





Brighton & Hove  
City Council

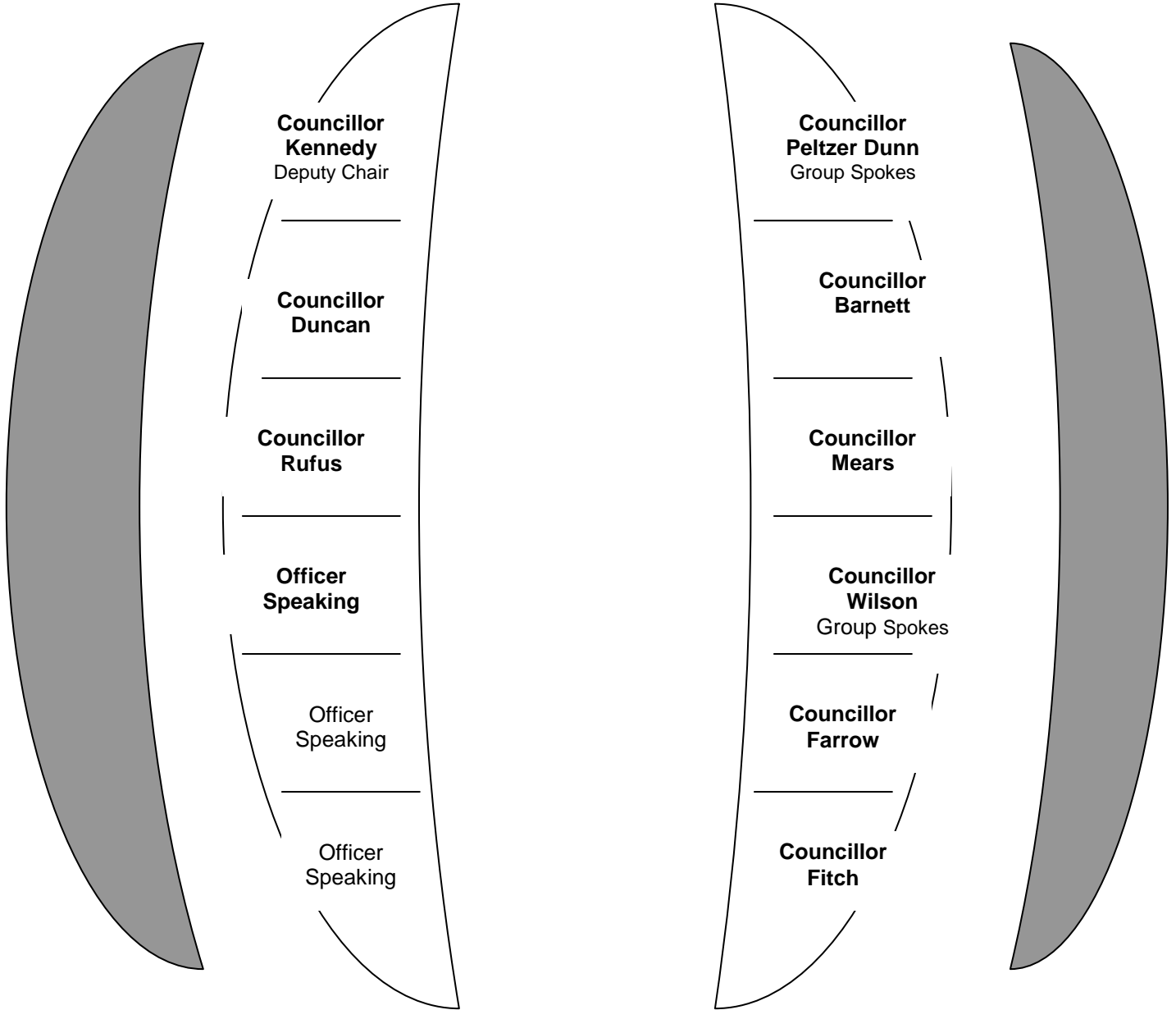
# Housing Committee

Title:	<b>Housing Committee</b>
Date:	<b>5 March 2014</b>
Time:	<b>2.00pm</b>
Venue	<b>Committee Room 1 - Hove Town Hall</b>
Councillors:	Randall (Chair), Kennedy (Deputy Chair), Peltzer Dunn (Opposition Spokesperson), Wilson (Group Spokesperson), Barnett, Duncan, Farrow, Fitch, Mears and Rufus
Contact:	<b>Caroline De Marco</b> Democratic Services Officer 01273 291063 lisa.johnson@brighton-hove.gov.uk

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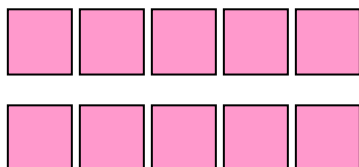
# Democratic Services: Housing Committee

Head of Housing	<b>Councillor Randall</b> Chair	Executive Director of Environment, Development and Housing	Lawyer	Democratic Services Officer
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Public Speaker	Public Speaker
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Public Seating



Press

## AGENDA

### PART ONE

Page

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#### 51 PROCEDURAL BUSINESS

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

**(b) Declarations of Interest:**

- (a) Disclosable pecuniary interests not registered on the register of interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

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

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

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

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

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

#### 52 MINUTES

7 - 14

To consider the minutes of the meeting held on 15 January 2014 (copy attached).

Contact Officer: Lisa Johnson

Tel: 01273 291228

#### 53 CHAIR'S COMMUNICATIONS

## HOUSING COMMITTEE

### 54 CALL OVER

### 55 PUBLIC INVOLVEMENT

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

- (a) **Petitions:** to receive any petitions presented to the full council or at the meeting itself;
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the 26 February 2014;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 26 February 2014.

### 56 ISSUES RAISED BY COUNCILLORS

15 - 18

To consider the following matters raised by councillors:

- (a) **Petitions:** to receive any petitions submitted to the full Council or at the meeting itself;
- (b) **Written Questions:** to consider any written questions;
- (c) **Letters:** to consider any letters;
  - (i) 15 – 17 The Drive – Councillor Hawtree
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Council or submitted directly to the Committee.

### 57 HOUSING CARE LEAVERS

19 - 24

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

### 58 NEW HOMES FOR NEIGHBOURHOODS - SMALL SITE STRATEGY

25 - 34

Contact Officer: Sam Smith                              Tel: 01273 291383  
Ward Affected: All Wards

### 59 THE BRIGHTON & HOVE PROPERTY STANDARD

35 - 42

Contact Officer: Janine Healey                      Tel: 01273 293314

### 60 RESPONSE TO TENANT SCRUTINY PANEL REPORT ON STANDARD LETTERS

43 - 62

Contact Officer: Ododo Dafe                              Tel: 01273 293201  
Wards Affected: All Wards

## HOUSING COMMITTEE

### 61 IMPACT OF REDUCTION IN HOUSING BENEFIT RESULTING FROM WELFARE REFORMS (COPY TO FOLLOW)

Contact Officer: Ododo Dafe Tel: 01273 293201

Wards Affected: All Wards

### 62 TIME LINE FOR CITY WIDE HOUSING STRATEGY

Presentation by Head of Housing Strategy & Development & Private Sector Housing

### 63 ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to the 27 March 2014 Council meeting for information.

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

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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 - Tuesday, 25 February 2014



**BRIGHTON & HOVE CITY COUNCIL**

**HOUSING COMMITTEE**

**4.00pm 15 JANUARY 2014**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Randall (Chair), Peltzer Dunn (Opposition Spokesperson), Barnett, Bowden, Duncan, Farrow, Fitch, Mears, Pissaridou and Rufus

**PART ONE**

**39 PROCEDURAL BUSINESS**

**39(a) Declarations of Substitute Members**

39.1 Councillor Bowden declared he was substituting for Councillor Kennedy  
Councillor Pissaridou declared she was substituting for Councillor Wilson

**39(b) Declarations of Interests**

39.2 There were none

**39(c) Exclusion of the Press and Public**

39.3 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.

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

**40 MINUTES**

40.1 Councillor Farrow referred to paragraph 28.1 and asked whether eviction proceedings had been started against any tenants who were behind with their rent following the changes to Housing Benefit. The Chair confirmed that no proceedings had started, and

said that further information would be brought to the meeting due to be held in April 2014.

