Central Area Housing Management Panel), Stewart Gover (North & East Area Housing Management Panel), Heather Hayes (North & East Area Housing Management Panel), Tina Urquhart (West Hove & Portslade Area Area Housing Management Panel), David Avery (West Hove & Portslade Area Housing Management Panel), Chris Kift (Hi Rise Action Group), Tony Worsfold (Leaseholder Action Group) and Tom Whiting (Sheltered Housing Action Group)

#### PART ONE

#### 99. PROCEDURAL BUSINESS

##### 99A Declarations of Substitute Members

99.1 Councillor Fallon-Khan declared that he was attending as a substitute for Councillor Barnett. Trish Barnard declared that she was attending as a substitute for John Melson. Dave Avery declared that he was attending as a substitute for Beverley Weaver. Tony Worsfold declared that he was attending as a substitute for Muriel Briault.

##### 99B Declarations of Interests

99.2 Heather Hayes and Ted Harman declared a personal interest in any discussion on the LDV as they are Board Members of Brighton and Hove Seaside Community Homes (the Local Delivery Vehicle).

##### 99C Exclusion of the Press and Public

99.3 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during

the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

99.4 **RESOLVED** - That the press and public be not excluded from the meeting.

## **100. CHAIRMAN'S COMMUNICATIONS**

### **Commendation from "The First Year Annual Report to Tenants"**

100.1 Members were informed that the council's first year Annual Report to Tenants had been commended in a report by the four national Tenant Organisations reviewing the first year "annual reports to tenants" produced by Housing Associations, councils and ALMOs. Brighton & Hove City Council was mentioned four times as a good example of how to present an annual report. Brighton & Hove were described as having given a "comprehensive and honest assessment". The report had credited consultation with tenants and had mentioned the HMCC. The report was available on the TSA's website.

### **Empty Properties and Squatters**

100.2 The Chairman reported that Brighton & Hove had been hailed as one of the best authorities in the South East for dealing with empty properties. She thanked officers for their hard work which had been recognised nationally. Part of this work had been helped by Hove MP Mike Weatherley who had worked on legislation on dealing with squatters.

## **101. CALLOVER**

101.1 The Chairman asked the Committee to consider whether to debate and determine item 107.

101.2 **RESOLVED** - That item number 107 be reserved for debate and determination.

## **102. PETITIONS**

102.1 There were none.

## **103. PUBLIC QUESTIONS**

103.1 There were none.

## **104. DEPUTATIONS**

104.1 There were none.

## **105. LETTERS FROM COUNCILLORS**

105.1 There were none.

**106. WRITTEN QUESTIONS FROM COUNCILLORS**

106.1 There were none.

**107. SERVICE PLEDGES FOR TENANTS AND LEASEHOLDERS IN COUNCIL MANAGED HOUSING**

- 107.1 The Committee considered a report of the Strategic Director Place which provided an overview of the development of service pledges with residents and included the service pledges that had been agreed with residents in the appendices. The service pledges met the Tenant Services Authority (TSA) requirement to produce local service offers by 1 April 2011, which was still a requirement of all councils who are landlords.
- 107.2 A wide range of consultation was carried out with residents on the development of the service pledges and this was detailed in 3.1 to 3.7 of the report.
- 107.3 The Head of Housing and Social Inclusion reported that over 670 questionnaires had been returned. Appendix 1 summarised the service pledges. Appendix 2 detailed the service pledges. Appendix 3 set out the Brighton & Hove Standard, a local version of the Decent Homes Standard.
- 107.4 The Head of Housing and Social Inclusion stressed the importance of tenants holding the council to account. He thanked tenants and staff who had been involved in developing the service pledges. Over 100 members of staff had been involved in this work and the council would continue to strive to improve. The Service Pledges would be renewed each year.
- 107.5 Ted Harman considered the report to be very good. However, he stressed that it would only be good if it was put into practice. He referred to page 9 of the report which stated that "100% of homes will meet the Decent Homes Standard by April 2014". Mr Harman did not think that 100% was achievable.
- 107.6 The Chairman agreed that there was no-where in the country that achieved 100% for meeting the Decent Homes Standard.
- 107.7 The Head of Housing and Social Inclusion replied that that section of the report would be amended to a more realistic percentage.
- 107.8 Stewart Gover considered the report to be interesting and full of promises. It was an aspirational document. Mr Gover stated that he could not find any mention of damp in the report. He stressed that there were many problems of damp in the city. Mr Gover could not find any mention about the connection between tenancy of garages and the tenancy of dwellings which had been unanimously agreed by the Car Parks and Garages Group.
- 107.9 The Committee were informed that work was being carried out to deal with damp caused by condensation. It was acknowledged that there were structural damp problems and a programme of works was planned. There would be a presentation to tenants in the next few weeks. Feedback would be obtained from tenants, and the programme of works would be commenced.