- 40.2 Councillor Farrow referred to paragraph 28.3 and asked if the protocol had been completed. Officers advised that it hadn't, but they would speak to the Head of Community Safety and advise members of the progress.
- 40.3 Councillor Farrow referred to paragraph 29.1 and asked if plans to provide a hostel for women had progressed. Officers advised that discussions had been held with the Women's Centre and the matter was still being considered.
- 40.4 Councillor Peltzer Dunn referred to paragraph 36.3 and asked for an update on the possibility of setting up a financial workshop. Officers advised that a cross party working group was being set up, and the first meeting would be held at the end of January beginning of February.
- 40.5 **RESOLVED** – That the Minutes be agreed as a correct record.

#### 41. CHAIR'S COMMUNICATIONS

- 41.1 The Chair welcomed the new Interim Head of Housing, Angela Smithers, to the meeting.
- 41.2 The Chair was pleased to advise the Committee that Councillor Kennedy had very recently given birth to a boy. The Committee wanted to send her their best wishes.
- 41.3 The Chair provided an update on the Brooke Mead development.

Following Housing Committee agreement to the delegation of authority to sign HCA Funding Agreement and authorising commencement of procurement, Policy & Resources (5 December) have approved the overall £8.3m capital scheme for Brooke Mead extra care. Planning permission was granted on the 11<sup>th</sup> December 2013 to develop an 45 home extra care housing scheme on the existing Brooke Mead site, subject to the condition that a single additional parking space was found in the vicinity of the development. The permission was also subject to a section 106 agreement which requires provision of:

- a construction training and employment strategy
- a financial contribution towards sustainable transport
- a financial contribution toward open space improvements in the vicinity of the proposed development

Working in partnership with colleagues in Adult Social Care, we are commencing procurement. Residents and local ward members will be informed of the outcome of the Planning decision and will be kept informed of procurement, demolition and construction issues as the scheme is progressed. The build period remains at a year to a year and a half depending on the construction arrangements and supply channels. This time period could be reduced if existing procurement frameworks can be utilised.

- 41.4 The Chair advised that the EU was making £500m available for housing in the UK, and said that the Council would be bidding for a share.



**42. CALL OVER**

42.1 It was agreed that all items be reserved for discussion.

**43 PUBLIC INVOLVEMENT**

43(a).1 There were no Petitions

43(b).2 There were no Written Questions

43(c).3 There were no Deputations

**44 ISSUES RAISED BY COUNCILLORS**

44(a).1 There were no Petitions

44(b).2 There were no Written Questions

44(c).3 There were no Letters

44(d).4 There were no Notices of Motion

**45 HOUSING REVENUE ACCOUNT BUDGET 2014/15**

45.1 The Committee considered the joint report of the Executive Director Environment Development and Housing and the Executive Director of Finance & Resources. The report presented the proposed budget for 2014/15 as required by the Local Government and Housing Act 1989. The report was presented by the Head of Financial Services.

45.2 Councillor Mears asked whether the budget proposals had been signed off by the Chief Finance Officer, and was advised they had.

45.3 Councillor Mears noted that both this report and item 48 on the agenda gave different figures for the number of Council properties. The Chair apologised and said the correct figure would be clarified.

45.4 Councillor Mears had a number of comments on the report. Paragraph 3.2 referred to a reduction in management costs, but Councillor Mears believed the management costs were actually going up. Paragraph 3.4 referred to the installation of Solar PV being installed and Councillor Mears said the current administration had previously failed to agree such installation which had cost tenants money. The proposed budget allowed for £0.145m being invested for legal, health and safety and human resources to support the delivery of service redesigns and to meet health and safety legislation and said that the proposals should have been considered by Area Panels. Paragraph 3.11 also stated that there would be a contribution of £0.145m to community groups working in and around council estates, and she was concerned that tenant's money was going to the

General Fund. Councillor Mears referred to the EIA table and said that the information provided was very poor and, in her view, not acceptable. In particular she referred to page 40, and asked how it was known that there would be 'no disproportionate impact' from the Budget Proposals 4 and 6.

- 45.5 Councillor Peltzer Dunn said that he fundamentally disagreed with the new service charges. In particular the charge to store mobility scooters was wrong and was discriminating against the disabled. The Authority should provide safe access to buildings and therefore it was wrong to charge for lighting. Charging for lift maintenance was wrong and it should not be an optional extra to use a lift if you lived on the top floor of a high rise building. The Chair said that currently all tenants contributed to the cost of lift maintenance, and it was fairer that only those who used lifts contributed to their upkeep. The Chair said that meetings had been held with some residents from the High Rise Action Group (HRAG) who had accepted the charges were necessary. The Chair advised the Committee that the Authority would introduce a compensation scheme if the lifts weren't working. Councillor Mears said that she understood that the HRAG had not agreed to the new service charge, and that if they did have to pay they would expect a certain level of service. The Head of Income, Inclusion and Improvement (Housing), who had attended a meeting with two members of the HRAG and the Council's Principal Accountant, said that the two residents had agreed with the premise of the charge, and had said they felt that it wasn't equitable that some tenants paid for a service they didn't receive. She agreed they discussed tenants' service level expectations, and that they should hold the Authority to account to ensure they were achieved.
- 45.6 Councillor Barnett said there was sheltered housing in her ward, Churchill House, and they hadn't had a full time warden for a number of weeks. Officers advised that the Authority didn't have the resources to provide a full warden service, and the service redevelopment would be addressing that issue. A report would come to a future meeting of the Housing Management Consultative Sub Committee.

#### **45.7 RESOLVED:**

- (1) That Housing Committee recommend that Policy & Resources Committee:
  - (a) Approves and recommends to Council the budget for 2014/15 as shown in Appendix 1 according to the final year of rent convergence to be confirmed by the government in its rent restructuring guidance for 2014/15.
  - (b) Approves individual rent increases and decreases in line with rent restructuring principles as determined by the Government and detailed in paragraphs 3.12 to 3.16 in the report and according to the final year of rent convergence to be confirmed by government in its rent restructuring guidance for 2014/15.
  - (c) Approves the changes to fees and charges as detailed in Appendix 2.
  - (d) Approves the new service charges outlined in Appendix 2 including the phased implementation of the new Intensive Housing Management charge.
- (2) That Housing Committee agree that officers should begin consultation with tenants on the implementation of new service charges in accordance with the tenancy agreement.

**46 HOUSING REVENUE ACCOUNT CAPITAL PROGRAMME 2014-2017**

- 46.1** The Committee considered the joint report of the Executive Director Environment Development and Housing and the Executive Director of Finance & Resources, which sought approval for the 2014/15 capital programme and provided a provisional capital programme for 2015/16 and 2016/17 for the Housing Revenue Account. The report was presented by the Head of Property & Investment (Housing).
- 46.2** Councillor Mears noted that the report didn't clearly state the funding received from Brighton & Hove Seaside Community Homes. Councillor Fitch who was a board member of Brighton & Hove Seaside Community Homes, declared a Disclosable Pecuniary Interest, and left the room during this discussion. Officers said the information was contained in paragraph 4.1 and showed Capital receipts of £3.189m which included £2.563m receipts from Seaside Homes.
- 46.3** Councillor Peltzer Dunn referred to paragraph 4.4 and asked if the capital receipts from Seaside Homes was an agreed figure or an assumption. Officers advised it was a forecast of receipts based on the agreement with Seaside Homes and that receipts received to date were on track with this agreement. Councillor Fitch returned to the room.
- 46.4** Councillor Farrow noted the provision for new build over the next two years and asked if that was the maximum amount which could be used. Officers advised there could be other funding such as borrowing, net additional Right to Buy Receipts or Government grants etc. More detailed information on new builds and the costs involved would come to a future meeting. The Chair said that the Authority had a programme of work and if necessary additional funding would be sought.
- 46.5** **RESOLVED** - That the HRA Capital Programme budget of £28.876 million and financing for 2014/15 as set out in paragraph 4.1 of the report be approved with any comments upon the proposals.

**47 SUSTAINABLE TENANCIES STRATEGY (WELFARE REFORM)**

- 47.1** The Committee considered the report of the Executive Director Environment Development and Housing, which set out the draft Sustainable Tenancies Strategy which outlined the work being undertaken in response to welfare reform. The report was introduced by the Head of Income Inclusion and Improvement (Housing).
- 47.2** Councillor Farrow thanked officers for the report, but was concerned that endorsing the strategy could be interpreted as endorsing the coalition government cuts. Councillor Farrow suggested that the recommendation of the report be changed to say 'That the Housing Committee note the draft strategy'. The proposal was seconded by Councillor Fitch. Councillor Bowden said that he supported the amendment. Officers were working hard to assist tenants affected by the changes to benefits and he supported the proposed strategy and if the Committee agreed to 'note' it rather than 'endorse' it would not detract from the work being undertaken. Councillor Peltzer Dunn said that officers had acted excellently in mitigating the impact on those affected by changes to benefits, and the report reflected the Committee's earlier request to assist tenants. He felt that

'endorsing' the strategy would support the work the officers had done. Members voted on the proposed amendment and agreed to change the recommendation to read 'That the Housing Committee note the draft strategy'.

- 47.3 Councillor Mears referred to the map in table 1 of the report and asked whether it was the same map as that used in 2004 or whether it had been updated. Officers confirmed it had been updated and thought it was from 2007, but would clarify after the meeting.
- 47.4 Councillor Pissaridou asked for more information on Discretionary Housing Payments. Officers advised that everyone they knew who had been affected by the changes had been contacted, and where appropriate people had been supported to make an application.
- 47.5 Councillor Peltzer Dunn asked what the timetable for implementation of the strategy would be. Officers said they hoped to use it once the Committee had endorsed or noted it. Councillor Peltzer Dunn suggested that 'noting the draft strategy' was incorrect and it should really be approved. Councillor Farrow accepted Councillor Pelzer Dunn's comments and suggested that the recommendation be amended from 'That the Housing Committee note the draft strategy' to 'That the Housing Committee note the strategy'. Councillor Bowden seconded that proposal. A vote was taken and the amendment was agreed. The Chair wanted officers to know that the change to the recommendation did not diminish the work undertaken on the Strategy.
- 47.6 **RESOLVED - That the Housing Committee note the Strategy**

## 48 HOMELESSNESS STRATEGY DEVELOPMENT AND CONSULTATION

- 48.1 The Committee considered the report of the Executive Director Environment Development and Housing which provided information on the Homelessness Strategy and the Homelessness Review. The report was presented by the Service Improvement Manager Housing Options. A PowerPoint presentation supplemented the report.
- 48.2 Councillor Farrow thanked the officer for the report and for the work being undertaken. Homelessness was an important issue, and it was essential that the work to help those in need continued. The Chair agreed and said that this was an important issue for the Authority and one which all political parties took seriously.
- 48.3 Councillor Mears noted that student accommodation was putting a strain on the private sector, and suggested there be a debate to discuss this issue. The Chair agreed and thought a debate would be useful. Councillor Bowden said that Sussex University planned to expand, taking an extra 5000 students. Additional Student accommodation was being built which would help. The Chair added that the University thought that around 20% of their students would either commute or continue living at home which would relieve some pressure, but that would still leave many students needing accommodation.
- 48.4 Councillor Pissaridou was surprised at the level of deprivation in the city, and the fact that the minimum household income required to afford market housing without subsidy was £42k pa.

48.5 The Chair thanked the officer for the report.

**48.6 RESOLVED –**

- (1) That the Committee noted the contents of the Homelessness Review 2008 – 2013
- (2) To endorse the approach to producing a Homelessness Strategy 2014-2019, incorporating all related sub strategies contained in paragraph 1.3 in the report.
- (3) That the Committee noted the proposed Community Engagement Strategy being used to develop the new Homelessness Strategy 2014 - 2019

**49 ROUGH SLEEPING UPDATE**

- 49.1 The Committee considered the report of the Executive Director Environment Development and Housing, which provided an update on the current number of rough sleepers in the city, gave details about changes to local provision in response to the increasing pressure on services, and information about the progress of the new pilot services which targeted street drinkers and entrenched rough sleepers. The Commissioning Officer for Rough Sleepers, Single Homeless and Substance Misuse gave a presentation to explain the report.
- 49.2 Councillor Farrow thanked the officer for the report. He noted that the recent street count found 50 individuals sleeping rough and asked if that was a true figure as another source had suggested that any count should be multiplied by 4 to give a more accurate number. He was advised that that figure could be higher. The Authority did two counts a year, one in November and one in March. The one carried out in March found 93 individuals sleeping rough.
- 49.3 The Chair thanked officers for the report and was pleased to note the work with other agencies, particularly Equinox and Stonewall.
- 49.4 Councillor Farrow was concerned that the recent heavy rain would have made sleeping outdoors very difficult. The Chair advised that he was also concerned over the recent weather and had asked for the Severe Weather Emergency Provision (SWEP) to be put in place. The SWEP was currently being reviewed to taken into account heavy rain and high winds.
- 49.5 Councillor Barnett asked if the count of rough sleepers included areas on the outskirts of the city. Officers confirmed that the whole city was covered.
- 49.6 Councillor Bowden thanked officers for the report. He expected that some of the individuals sleeping rough were ex-prisoners and asked if any work was being done to address that. Officers advised that there were workers at Lewes prison who advised individuals.
- 49.7 Councillor Pissaridou said she'd previously taken part in the count, but hadn't known the date this year and asked if it could be better publicised next year.

49.8 **RESOLVED – The Committee agreed to note the report.**

**50 ITEMS REFERRED FOR COUNCIL**

50.1 There were no items to be referred to the next Council meeting.

The meeting concluded at 6.20pm

Signed

Chair

Dated this

day of

**Item 56**

(C) – Letter from Councillor Hawtree – Copy Attached





14 ii 2014

Dear Bill,

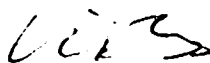
I am concerned at the continuing situation at numbers 15 and 17 The Drive.

These are splendid houses, south of Courtlands Hotel, which have been empty for a very long time. As such, they are decaying – witness the state of the windows – and are not providing the varied housing which is so much needed in the area.

They are now a blight.

I should like this letter included in the Agenda for the Housing Committee's meeting on March 5<sup>th</sup>, and I shall come along to speak further about the matter.

Thanks,



Christopher Hawtree



<b>Subject:</b>	<b>Housing Careleavers update</b>		
<b>Date of Meeting:</b>	<b>5<sup>th</sup> March 2014</b>		
<b>Report of:</b>	<b>Strategic Director of Place</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Sylvia Peckham</b>	<b>Tel: 293318</b>
	<b>E-mail:</b>	<b><u><a href="mailto:Sylvia.peckham@brighton-hove.gov.uk">Sylvia.peckham@brighton-hove.gov.uk</a></u></b>	
<b>Key Decision:</b>	<b>No</b>		
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The current Council Housing Allocations Policy which was approved by full council on 26<sup>th</sup> April 2012, gave Band A priority for young people leaving the care of BHCC Children's services who have been assessed as ready to manage an independent tenancy which may include a full package of support to enable this.
- 1.2 Members wished to monitor the impact of this and requested that an annual update be provided to Housing Committee.
- 1.3 This report provides information on the number of careleavers who have been housed under this priority and highlights any subsequent issues with managing those tenancies (appendix 1 and 2). In total we have housed 19 careleavers since the policy change, of which 13 have had no reported issues managing their accommodation which accounts for 68%. Of the remaining careleavers, 6 accrued arrears of which 2 of these are reducing, 1 case is involved with the credit control team about arranging a payment plan on a previous tenancy, and eviction action is being sought against 3 careleavers for rent arrears.
- 1.4 Appendix 3 provides details of the careleavers currently on the Housing Register in Band A waiting for permanent accommodation.
- 1.5 Update on how Childrens services deal with careleaver cases:  
If a careleaver is referred for supported housing and follow the young persons housing pathway through Band 2 and Band 3 accommodation. When these projects assess the care leaver as being ready for independent living, they are referred with the support of Children's Services to Housing Options and if agreed by all professionals they are referred to the homemove manager to be placed in Band 'A' for bidding purposes with Homemove in accordance with the agreed policy.