- 107.10 The Chairman confirmed that this matter would be discussed at a future HMCC meeting. She also confirmed that the Head of Housing Management (East Area) would be producing a report on garages.
- 107.11 Tom Whiting referred to Item F (Sheltered Housing) on page 14 of the report. "The sheltered housing service aims to provide older people with a high quality of accommodation and support services, meeting a wide range of needs that enable older people to live independently and in comfort." He considered this statement was more than aspirational. It had been achieved. Officers and tenants were working well together. Multi agency health and care was a fact and was not aspirational.
- 107.12 Councillor Mears considered the report to be excellent. She accepted that the service pledges needed to be monitored and remarked that the best monitors in the city were the tenants. Councillor Mears stated that the council expected Mears Ltd to provide a high quality of repairs in the city. In some parts of the city the standard of works was good for which Mears Ltd should be congratulated. In other parts of the city, works were not carried out to the standard the council would expect. Councillor Mears suggested that sub contractors needed to have discussions with Mears Ltd regarding standards. Councillor Mears stated that it would be good to review the pledges with the tenants in one years time to see what had worked and what had not worked.
- 107.13 Councillor Simson thought the report was very good and the pledges clear. She asked for an explanation of paragraph 4.1 on page 21, relating to modern facilities and services, and stressed the need for clarity on this section dealing with the standard of bathrooms, kitchens, insulation, space and layout.
- 107.14 James Cryer, Mears Ltd explained that two of the items mentioned needed to fail. The wording would be presented in a clearer way.
- 107.15 The Head of Housing and Social Inclusion confirmed that officers would ensure this section was re-worded and made clear in plain English.
- 107.16 Councillor Fallon-Khan referred to the section on boilers in paragraph 3.10 on page 21 of the agenda. The wording concerned him and he was mindful of elderly tenants. A boiler might not require major repairs but it might require a number of minor repairs. He asked for reassurance that tenants would receive new boilers if they kept breaking down.
- 107.17 The Head of Housing and Social Inclusion confirmed that the programme of replacement boilers was flexible and addresses could be added into the programme if needed.
- 107.18 Heather Hayes referred to page 21 of the report relating to kitchens and bathrooms. She remarked that in the past kitchens and bathrooms had to be over 15 years old in order to qualify for replacements. She asked why the service pledges now stated a much longer period.
- 107.19 The Head of Housing and Social Inclusion replied that there had not been any change in the age of kitchens and bathrooms in order to qualify for replacements. James

Cryer stated that the criteria was set with officers and the scores were based on a number of criteria including health and safety.

- 107.20 Stewart Gover referred to an email he had sent the Chairman regarding sheltered schemes being told that seating placed near to the main entrances to the buildings would have to be removed as potential trip hazards. Mr Gover was concerned about the impact of this directive on the elderly and infirm who needed to wait for transport for hospital appointments.
- 107.21 Tom Whiting reported that this matter was being addressed. A Health and Safety Working Party headed up by Roy Crowhurst had been set up to look at this issue. The working party had made a few suggestions to the Fire Officer to solve this problem. Mr Whiting had seen some examples of fold up chairs which could be fitted near to the main entrances of sheltered schemes.
- 107.22 The Chairman suggested that Mr Gover could feed comments to Mr Whiting.
- 107.23 Stewart Gover expressed his concern that the chairs would be removed before the new chairs were fitted. The Head of Housing and Social Inclusion reported that there were some schemes where the chairs would remain. There were other schemes where the chairs would be moved when the new chairs were fitted. In some cases the old chairs would need to be moved before the new ones were fitted as they were a serious obstruction and a fire hazard.
- 107.24 Tony Worsford asked if leaseholders were subject to the same service standards as tenants. The Head of Housing and Social Inclusion confirmed that leaseholders were responsible for servicing their own homes.
- 107.25 Chris Kift expressed concern that all locks on electrical cupboards had disappeared in St James House. He was particularly worried for people on dialysis and oxygen. He wanted the main switch to be enclosed. The Chairman asked for an update at the next HMCC.
- 107.26 Councillor Mears expressed concern about vulnerable tenants and stressed that something needed to be done as a matter of urgency. Switches should be encased and should not be assessable.
- 107.27 **RESOLVED** – (1) That the Services Pledges attached to appendices 1, 2 and 3 be commended to the Housing Cabinet Member for approval, subject to the wording being checked at paragraph 4 in appendix 3 (Brighton & Hove Standard).