Careleavers can also be referred directly from their looked after placement and the process remains the same within housing.

Care leavers must have completed an Independent Living Skills Course before being referred.

All care leavers retain their allocated Personal Adviser (PA) up to the age of 21 and in some cases, this can be extended up to age 25. The PA gives comprehensive personal support and can also arrange specialist support if or when required eg for education, training and employment; substance misuse; mental health issues; sexual and physical health; relationship issues.

Children's Services has a contract with Sussex Central YMCA to provide tenancy related support to care leavers who require additional support to prepare them for independent living, move to their own accommodation or deal with tenancy related issues that arise. Care Leavers can also be referred to the similar contract arrangement SCYMCA has with Housing.

Brighton & Hove City Council has met its housing responsibilities to care leavers very seriously through very close joint working between Housing and Children's Services and this has been recognised nationally as good practice.

1.6 This report is to update members as requested.

## **2. RECOMMENDATIONS:**

2.1 That members note the report.

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

### **3.1 Financial Implications.**

The 2013/14 budget for the Home Move team is £0.339m which consists of direct employee costs of £0.284m and non pay costs of £0.055m.

As identified in this report there are 19 care leavers that have been housed since the policy changed which equates to 4.5% of those placed under Band A. It is therefore difficult to quantify any direct impact on other council budgets such as that for Homelessness or Children's.

One of the main financial risks from care leavers is the loss of income due to non payment of rents. As identified in this report, 6 of the 19 care leavers have accrued arrears and with collaborative working with 5 of these care leavers, these arrears have been reduced to a manageable position. Further action has been taken with the remaining 1 and it is estimated that there is a potential pressure of approx, £5k to £6k on income budgets.

The costs to resource the administration of the scheme are being managed within existing budgets.

Finance Officer Consulted: Neil J Smith, Accountant

Date: 20/02/14

4.2 Legal Implications

Full legal implications were attached to the report presented to Council on 26<sup>th</sup> April 2012. This report is for noting and approval of an existing policy, no proposals for change are made. We are obliged to keep all policies under review from time to time and this is what the report is doing. With no changes there are no new legal implications to take note of.

Legal officer Consulted: Simon Court – Senior Solicitor                      4<sup>th</sup> February 2014

5.2 Equalities Implications

An equalities impact assessment was carried out at the time on the policy changes.

5.3 Risk and Opportunity Management Implications

Failure to adopt the changes prescribed in the attached new Allocations Policy could render the Local Authority vulnerable to legal challenge.

5.4 Corporate / Citywide Implications

Limited social housing stock will be used in the best and most efficient way possible to balance the needs of residents and the council.

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

6.1 Not applicable.

**7. REASONS FOR REPORT RECOMMENDATIONS**

7.1 Report update for noting as requested.

# HOUSING COMMITTEE MEETING

## Agenda Item

Brighton & Hove City Council

### Appendix 1

#### Properties let to careleavers under Choice based lettings since 1.4.13

(TI = Total Indebtedness)

Status or Let Date	Address	Priority Date	Notes
01-Apr-13	Brighton BN2 4RY	07-Sep-12	Council tenant on full HB, no arrears
08-Jul-13	Brighton BN1 3RB	04-Feb-13	RSL tenant no reports
24-May-13	Brighton BN2 1NQ	02-Apr-12	RSL tenant no reports
12-Aug-13	Hove BN3 5PA	13-May-13	Council tenant on full HB, no arrears
24-Jun-13	Brighton BN2 4HB	15-Mar-13	Council tenant who moved in June 2013 - TI went up to £731.18. slowly reduced now to £146.04 - No HB
22-Jul-13	Brighton BN1 3PD	12-Dec-12	Council tenant on full HB, no arrears
26-Aug-13	Brighton BN2 5DD	18-Apr-13	Council tenant who moved in August 2013 – TI went up to £406.60. slowly reduced now to nil - didn't get HB until November
21-Oct-13	Brighton BN1 7EN	23-Jul-13	Council tenant who moved in October – partner works and their account is in credit
04-Nov-13	Brighton BN2 6NF	05-Sep-13	Council tenant who moved in November 2013 - arrears of £390.00 from a previous tenancy as she did not hand her notice in and so this debt has accrued. Have passed to Credit Control to chase the debt

## Appendix 2

### Moved between 1.4.12 – 31.3.13

Let Date	Address	Priority Date	Offer Date	Notes
27-Aug-12	Hove BN3 3WA	12-Apr-11	21-Jun-12	RSL- no reports
10-Sep-12	Brighton, BN2 9NJ	16-Aug-12	03-Sep-12	No issues
15-Oct-12	Brighton BN1 4LG	02-May-12	13-Sep-12	RSL- no reports
24-Oct-12	Brighton BN1 4LG	02-May-12	13-Sep-12	RSL- no reports
21-Jan-13	Hove BN3 2BH	01-Jun-12	14-Jan-13	RSL- no reports
04-Feb-13	Brighton, BN2 5DL	16-Aug-12	06-Dec-12	£109.33 TI- NOSP warning
04-Feb-13	Brighton, BN2 4LT	08-Jun-12	10-Jan-13	£3160.62 TI- tenancy action underway
04-Mar-13	Brighton, BN1 7HW	20-Aug-12	24-Jan-13	£509.37 TI- NOSP warning
07-May-12	Brighton BN2 3RJ	11-Nov-11	15-Mar-12	RSL- no reports
25-Jun-12	Brighton, BN2 1SU	08-Feb-12	27-Apr-12	No issues

### Appendix 3

#### Careleavers waiting to move:

Status	Surname	Priority Date	Last Bid
careleaver	Client A	22-Oct-13	23-Jan-14
careleaver	Client B	08-Aug-13	15-Jan-14
careleaver	Client C	07-Oct-13	14-Jan-14
careleaver	Client D	07-Jan-13	31-Jul-13



<b>Subject:</b>	<b>New Homes for Neighbourhoods - Small Site Strategy</b>		
<b>Date of Meeting:</b>	<b>5 March 2014</b>		
<b>Report of:</b>	<b>Executive Director Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Sam Smith</b>	<b>Tel:</b> <b>291383</b>
	<b>Email:</b>	sam.smith@brighton-hove.gov.uk	
<b>Ward(s) affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 Building new homes on council land is a council priority and essential if City Plan housing targets are to be met and the city's 'housing crisis' tackled. The council's New Homes for Neighbourhoods programme is split into three overlapping phases: Phase 1 (garage sites project), Phase 2 (vacant land and infill sites) and Phase 3 (wider estate regeneration).
- 1.2 Soft market testing for Phase 1 of the programme has revealed a lack of appetite for the development of smaller sites amongst traditional development partners such as Register Providers of Social Housing (RPs), commercial developers and larger construction companies. This report covers a number of proposed pilot approaches for developing these sites.

#### 2. RECOMMENDATIONS:

- 2.1 That Housing Committee:
  - (i) Delegate authority to the Executive Director Environment Development and Housing (in consultation with the Executive Director of Finance and Resources) to enter into the necessary contract(s) to secure the design and build of housing on small site(s) following a RIBA supported design competition as described in paragraphs 3.8 to 3.12
  - (ii) Approves the Pilot 2 proposal set out in the report for development of a small site by a housing co-operative represented by Co-operative Housing in Brighton & Hove.
  - (iii) Approves the Pilot 3 proposal set out in the report for the design and build of housing on small site(s) using Passivhaus principles.

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

#### **Background**

- 3.1 On 6 March 2013 Housing Committee gave delegated authority to the Strategic Director of Place in consultation with the Director of Finance and Resources to award the contract following completion of procurement of a delivery partner for the development of new housing on a number of garage/car parking sites in the city.
- 3.2 The original procurement strategy for these sites aimed to appoint a single development partner to take them forward. However extensive soft-market testing, in early 2013, revealed a lack of interest amongst potential partners (including Registered Providers, developers and large construction firms) in some of the smaller sites that often had specific issues to overcome, for example narrow access. The feedback indicated that they were not interested because:
- Project too small
  - Number of sites and associated variables
  - Complexity of individual sites and high risk
  - Project not in the right geographical location
  - Full order books
- 3.3 Four of the sites were more attractive to Registered Providers and the procurement for these is now complete and the Guinness Partnership has been awarded the contract to build these homes and hand them back to the council for management:
- Flint Close North and South, Portslade, Brighton, BN41 2GH
  - Foredown Road , Portslade, Brighton, BN41,2FD
  - Harmsworth Crescent, Hangleton, Hove BN3 8BS
  - 4-7, 9-10 & 15-20 Kensington Street, Brighton , BN1

#### **Innovative solutions**

- 3.4 The difficulties encountered in the procurement of these sites indicate that more creative solutions need to be identified if the council is to develop smaller sites and meet the target of 500 homes on HRA sites by 2030. The lack of interest we have found in developing sites of this type from traditional development partners such as large construction companies presents an opportunity to work with smaller organisations and companies who have an understanding of Brighton and Hove and are interested in smaller development projects.
- 3.5 The team have been developing an alternative development strategy for the smaller sites that would include the following from the sites that were included in the 6 March 2013 report:
- Rotherfield Crescent, Hollingbury, Brighton
  - Hinton Close, Hollingdean, Brighton

- Natal Road, off Lewes Road, Brighton
- Plumpton Road, Brighton

There is also potential to include some smaller sites that have been identified in Phase 2.

- 3.6 There is potential for this strategy to be part or fully funded by the existing budget allocation for the garage sites project which may finance the pilots in this report as well as the main garage sites project (depending on the final scheme design and financial modelling which will take place in the early stages of that project). It is envisaged that the opportunities offered by the strategy will appeal to small and medium enterprises (SMEs) and it will therefore be in harmony with the government's strategy to open out commercial opportunities to SMEs.
- 3.7 A number of other smaller sites are currently being assessed for their suitability for piloting different approaches. It is proposed that a range of pilot approaches is tested which could then be applied to the delivery of further smaller sites that are identified in the programme.

### **Pilot 1 – Design Competition**

- 3.8 It is proposed that a design competition is piloted with the aim of supporting local employment strategies, and is led by architects, producing innovative and imaginative designs for the small sites. The entrants would be asked to develop innovative proposals that would provide a high quality of accommodation, as well as meeting the particular challenges of the individual sites. This would enable the council to have a competitive process for each site, drawing out proposals that meet the council's objectives and provide innovative solutions. In informal discussions with local architects they have indicated interest in participating in a design competition and suggested potential to link with Brighton University offering opportunities for architecture students to also participate.
- 3.9 There is a long history in the UK of design competitions being used as a way of developing new buildings and the Royal Institute of British Architects (RIBA) provides guidance and support for running them.

*“Design competitions deliver exciting buildings and projects. They drive up quality, stimulate creativity and innovation and generate a range of ideas improving choice. They are a highly effective procurement model that brings out the best in a project - often providing a platform to showcase new and emerging talent.”*

Angela Brady, RIBA President 2010-2013

- 3.10 RIBA believes that design competitions can provide a number of benefits to those wishing to develop new buildings. The design competition route can help find a suitable local team for the development, deliver a high level of quality and attract talented architects to participate who may not be large enough to participate in larger scale procurements or belong to procurement frameworks. Design competitions also deliver the opportunity to choose between different solutions whilst actively engaging local communities and others with interests in the site/project directly in the competition process.

- 3.11 A design competition could also be effective in raising the profile of the scheme; potentially showcasing local talent and publicising the council's New Homes for Neighbourhoods programme. Design competitions can also be a good way of delivering cost effective schemes and reducing project timescales. Although there may be some additional cost at the initial stages, they offer the potential to set cost parameters and drive out innovation, delivering timely projects and value for money.
- 3.12 There are a number of different potential design competition formats that RIBA can support and the most suitable format would be identified with support of RIBA. The aim would be to encourage smaller firms of architects based in the greater Brighton area to participate. The winner could be selected from initial entrants or a further stage commissioned with short-listed teams developing their designs and being interviewed by the award panel. This would enable the council to get a wide range of design ideas from individual firms or multi-disciplinary teams, enabling designs to be selected on their quality and suitability for the site. Housing Committee is asked to agree to working with RIBA to deliver the design competition pilot with the winning design being taken through planning, construction and handed back to the council for management.

### **Pilot 2 – Local Housing Co-ops**

- 3.13 The city has a number of Housing Co-operatives who are keen to work with the council in the delivery of new homes. Housing co-ops are organisations that are controlled by their members and which provide homes for their members through the building, renovation and management of properties. They are registered as Industrial and Provident Societies and do not trade for profit. Housing co-ops in the city are represented by CHIBAH (Co-operative Housing in Brighton & Hove) and the council's Estate Regeneration Team have had early discussions with CHIBAH about the potential for a pilot project which would involve them developing a small site for new co-operative housing. The home/s would be managed by a local Housing Co-op.
- 3.14 Discussions are at an early stage and members of CHIBAH are currently undertaking training with a development expert with experience of delivering small sites to increase their knowledge and capacity to manage a pilot project. Some initial site visits have taken place and the next steps would be to identify a suitable site for the pilot, this would involve a range of searches and checks. Once a site has been identified and agreed between the council and CHIBAH they would be given a fixed time period to produce a Business Plan for the delivery of the site which at the minimum this would cover the following areas:
- High level proposal/intended use for the site
  - Approach to development and project management
  - Identification of expertise for undertaking design (including feasibility)
  - Identification of expertise for undertaking financial viability and ensuring financial control
  - Scheme resourcing (including funding options and plan)
  - Approach to community consultation and engagement
  - Their requirements of the council

- 3.15 Once a Business Plan has been submitted, the council will consider it in terms of deliverability and other implications before go-ahead is given.

### **Pilot 3 –Passivhaus**

- 3.16 The Estate Regeneration team have been looking at different ways of speeding up the delivery of new homes and a Passivhaus pilot is being proposed to try out an alternative method of delivering homes. This has the potential to reduce construction time and costs, improve sustainability standards and potentially provide training and employment opportunities. The proposal is for a suitable small site/s to be identified for a pilot and a specification for its development to be agreed with the help of Passivhaus expert/s. Once this proposal is agreed delivery partner/s would be procured to take the scheme through planning and construction and then handed back to the council for management. The pilot will provide an opportunity to test for this type of home and construction method within the programme with potential for it to be rolled out more widely.
- 3.17 Homes built to Passivhaus principles are super insulated with a high level of air tightness, leading to homes requiring up to 75% less energy for space heating than standard practice for UK new build. This reduces energy use and therefore results in lower energy bills for residents and lower carbon emissions. Passivhaus can be delivered through modern construction methods such as timber frame and modular construction with key elements of the buildings structure being manufactured off-site. This construction method can provide opportunities for young and semi-skilled people to be involved in building process.
- 3.18 A good example of this approach can be seen in Great Yarmouth where the local council is delivering social housing on former garage sites in the borough<sup>1</sup>. The new homes are being delivered at a comparatively low cost, to a time-scale quicker than traditional construction, whilst providing employment and training opportunities. Passivhaus has been successfully used for the provision of social housing by a number of housing providers including in Oldham where new tenants are impressed by the design, thermal comfort and lower bills of their new homes<sup>2</sup>.

### **Land for self-build**

- 3.19 The Housing Committee Self-Build Report on 6 March 2013 included that “in identifying vacant sites with development potential, we will consider whether there are any opportunities which could be offered for self-builds rather than council housing”. This could provide alternative option for some smaller sites with the land leased or sold to groups or individual self-builders. This could potentially produce a capital receipt for the council whilst providing a solution for a difficult to develop site that delivers new housing.