The meeting concluded at 2.50pm

Signed

Chair

Dated this

day of

# Housing Cabinet Member Meeting

**Agenda Item 14**  
Brighton & Hove City Council

<b>Subject:</b>	<b>Authority to award a construction contract for the building of 15 new council homes at Ainsworth House.</b>		
<b>Date of Meeting:</b>	<b>13 June 2011</b>		
<b>Report of:</b>	<b>Strategic Director of Place</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Martin Reid</b>	<b>Tel:</b> 292551
	<b>E-mail:</b>	<a href="mailto:martin.reid@brighton-hove.gov.uk">martin.reid@brighton-hove.gov.uk</a>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No. HSG 22910</b>	
<b>Wards Affected:</b>	<b>Hanover &amp; Elm Grove</b>		

## FOR GENERAL RELEASE

### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 Improving housing supply is one of the key strategic priorities of the City-wide Housing Strategy. A key goal is to increase the supply of affordable rented housing including building new Council homes. Planning approval for the Ainsworth House proposals was awarded on 27 April 2011.

This report requests delegated authority to award the contract in relation to the construction works at Ainsworth House.

The report summarises the work to procure a contractor undertaken to date.

### 2. RECOMMENDATIONS:

- (1) That the Cabinet Member for Housing delegates authority to the Strategic Director of Place to award and enter into the design and build contract for Ainsworth House. This requires awarding and entering into a contract with a delivery partner following a competitive procurement process via the Homes and Communities Agencies Delivery Partner Panel. The approximate contract value is £1.6m.

### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Ainsworth House is a vacant council-owned older style sheltered housing scheme. The council de-commissioned the scheme in 2009 recognising that the standard of accommodation falls below today's standards and tenants' expectations. The scheme was fully decanted in December 2009.
- 3.2 It was recommended at 14th June 2010 Housing Management Consultative Committee meeting that the procurement options and tender process for building

new council homes at Ainsworth House be a priority scheme to be developed with the Tenant Working Group made up of members of the Asset Management Panel and the Repairs & Maintenance Monitoring Group.

- 3.3 A proposal to develop 15 new affordable homes for rent was agreed with the tenant working group in September 2010. The scheme will provide 15 new affordable homes, including 3 x 4 bedroom houses & 2 fully wheelchair accessible homes. The scheme meets the requirements of the Affordable Housing Brief to meet the demand for affordable homes in the City.
- 3.4 The development is being funded through a grant from the Homes and Communities Agency and HRA capital reserves.
- 3.5 Cabinet approved the development of procurement, design and delivery options for the delivery of new build council homes on identified sites on 11 November 2010.

### **The Delivery Partner Panel**

- 3.6 The intention is to award a construction contract for Ainsworth House using the Homes and Communities Agency's Delivery Partner Panel to procure the construction work.
- 3.7 The panel has been procured through a fully compliant OJEU process. Notice ref. 2009/S144-211068. Local Authorities were identified in the OJEU notice as being able to procure through the panel.
- 3.8 All Panel Members have signed a Framework Agreement with HCA. The Framework Agreement establishes overall high level terms and conditions for the Panel and includes key contractual provisions.
- 3.9 Construction and other services are procured by the council from the Panel via a mini tender process, as opposed to having to conduct a full OJEU procurement process, resulting in significant time and efficiency savings. Other benefits include greater innovation, greater efficiency, a wide choice of pre-qualified suppliers and the option to retain the same team from the beginning to the end of a project.
- 3.10 Officers considered that using the Delivery Partner Panel allows the Council to procure the required new-build works within the timeframe permitted, with reduced expenses incurred.
- 3.11 Therefore the project board and tenant working group decided to proceed with using the Delivery Partner Panel Framework. The necessary approvals to use the Framework were obtained from the Procurement Strategy Manager and the Lead Commissioner for Housing on 16 December 2010 in consultation with the Lead Member for Housing.

### **The Expression of Interest process**

- 3.12 All seventeen Framework Agreement contractors who are part of the 'Southern Cluster' (see Appendix 1 for full list) were invited to express their interest against outline project information. Four contractors on the Panel chose to express interest.
- 3.13 These four contractors were then evaluated against criteria agreed between the project board and the tenant working group at a sifting brief stage. The evaluation was carried out by the Procurement Sub-Group (with three tenant representatives) under the guidance of the Corporate Procurement Team, and oversight from Legal. (This group will also be evaluating the mini-tender to ensure consistency of approach).
- 3.14 It was agreed that all four firms met the quality criteria set and would be invited to tender.