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<sup>1</sup> <http://www.heart.co.uk/norfolk/news/local/great-yarmouth-eric-pickles-visits-council-houses/>

<sup>2</sup> <http://www.theguardian.com/environment/2013/nov/01/cutting-energy-bills-oldham-passivhaus>

- 3.20 There are self-builders in the city who are interested in purchasing land for self-build and this model has worked in Bristol's Ashley Vale<sup>3</sup> where group land purchase and subsequent sales of plots to individuals has led to the development of a new community. Self-Build has also been successfully used in the city including on some urban fringe sites such as the Hedgehog Co-operative development in Bevendean and at Golf Drive in Hollingbury. The smaller sites the council has currently identified may be less attractive due to their size.

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 Community involvement and effective consultation is key to the successful delivery of the Small Sites Strategy. We publicise the programme under the name 'New Homes for Neighbourhoods', emphasising the 'localism' and 'neighbourhood' approach that Housing Committee agreed for the delivery strategy. We will use a bottom up community engagement approach, providing opportunities for local residents to be involved in the pilot projects and to discuss plans in a safe and open environment.
- 4.2 The team presented to Area Housing Panels in January about the programme including these sites and were well received by residents who offered suggestions of additional sites in their areas. Local residents neighbouring the former garage sites have been informed by letter that the council was arranging feasibility studies to look at the options for the future use of the sites and that they would have the opportunity to be involved in any proposals. We will inform local residents of any development with the pilot projects for sites in their locality. Ward councillors have been kept up to date and briefed on the schemes in their wards. We will continue to keep them informed and involve them in community engagement.
- 4.3 Regular updates will be given to Housing Committee, City Assembly and Area Panels. Council tenants and leaseholders will also be kept informed through *Homing In* and information will also be put on the council's website. Queries and suggestions can be directed to [estate.regeneration@brighton-hove.gov.uk](mailto:estate.regeneration@brighton-hove.gov.uk).

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

##### Financial Implications:

- 5.1 The Housing Revenue Account Capital Programme budget 2014-2017 report, approved by Policy & Resources Committee on 15 February 2014, includes budget of £1m in 2014/15 and a provisional budget of £3.9m in 2015/16, totalling £4.9m for the garage sites. The budget is for the delivery of new homes for the four sites through the Guinness Partnership and to develop the remaining sites.
- 5.2 The costs of the proposed pilots recommended in this report are to be met from the garage sites capital budget of £4.9m. Financial modelling on the main scheme sites needs to be updated with the final scheme design and the costs for the pilot will be reviewed as these schemes progress. Any variations from the

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<sup>3</sup> <http://www.selfbuildportal.org.uk/ashley-valeb>

approved budget will be reported to Policy & Resources in accordance with the council's standard financial procedures.

- 5.3 The costs of using RIBA to support the design competition is estimated at £23,000 and will also be met from the garage sites budget.

*Finance Officer Consulted: Susie Allen Date: 20/02/14*

#### Legal Implications:

- 5.4 Procurement of all works and services referred to in this report will need to comply with the council's standing orders including, where applicable, the relevant provisions of the Public Contracts Regulations 2006.
- 5.5 When dealing with housing co-operatives, the council must consider whether preferential terms that could amount to state aid are given and, if they are, ensure that regulations are properly observed.

*Lawyer Consulted: Isabella Sidoli and Oliver Asha Date: 20/02/14*

#### Equalities Implications:

- 5.6 An increase in housing supply will increase the opportunity to provide new, well designed homes to local households registered in need. New development and renovation provides an opportunity to better meet the needs of particularly vulnerable households including those, such as existing elderly residents, who may be under occupying their current home.
- 5.7 Across the New Homes for Neighbourhoods programme we aim that at least 10% of all new housing will include accommodation designed for households with a disability, increasing the visibility and inclusion of such households.

#### Sustainability Implications:

- 5.8 The approach detailed in this report has the potential to deliver innovative highly sustainable homes that are energy efficient and minimise carbon emissions. New homes should also include features to help support people to live sustainable lifestyles and encourage the development of more sustainable communities.
- 5.9 The council will ensure our partners follow local sustainability planning guidance and policies, and that new homes are built to at least Code for Sustainable Homes Level 4 and higher where viable. We will also look to include Solar Photo Voltaic systems and other renewable energy sources where possible on relevant homes. New homes will also meet Lifetime Homes space standards.

- 5.10 It is anticipated that some new homes will be built to Passivhaus principles and the benefits of this approach are explained in the body of this report.
- 5.11 The new homes will support One Planet Living and when contracts are tendered bidders will be asked to put forward innovative ways of meeting the 10 One Planet Living principles. This could be achieved by for example:
- Providing secure cycle storage
  - Incorporating food growing areas into schemes
  - Including recycling facilities in kitchen units
  - Providing composting facilities in gardens and communal areas
  - Incorporating water saving and re-use measures
  - Providing green walls and roofs on some developments to encourage wildlife
  - Incorporating community facilities where needed and possible.
- 5.12 Some of these measures will not need to significantly increase scheme costs and will help new residents to live more sustainable lives. Partners will also be asked to demonstrate these principles through the construction process by for example minimising distances that materials travel (e.g. local materials and supply chain), using re-cycled materials and local labour.

#### Crime & Disorder Implications:

- 5.13 Disused garages and other smaller HRA sites can be unsightly; attracting anti-social behaviour and fly-tipping. The Small Sites Strategy will offer the opportunity to provide new, well-designed homes in these areas and link to wider regeneration opportunities, including work to deliver the council's economic and sustainability objectives. Good quality housing has been demonstrated to influence the rate of crime and disorder and quality of life.

#### Risk and Opportunity Management Implications:

- 5.14 There are a number of risks and benefits associated with this strategy including:
- Team capacity - smaller schemes can be as resource intensive as managing larger schemes with a lower number of new homes delivered
  - Costs – smaller schemes can be more costly, however measures will be taken to control this as detailed in the body of the report
  - Capacity of housing co-ops – Housing Co-ops may not have the expertise or financial backing to deliver schemes (this will be tested through the Business Plan)
  - Ongoing maintenance – Buildings that are innovative, do not follow traditional build and have features such as mechanical ventilation may require specialist maintenance and training for residents

#### Public Health Implications:

- 5.15 There are strong links between improving housing, providing new affordable homes and reducing health inequalities. Energy efficient homes which are easier and cheaper to heat will help support the health of households.



Corporate / Citywide Implications:

- 5.16 As reported in the Housing Revenue Account Capital Programme 2013-2016 considered by the Housing Committee on 16 January 2013, the development of new housing has a strong economic multiplier impact on the local economy, estimated at over £3 of economic output for every £1 of public investment, creating jobs and supply chain opportunities.
- 5.17 The design competition will be specifically targeted at local businesses in order to provide opportunities for smaller firms that are often excluded from traditional procurement exercises.
- 5.18 The pilot approach should offer a range of employment and training opportunities for local people as detailed in the body of the report. Partners will be asked to work with the Local Employment Scheme to ensure that work, apprenticeship and training opportunities are provided for local people. We will also look at how larger schemes can provide employment opportunities for people living on estates included in the Estate Regeneration Programme.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

None

### **Documents in Members' Rooms**

None

### **Background Documents**

# HOUSING COMMITTEE

## Agenda Item 59

Brighton & Hove City Council

<b>Subject:</b>	<b>Brighton &amp; Hove Property Standard</b>		
<b>Date of Meeting:</b>	<b>5 March 2014 Housing Committee</b>		
<b>Report of:</b>	<b>Executive Director of Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Janine Healey</b>	<b>Tel: 293314</b>
	<b>Email:</b>	<b>janine.healey@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report concerns the policy areas and specification of work that is carried out to council owned and managed homes as part of the planned programme of improvement work.
- 1.2 These improvements ensure all Housing Revenue Account (HRA) managed properties meet and exceed the government's Decent Homes Standard (DHS), and is known locally as the Brighton & Hove Property Standard.

#### 2. RECOMMENDATIONS:

That Housing Committee approves:

- 2.1 That all residents be offered additional choice of coloured wall tiles, when having a kitchen or bathroom installed.
- 2.2 That all residents be offered additional choice of kitchen cupboard doors and handles when having a new kitchen installed.
- 2.3 That all individual sheltered homes with a street entrance be offered an external security light, when upgrading the electrics to that property.
- 2.4 That all sheltered housing schemes with communal lounges have a hearing loop installed when upgrading electrics to communal areas.

- 2.5 That a change in policy is agreed to allow tenants who have installed their own kitchen or bathroom to have the other room modernised by the council, if it is old or in disrepair (as per the age and condition requirements of the governments DHS).
- 2.6 To run a six to twelve month pilot enabling all 1 bed ground floor flats that become empty and require a bathroom replacement, to be considered for the installation of a level access shower instead of a bath.

### **3. CONTEXT/ BACKGROUND INFORMATION**

#### **3.1 Housing register need for properties with a mobility rating**

- 3.1.1 The Accessible Housing Register links existing adapted and easier to access properties with individuals with specific needs. The draft Disabled Persons Housing Strategy aims to increase the supply of accessible homes for people with a range of needs and to pro-actively meet the demand for adaptations, rather than solely as a response to a community care assessment.
- 3.1.2 Mobility need is assessed as one of three categories: mob 1 for those who need full wheelchair access to mob 3 for those who can manage up to the third floor with a lift or up to three steps to access the property.
- 3.1.3 The demand on the housing waiting list (people that have actively bid in the past 12 months) demonstrates there are 297 people with a mobility need that are waiting for a 1 bedroom property.
- 3.1.4 Between November 2012 and November 2013 there were 69 one bedroom ground floor flats re-let. Of these, 32 had an existing adapted shower so were ring-fenced for applicants with a mobility need. Applicants (with a mobility need) who are re-housed into properties without a mobility rating or without a level access shower, are likely to result in an assessment request to Housing Adaptations and Occupational Therapy (HAOT).

#### **3.2 Recommended options**

- 3.2.1 **Design additional choice:** The coloured wall tiles are approx £13 p/m<sup>2</sup> compared to £6 p/m<sup>2</sup> for white tiles. This will add up to approx £30 per install for those that chose coloured tiles. Gloss kitchen cupboards are more expensive than the other options available and depending on the layout of the kitchen will add up to an approx £300 per install for those who chose this style. It is anticipated that extra choice of design will continue to increase residents' feelings of pride and personalisation of their home.
- 3.2.2 **Sheltered lighting and hearing loops:** External lighting to sheltered properties with a street entrance will incur an additional cost of around £115 per install. Hearing loops cost approx £500 to £600 to install. There are 23 lounges in sheltered schemes, ten of which already have hearing loops. A programme of 13 installs would cost £7,800 plus an annual service of around £55 per system.

- 3.2.3 **Tenant installations:** Of the sample of 71 stock condition surveys carried out this year which were looked at for this piece of work, 8 of them had a tenant installed kitchen or bathroom. Six of these residents had fitted both a kitchen and a bathroom, so the new policy would only apply to two properties. For these two properties, the bathroom was due for replacement in 15 years time. It therefore seems likely that this policy change will have a minimal impact on budgets, whilst addressing the feeling of unfairness for tenants who have invested in their homes.
- 3.2.4 **Showers in ground floor flats:** When replacing a bathroom in an empty property (ie to 1 bed flats on the ground floor) it would be timely to consider fitting a level access shower instead of replacing the bath. This is to create more opportunities for properties being suitable for those with mobility needs, and to ensure value for money by not removing newly installed baths following an assessment by an Occupational Therapist (OT).
- 3.2.5 Showers would only be installed in properties that have suitable external access and are then ring-fenced in the Homemove system for applicants with mobility need. The costs for this have been based on installing showers in approximately 15 properties that are re-let each year. It is not possible to accurately forecast the number of properties that will become empty and therefore the volume of work required. However this figure was arrived at in the following way:
- 228 x 1 bed flat re-lets between 6/11/12 and 25/11/13
  - 69 of these were ground floor
  - 32 of these had an existing adapted shower
  - 1 was a sheltered property.
- 3.2.6 This gives a potential remaining 36 properties to adapt when empty. Of these, 14 properties had a new kitchen or bathroom installed when the property was empty – suggesting these would have been suitable for a level access shower if the external access to the property was also suitable. It is now proposed to run a six to twelve month pilot of installations to monitor the demand for installations, associated costs, any delay in re-letting the property and to be certain of the effectiveness of the policy proposal.

#### 4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 **Kitchen and bathroom policy:** The age and condition assessment for kitchens and bathrooms is currently linked, meaning that both rooms have to fail the government's Decent Homes Standard in order for one of them to be modernised. This has created a great deal of dissatisfaction among residents and led to many formal complaints and enquiries. With this in mind, the first change that was investigated was to sever this linked assessment. However, over a period of a ten year programme of work, additional funding of £11m to £15m would need to be made (between £1.1m to £1.5m per year), therefore it is not financially viable at this stage.

- 4.2 **Sheltered showers:** Consideration was given to installing level access showers into sheltered properties when they become empty and when installing a new bathroom. However, due to the review being undertaken of the Older Persons and Sheltered Housing function, and the proposals in the draft Asset Management Strategy to potentially increase the supply of sheltered housing schemes and extra care schemes within the city, it is proposed to put this on hold.
- 4.3 **Sheltered wifi:** To support digital inclusion, it was considered to install IT sockets and wifi into sheltered lounges. However the ongoing maintenance and ownership of the line was an issue and it is simpler to do this on a scheme by scheme basis directly with the Internet Service Provider. Funding for this has previously been provided via the Estates Development Budget and Resident Involvement officers and Mears will continue to support residents who bid for internet connections.
- 4.4 **Bathrooms:** Two items were looked at in some detail and then rejected from the proposals. The first was the option of installing a towel warmer in new bathrooms as part of either a bathroom replacement or heating upgrade. This was rejected due to a combination of cost and the towel warmer not being sufficient to heat the bathroom.
- 4.5 The second item was to provide an option of having a higher than standard toilet pan fitted as part of the bathroom replacement. After discussions with HAOT and suppliers, this was rejected due to a combination of cost and the need for adaptations to be personalised. HAOT would continue to design and support adaptations of this nature where required.
- 4.6 **Additional payment scheme:** There has been interest and support from residents, officers and contractors, to introduce a scheme whereby residents can choose to have more expensive or higher specification products installed as part of the programme of works, and for tenants to pay for this additional service. This might cover items such as decorative wall tiles, electrical sockets, electrical switches and towel heaters. This will be looked into as a separate piece of work.
- 4.7 **Adaptations policy:** Consideration was given to including guidance around removing unwanted adaptations from properties as part of the programme of improvement works. After consulting with residents and Councillors at Area Panels it was agreed that including a policy statement on removing adaptations created more confusion and uncertainty for residents, than the existing arrangement of not removing adaptations except in exceptional circumstances.

## 5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The piece of work was launched at City Assembly in May 2013 with a presentation and group discussions. It was also held as an agenda item at the Tenant Disability Network, Sheltered Housing Action Group, at an officer meeting with HAOT and at two rounds of Special Area Panel meetings.

- 5.2 Discussions were held around product availability and specification, improving communal areas and supporting an increased provision of properties with mobility ratings and specific policy options.
- 5.3 Existing data collected from the Asset Surveys and New Tenant Questionnaire surveys were also reviewed to identify any emerging priorities that residents have.

## **6. CONCLUSION**

- 6.1 The reasons for the proposed change to the Brighton & Hove Property Standard, as it relates to the governments Decent Homes Standard, is to ensure that homes are continuing to be maintained to a standard which our residents and tenants agree is “decent”; while at the same time identifying and addressing any specific areas that residents consider unfair or unequal.

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

### 7.1 Financial Implications:

- 7.1.1 It is anticipated that the costs of the proposed changes can be met within the proposed Housing Revenue Account Capital Investment Programme budget for 2014/15.
- 7.1.2 Demand and costs will be monitored during the pilot for replacing baths with level access showers, along with any associated decreased demand for HAOT Community Care Assessments for council tenants. Any variations to budget will be managed and reported through the council’s budget management process.

Finance Officer Consulted:      Name Susie Allen      Date: 08/01/2014

### 7.2 Legal Implications:

- 7.2.1 The Partnering contract with Mears is flexible and provides the opportunity to review the level of service provided and the financial framework used to provide it. It is not necessary to issue a Contract Variation Notice for changes of this nature.