### **Mini-Tender**

- 3.15 The appointment of a preferred contractor using the Delivery Partner Panel is based on structuring the Mini-Competition Tender Documents around the specific stakeholder and project requirements.
- 3.16 The Tender will then be evaluated by the Procurement Sub-Group on a Quality/Price basis and weightings to be used identified within the Invitation to Tender.
- 3.17 The form of build contract proposed will be a standard JCT form of contract.

### **Procurement Timetable**

May 2011 – Invitation to Tender Issued  
Mid June 2011 – Tender returns back  
Mid-End June – Tender Evaluation  
July 2011 – Issue of Contract (JCT).

## **4. CONSULTATION**

- 4.1 Resident involvement key to the delivery of this project, through the Tenant Working group. This group are involved in the procurement, design & delivery process of the project
- 4.2 Consultation has been undertaken through the formal planning process; no formal objections have been made to the scheme. Local councillors have been kept informed of the development. Residents have also been kept informed through press releases and articles in local media.

## 5. FINANCIAL & OTHER IMPLICATIONS:

### 5.1 Financial Implications:

Funding of £1.974M for the Ainsworth House project is included within the Housing Revenue Account Capital Programme 2011-14 approved by Cabinet on 17th February 2011.

*Finance Officer Consulted: Monica Brooks*

*Date: 04/05/11*

### 5.2 Legal Implications:

The construction works for the Ainsworth House project are of the value of approximately £1.6M which is below the EU procurement threshold for works (which is £3,927,260). However, any procurement of works at this value needs to be in accordance with the tender processes set out under the Council's contract standing orders for this value of contract. This could be done either by way of the Council running a competition itself which satisfies the Council's contract standing orders or by using an existing framework arrangement which has been procured in line with the Council's contract standing orders. The Homes and Communities Agency has set up the Delivery Partner Panel to help the HCA and its partner organisations, including the Council, who are involved in development projects to procure development and construction work more efficiently. The Framework Agreement which the HCA state has been procured following a full OJEU compliant procurement process establishes the overall high level terms and conditions for the Panel. The works are being procured using the Delivery Partner Panel under a mini tender process which is used to define the detailed project specific requirements. Following the mini tender process, the project specific form of construction contract (likely to be a JCT form of contract) will be awarded and signed with the preferred bidder.

Under CSO 3.1, the entering into of contracts by the Council which are valued in excess of £500,000 may only be authorised by the relevant Cabinet Member, which in this instance is the Cabinet Member for Housing.

*Lawyer Consulted: Isabella Hallsworth*

*Date: 12/05/11*

### Equalities Implications:

- 5.3 Building New Council Homes Project, of which Ainsworth is the pilot scheme, relates to key priorities within the Citywide Housing Strategy. An equality impact assessment has been carried out on the Citywide Housing Strategy during its development with the strategy containing a summary of the assessment. Additional Equality Impact Assessments will be undertaken as the strategy action plans are implemented over the next few years.
- 5.4 The overall procurement process, including the evaluation criterion for both the sifting brief stage and final tenders will ensure relevant compliance with equality legislation through the Council's Procurement Service and throughout the tender

evaluation to ensure all equality requirements have been undertaken in a fair and transparent manner.

Sustainability Implications:

- 5.5 The development at Ainsworth House will meet the high standards of Level 4 of the Code for Sustainable Homes to achieve 44% lower CO2 emissions than the minimum levels in building regulations. This will be achieved through an integrated, design-led approach so that insulation, heating and ventilation systems work together to maximise cost effectiveness in construction, and minimise future tenant fuel costs.

Crime & Disorder Implications:

- 5.6 Ainsworth house is currently an empty property and has attracted some anti-social behaviour and graffiti. Re-development of the Ainsworth site will therefore result in a reduction in crime and disorder in the immediate area and will also improve the streetscape in the form of landscaping and better use of the land.

Risk and Opportunity Management implications:

- 5.7 Policy development in this area is undertaken with due regard to appropriate risk assessment requirements. A risk register has been maintained by the Project Team. All risks will be adequately addressed in the contractual documents.

Corporate/Citywide Implications:

- 5.8 This work has been commissioned against the key priorities of the Citywide Housing Strategy 2009-2014: to identify opportunities to improve and develop deprived neighbourhoods; increase the number of affordable homes; and, make best use of the city's assets by investing in and improving the stock.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 What are the alternatives to using the Panel?

A full OJEU procurement process was considered, however it was felt to be more efficient to use the Delivery Partner Panel Framework to procure, as Procurement timelines associated with a full OJEU process are reduced as the framework provides a large number of pre-qualified contractors (the 'Southern Cluster'). This process also provides greater efficiency and a wide choice of suppliers who are experienced in delivering social housing.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 To enable the council to enter into a design and build contract for the construction of 15 new council homes on the Ainsworth House site.

## **SUPPORTING DOCUMENTATION**

### **Appendix 1 – Southern Cluster Contractors**

#### **Southern Cluster**

Ardmore First Base Partnership  
Barratt Developments Plc  
Bouygues UK Ltd  
Carillion Igloo Consortium  
Countryside Properties (UK) Ltd  
Crest Nicholson Operations Limited  
Family Mosaic Home Ownership Limited  
Galliford Try Plc  
Hadley Mace Limited (consortium)  
The Leadbitter Consortium  
Kier Group plc  
Laing O'Rourke Construction Limited  
Lovell Partnerships Ltd  
Mi-Space (UK) Ltd  
Skanska Construction UK Ltd  
Taylor Wimpey UK Ltd  
Wates Construction Ltd

# Housing Cabinet Member Meeting

## Agenda Item 15

Brighton & Hove City Council

**Subject:** Review of Private Sector Housing Renewal Assistance

**Date of Meeting:** 5 July

**Report of:** Strategic Director of Place

**Contact Officer:** Name: Martin Reid Tel: 29-3321

E-mail: martin.reid@brighton-hove.gov.uk

**Key Decision:** No

**Wards Affected:** All

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

1.1 Improving Housing Quality in the City is one of the key aims of the Citywide Housing Strategy 2009 – 14.

1.2 Our private sector housing renewal assistance programme supports this aim and focuses on improving conditions in the private rented and owner occupied sectors. It provides a framework for addressing a range of housing related issues including tackling inequality, fuel poverty and financial exclusion. In addition, our housing renewal assistance programme contributes to city-wide priorities of sustainability, reducing worklessness and creating jobs as well as improving Health outcomes through improved housing.

1.3 Key areas of private sector housing renewal assistance focus on: home energy efficiency; decent homes; bringing empty private sector homes back into use; housing adaptations & assistance to enable those with a disability to continue to live independently in their home.

1.4 This programme has been funded since 2008 by successful Brighton & Hove and East Sussex Together (BEST) partnership bids for Regional Housing Board (RHB) private sector housing renewal capital. Key outputs from the 2010-11 BEST Private Sector Housing Renewal programme in Brighton & Hove are outlined in the report.

1.5 The 2008 - 2011 BEST funding programme has now come to an end. The Government announced as part of the Comprehensive Spending Review in the autumn of 2010 that further RHB funding for private sector housing renewal would not be made available.

1.6 In light of this it was agreed to carry forward some existing capital funding into 2011/12. This was to ensure sufficient support remains available to vulnerable & eligible households for ongoing commitments and to ensure that continued levels high performance are maintained around: decent homes; empty properties; home energy efficiency; & disabled adaptations during 2011/12. £2.83m BEST funding

has been carried over into 2011/12. There are already significant commitments against this remaining budget.

- 1.7 Our current policy recognises that the availability of finance is a relevant factor in awarding discretionary grants & loans and that approval of assistance will in all cases be dependent on the availability to the Council of sufficient resources to finance that assistance.
- 1.8 As delivery of our renewal assistance programme is subject to availability of resources we now propose to review our private sector Housing Renewal Policy based on likely future funding.
- 1.9 We will also continue to pursue alternative future funding options outlined in this report and in earlier reports on Home Energy Efficiency Investment Options.
- 1.10 In addition to private sector housing renewal considerations, as part of the Comprehensive Spending Review the Council has been awarded £723,000 Disabled Facilities Grant (DFG) funding for 2011/12. Approval for this expenditure is sought. Disabled facilities grants are mandatory, and are not dependent on the Council's Housing Renewal Policy. However the Housing Renewal Policy currently supports DFG funding through capital top-up and additional disabled assistance measures.

## **2. RECOMMENDATIONS:**

- 2.1 That the Cabinet Member for Housing notes the strategic importance of private sector housing renewal, the successful delivery of private sector housing renewal in the City and the issues outlined concerning future availability of capital funding to support the assistance available to eligible households.
- 2.2 That the Cabinet Member for Housing notes that the Lead Commissioner for Housing is undertaking a review of the Private Sector Housing Renewal Assistance Policy with a view to submitting a revised policy based on likely funding streams to a future meeting.
- 2.3 That the Cabinet Member for Housing approves expenditure within Brighton and Hove of the council's 2011/12 Disabled Facilities Grant allocation of £723,000 in accordance with the provisions of the Housing Grants, Construction and Regeneration Act 1996.

## **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 Private sector housing renewal is key to the City-wide Housing Strategy 2009-14 & Housing Commissioning priorities. Private sector housing renewal assistance improves sustainability, enabling our most vulnerable residents to live in homes that are warm, safe and secure. It assists eligible households in the private rented and owner occupied sectors focusing on: home energy efficiency investment; decent homes; disabled housing adaptations and assistance. It also supports landlords and owners to improve conditions in multi-occupied private sector homes and to bring empty private sector homes back into use. In addition, investment in renewal assistance supports local jobs and businesses

through funding improvement and adaptation of private sector housing stock in the City.

3.2 The Brighton & Hove, East Sussex Together Partnership (BEST), led by Brighton & Hove City Council, successfully bid for and was allocated over £23m million over three years 2008-11 (the sixth highest allocation in the country) to improve the living conditions of vulnerable households in the private sector. This funding aimed to improve the condition of housing to meet the decent homes standard, address more widespread regeneration needs, foster improvement in domestic energy efficiency to combat fuel poverty and reduce the region's carbon emissions.

3.3 Funding came from the Regional Housing Board (RHB) and Brighton & Hove City Council received the largest allocation of funding across the South East, almost £12.5 m. Around 4,500 private sector homes have been improved since 2005 through our private sector renewal work. In 2009/10 1,600 homes were improved.

#### BEST SPEND

	2008/9	2009/10	2010/11	2011/12
<b>Energy Efficiency</b>	£1,357,262	£1,682,552	£981,000	
<b>Decent Homes Empty Properties</b>	£600,000	£1,538,177	£1,288,000	
<b>DFG Top Up</b>	£325,000	£325,000	£272,000	
	£440,000	£440,000	£440,000	
	<b>£2,722,262</b>	<b>£3,985,729</b>	<b>£2,981,000</b>	<b>£2,830,000</b>

3.4 BEST funding programme has been one of the key means of supporting delivery of the following City-Wide Housing Strategy goals & Local Area Agreement targets:

- Goal 4: Making best use of the housing stock;
- Goal 6: Work with home owners & landlords to maintain and improve the quality of their housing;
- Goal 7: Reduce fuel poverty & minimise CO2;
- Goal 9: Work with owners to bring long term empty homes back into use;
- LAA - NI 187: reducing fuel poverty;
- L23 – bringing empty properties back into use.

3.5 Private sector renewal assistance has contributed significantly to the local economy through the level of investment made into the local housing stock over the last four years, as outlined at 3.3. Local businesses and contractors have been utilised significantly in carrying out assistance works for both decent homes and energy efficiency measures. Further opportunities may present themselves through future funding opportunities as outlined in 3.14. Ongoing investment in the housing stock through private sector renewal assistance in 2011-12 will continue to support local businesses and employment. Through investment in renewable energy in the City and the roll out of the Green Deal opportunities to support local businesses and employment opportunities will develop. Discussions are underway to develop training opportunities for city residents to support

existing businesses, local employment schemes and apprenticeships within the City in preparation for the significant levels of investment that may be created through renewable energy investment and the Green Deal, this will play a significant part in future policy and strategy development.

- 3.6 Investment in private sector housing renewal has been demonstrated to offer significant costs benefits, in particular in relation to the Health economy. In Brighton & Hove there are and estimated 1,200 incidents of falls and excess cold each year which are likely to cost the NHS £7.9m but which would incur an estimated £2m housing capital to prevent (Health & Housing BRE/CIEH Calculator).
- 3.7 In addition, in relation to housing adaptations, the Audit Commission identified that investment of £20,000 in adaptations can make savings of £6,000 a year in home care costs.
- 3.8 In addition energy used in the home contributes to carbon dioxide emissions, which is a major contributor to climate change. Reducing energy use through Private Housing Renewal Assistance is good for the environment, saves money and improves the quality of housing, helping to bring warmer, healthier homes to older and vulnerable people living in fuel poverty.
- 3.9 In 2010-11 the Private Sector Housing Renewal programme in Brighton & Hove delivered the following key outputs:
  - 231 homes with vulnerable residents made decent or moved towards decency, involving a range of measures from minor repairs and/or security work to major renovations.
  - 737 energy efficiency measures installed, including 25 renewable energy solar thermal hot water systems.
  - 20 empty properties bought back into use with renewal assistance for leasing to homeless households. This was out of a total of 154 long-term empty privately owned properties brought back into use in 2010/11.
  - 392 tonnes of CO<sub>2</sub> saved.
  - The programme also provided £440,000 funding to support the Government's £660,000 Disabled Facilities Grant 2010/11 allocation, resulting in 161 DFG completions, and more than £140,000 for other adaptations in the private sector that were not able to be funded via DFG.
  - 1000 handyperson jobs for vulnerable residents.
  - Over 100 Home Safety and Security audits.

Since 2003 the Private Housing Financial Assistance Policies have gradually moved towards more sustainable forms of financial assistance by the creation of assistance and loans which are repayable in line with Government direction. This has resulted in the move away from the previous grant culture of assistance to a more responsive, responsible loan based culture to deliver housing improvements in the private sector.

To deliver home improvement loans and tackle financial exclusion a successful Community Finance Initiative has been developed with a not-for-

profit partner, South Coast Moneyline, and other authorities, to focus on equity release and loans for people unable to access affordable mainstream finance options. Local authority funding provides 75% of the required capital and subsidises the interest rate so it is affordable. South Coast Moneyline levers in the remaining 25% of required capital privately.

The number of affordable loans provided via this route has increased year on year and in 2010/11 14 loans totalling £129,508 were completed.

Delivery of our Private Sector Housing Renewal Assistance programme has always being subject to availability of capital funding to support the assistance available to eligible households.

In order to maintain an effective and targeted Private Sector Renewal Programme within the restricted budget for 2011-12 and to sustain the programme in the longer term, it is recommended that the current Housing Renewal Policy be reviewed to enable us to manage within resources, to ensure that any remaining assistance is targeted at those most in need and that levels of support can continue to be offered, for example through the provision of affordable loans in place of grants.

### City-wide Context

85% of the housing in Brighton & Hove is owned privately. The City has the sixth largest private rented sector in the country. Brighton & Hove has over seven times the number of converted flats than nationally.

### Households in Brighton & Hove

Tenure	Dwellings	Percent
Owner Occupied	75800	62%
Privately Rented	28300	23%
Housing Association	6300	5%
Local Authority	12500	10%
<b>All tenures</b>	<b>122900</b>	<b>100%</b>

A key finding of the council's 2008 Private Sector Housing Stock Condition Survey was that 35% of the private sector housing stock fails to meet the Decent Homes Standard, this is substantially higher than the national average of 27.1%. This failure is largely driven by category 1 hazards under Housing Health & Safety Rating System and poor standards of thermal comfort.

Much of the City's stock (74%) was built before 1919, much higher than the national average, with solid walls and sliding sash windows, hindering energy efficiency. The historic nature of the city, with its many conservation areas and listed buildings also makes it harder to install energy efficiency measures.

Brighton & Hove has more than 10 times the national average of houses in multiple occupation where properties have been divided into flats, bedsits or rented out as shared houses. A large number of dwellings are owned by leaseholders with shared responsibility for their buildings.

- 3.10 Many households in the city have difficulty in paying for fuel to keep warm during the winter months. A substantial number of these households fall within the government's official definition of fuel poverty as they spend more than 10 per cent of their income on fuel to heat their homes. In addition, a relatively large proportion of our households did not have central heating or the sole use of a bath/shower according to 2001 census data. In our city 89 per cent of households reported having central heating/sole use of a bath/shower, compared to 94 per cent at the regional level.
- 3.11 At the beginning of 2011 it was estimated that to insulate our city's homes would cost £26,690,000. In the private sector, the cost was thought to be £25,850,000 to implement 64,625 insulation measures, such as adding loft insulation where there is none or where it is less than 200mm thick.
- 3.12 Despite being the most successful sector at reducing emissions, since 2005, the domestic sector in Brighton & Hove contributes 42 per cent of our total carbon emissions per capita, making it the single most significant source of carbon dioxide in the city. The proportion in the city is higher than both the region, at 32 per cent, and the nation, at 29 per cent.
- 3.13 Strategic Approach 2011-15

Taking into account the end of the BEST programme and Government Private Sector Housing Renewal funding under Comprehensive Spending Review it is recommended that the council reviews its Private Sector Housing Renewal Policy. This may include:

- Focusing resources on tackling inequality, fuel poverty & financial exclusion and on properties in the worst condition
- Prioritising assistance and interventions aimed at improving energy efficiency (dealing with excess cold), dealing with serious housing hazards, bringing empty properties back into use and adapting homes to meet the needs of disabled people.
- Continuing to move from a 'grant culture' through the increased take-up of loans, to enable funds to be recycled, enabling further assistance.
- Consideration of future prioritisation of Council budget to enable continued funding for private sector housing renewal assistance.

3.14 Future Funding Options

Future funding options are currently limited as there is no national housing renewal assistance programme but include:

- Increased use of recyclable affordable loans
- Home Energy Efficiency Investment Opportunities with energy companies becoming a main source of funding, including Community Energy Savings Programme, Feed-in Tariff, Renewable Heat Incentive
- Preparing for the introduction of Green Deal and Energy Company Obligation as a delivery tool for home energy efficiency measures in the cities homes
- Homes and Community Agency bid for Empty Homes Funding

- Consideration of future prioritisation of Council budgets to enable continued funding & support for private sector housing renewal assistance

#### **4. CONSULTATION**

- 4.1 The Council's current Housing Renewal Assistance Policy was established following a comprehensive consultation exercise conducted both within the Council and with external stakeholders. The intention has always been, in line with Government thinking, to continue to move from a grant to a loan culture and future recommended changes to the policy will reflect this.
- 4.2 If approved the proposed changes will be fully consulted on.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 The BEST funding came to an end on 31<sup>st</sup> March 2011 and it was announced in the Comprehensive Spending Review that there would be no further funding available. There was however an agreed carry forward from 2010/11 of £2.83m to continue the programme in 2011/12. Expenditure against this programme needs to be identified and monitored closely to make sure that this doesn't exceed the funding.

A further £0.723m has been received by the council in 2011/12 for the Disabled Facilities Grants

*Finance Officer Consulted: Neil Smith*

*Date: 22/06/2011*

##### Legal Implications:

- 5.2 The Regulatory Reform (Housing Assistance) Order 2002 confers on local housing authorities the power to improve living conditions in their area. That power is not exercisable until the authority has adopted and published a policy relating to the exercise of that power, and the power must be exercised in accordance with the policy. The Council first adopted such a policy in 2003 and has revised it regularly since. The current policy, adopted in 2008, recognises that the Assistance Programme is dependent on the availability of capital funding, for it includes the statement that, "In all cases, approval of assistance will be dependent on the availability to the council of sufficient resources to finance that assistance." A revised policy will need to be adopted and published in due course.
- Disabled facilities grants are available under the Housing Grants, Construction and Regeneration Act 1996. They are mandatory, and are not subject to the Housing Renewal Policy.
- The report's recommendations will not adversely affect any individual's human rights, but in dealing with individual applications for grants under the exercising policy, officers will need to take account of Article 8 (right to respect for private and family life).

*Lawyer Consulted:*

*Liz Woodley*

*Date: 22/06/11*

#### Equalities Implications:

- 5.3 The availability of assistance as part of the Council's Housing Renewal Policy provides help and assistance to disadvantaged householders. The implications of any changes to the Renewal Policy will be impact assessed in the normal way, and will come back to members for consideration.

#### Sustainability Implications:

- 5.4 Housing is one of the key objectives in the Council's sustainability strategy which aims 'to ensure that everyone has access to decent affordable housing that meets their needs'.

The Council's housing renewal activities identified in this report help to prevent ill-health, provide for basic needs by ensuring that dwellings are fit for habitation, are suitable for the needs of disabled occupiers, are energy efficient and help to reduce the level of fuel poverty in the City.

The Brighton & Hove Energy Action Partnership home energy efficiency grants scheme has made significant contributions to reducing CO2 emissions in the city during the period of the private housing renewal programme.

#### Crime & Disorder Implications:

- 5.5 The current programme tackles issues relating to empty properties, such as vandalism. Grants and advice are available for home security measures.

#### Risk and Opportunity Management Implications:

- 5.6 Policy development in this area is undertaken with due regard to appropriate risk assessment requirements.

#### Corporate / Citywide Implications:

- 5.7 This policy contributes to Council Priority 1 by helping to provide the homes people need and Priorities 2 and 3 by effectively using public money in the form of appropriate housing renewal assistance targeted at the households and properties in most need.

### **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The council could cease providing any private sector renewal assistance beyond current commitments. However this would adversely affect vulnerable residents living in poor quality housing in the City and would not meet our key strategic goals.
- 6.2 The option of maintaining a narrow portfolio of financial products was considered but is not recommended as experience in other local authorities indicates that a broad range of flexible products is needed to encourage people to finance repairs or improvements to their homes using loans.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 In order to continue to provide assistance, in the light of reduced Private Sector Renewal funding the council needs to review its Housing Renewal Policy in light of future funding streams to ensure, where possible, continued moves to a loans based culture, ensuring sustainable long term assistance from any capital investment made and ensuring value for money, whilst protecting the most vulnerable.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

None

#### **Documents In Members' Rooms**

None

#### **Background Documents**

None