Lawyer Consulted:      Name Liz Woodley      Date: 28/01/2014

### 7.3 Equalities Implications:

- 7.3.1 An Equality Impact Assessment (EIA) was reviewed at the commencement of this piece of work, and will be finalised following decisions being made at Housing Committee.
- 7.3.2 The proposals have a positive impact on equalities for some of our most vulnerable residents. Installing hearing loops in sheltered lounges supports

improved socialisation and interaction between residents by removing a barrier to communication. External security lighting can increase the sense of security and safety for sheltered residents and reduce the likelihood of slips, trips and falls.

#### 7.4 Sustainability Implications:

7.4.1 One of the aims of these proposals is to ensure the sustainable use and supply of council homes for residents of Brighton & Hove, both now and in the future. The equalities work around sheltered homes, level access showers and tenant's own installations aims to support sustainable use.

7.4.2 There is a potential for reducing unnecessary waste, when baths are fitted to properties whilst empty and then followed by a request for adaptations by the new resident.

7.4.3 The One Planet logo will also be included on the information leaflet, in line with existing council policy.

#### 7.5 Any Other Significant Implications

none

#### 7.6 Crime & Disorder Implications

7.6.1 The recommendation to install a motion sensor security light to sheltered properties with a street entrance will help to provide residents with an increased sense of security against crime and anti-social behaviour



## **SUPPORTING DOCUMENTATION**

### **Appendices:**

none

### **Documents in Members' Rooms**

none

### **Background Documents**

1. Equality Impact Assessment
2. Allocations Policy
3. Asset Management Strategy (draft)



<b>Subject:</b>	<b>Response to Tenant Scrutiny Panel report on standard letters</b>		
<b>Date of meeting:</b>	<b>5 March 2014</b>		
<b>Report of:</b>	<b>Executive Director – Environment, Development &amp; Housing</b>		
<b>Contact officer:</b>	<b>Name:</b>	<b>Ododo Dafé</b>	<b>Tel: 293201</b>
	<b>Email:</b>	<b>ododo.dafe@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report sets out the Housing response to the recommendations of the Tenant Scrutiny Panel in their report on standard letters. That report can be found at Appendix 1.

**2. RECOMMENDATIONS:**

- 2.1 That the committee notes the evidence, findings and recommendations of the Tenant Scrutiny Panel relating to standard letters used in Housing.
- 2.2 That the committee agrees the actions proposed in this report in response to the Tenant Scrutiny Panel's recommendations.

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

- 3.1 The Tenant Scrutiny Panel was set up in April 2013 following an externally supported and facilitated recruitment exercise. It was agreed that as part of the panel members' training and development, they would split into two groups, each undertaking a pilot scrutiny review so that in this way involvement and hands on learning could be most effective.
- 3.2 As its first review, one of the groups looked into and reviewed a sample of standard letters used within Housing. The purpose of this review was to establish whether our letters are:-
- Clearly written
  - Consistent in style and tone
  - Properly pitched at their target audience
  - Free of jargon
  - Communicating the right information
  - Encouraging residents to respond to housing services and/or resolve the issue
  - Presenting a positive impression of the housing service
  - Getting results.

3.3 Managers within the service would like to extend their gratitude to members of the Tenant Scrutiny Panel for their vigilance, insight and analysis to the work they have undertaken in this pilot review, and express appreciation for the helpful suggestions and recommendations contained in their report. Housing response to those recommendations is set out below.

## 4. RESPONSE TO THE RECOMMENDATIONS

### 4.1 Recommendation 1

***Recommendation 1: The panel believe that all council Housing staff who are involved in writing letters to residents need to communicate in plain English. The panel would like the Housing Service to inform them what steps the service will take to make this happen.***

4.1.1 This recommendation is agreed in full.

4.1.2 Several years ago, all staff in the then Housing Management service were trained in letter and report writing skills, and in the use of plain language. It is now timely, given the passage of time and the range of new staff, to again carry out a large-scale training programme. This training can be effectively carried out in-house, using the skills of managers and other colleagues who have recently attended similar training led by service users and staff of the Learning Disability Team.

4.1.3 As part of this training, we will also ensure that all teams have access to the plain language guide 'The A – Z of alternative words', produced by the Plain English Campaign.

### 4.2 Recommendation 2

***Recommendation 2: The panel would like the Housing Service to find ways to make sure all their standard letters are of the same quality. The aim would be to make these letters consistent in:***

- ***How to address tenants when writing letters***
- ***How to encourage tenants to contact the council or other organisations who can help them resolve the issue***
- ***Using plain English***
- ***Giving examples of useful sentences, including how to sign off letters.***

***The panel would like the Housing Service to find ways to obtain residents' views on the key standard letters used by the service. It would be particularly useful if the service could get the views of residents who have difficulties with literacy and numeracy.***

4.2.1 This recommendation is agreed in full.

4.2.2 Service managers will work with colleagues in our Performance & Improvement Team, along with residents on the Business and Value for Money Service Improvement Group, and additional residents known to experience literacy difficulties, to review all remaining standard letters.

The Head of Income, Involvement & Improvement will also put in place measures to ensure the consistency of quality and tone in the letters, eg by having each template letter accessed from shared computer files once they have been agreed. This will also address the concern raised by the Tenant Scrutiny Panel about version control. In addition letters will be reviewed to ensure consistency in style, font, and font size, removing inappropriate use of underscore, italics or bold font.

### 4.3 Recommendation 3

***Recommendation 3: The panel recommend that all teams in the Housing Service should send out a letter to the resident(s) after every home visit detailing what was discussed, and agreed, at the visit. The panel also feels that it may be good practice to write to tenants where appointments made have been missed. The letter should also encourage the resident to reply to the service with any concerns. This recommendation should be piloted for six months and then feedback on the results be given to the Tenant & Resident Scrutiny Panel.***

4.3.1 This recommendation is welcome, and is partially agreed.

4.3.2 Housing regularly sends letters to confirm discussions that have taken place at a home visit or on the telephone. Where this is not done as a matter of course, Housing will look at whether confirmation letters should be routinely introduced.

4.3.3 There might be some occasions where sending a letter following a home visit will not make good use of staff time, and will involve unnecessary postage costs. Examples of such occasions are where a Neighbourhood Officer has visited to gather information or provide an update on a matter, or where we have undertaken almost 900 visits to residents following an initial letter to ensure people had as much information as they needed on the changes to welfare benefits. We will ensure that communications that need to be confirmed in writing is done, and will ask those tenants who use the internet whether an email, or letter attached to an email, would be their preferred method of confirming discussions of a visit. This would not only save time in them receiving the confirmation, but will be more environmentally sustainable, reducing the use of paper and envelopes. It will also save on ever increasing postage costs.

4.3.4 The issue of missed appointments (whether by the resident, or by council staff) is an important one because of the disappointment and inconvenience this can cause to residents, and the inefficient use of staff and operatives time for the council. It is more cost effective for the council to leave a card at the property when the tenant misses an appointment. Where an appointment is missed by staff, the usual practice is to telephone the tenant at the earliest possible time to inform them of the need to reschedule the appointment – perhaps because a member of staff has been ill. A letter of apology stating the rescheduled time can be sent in some cases, however a commitment to do this in every case might mean that excessive extra work is required of staff at a time that they are already experiencing additional work through not having a team member at work. For many residents the telephone call is likely to suffice.

Housing will monitor the cases where it will, and where it is likely it will not, routinely send confirmation letters, and provide further information on this to the Tenant Scrutiny Panel in the update it has requested after a six month period.

## **5. COMMUNITY ENGAGEMENT AND CONSULTATION:**

- 5.1 The Tenant Scrutiny Panel has highlighted in its report how residents and local organisations were involved in their work. With regard to the recommendations, residents on the Service Improvement Group, those on the involvement database, and residents who have learning disabilities or literacy difficulties will be involved in the review of remaining letters.

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

### Financial Implications:

- 6.1 The actions proposed in this report can be met from within the existing HRA employees and staff training budgets.

*Finance Officer Consulted: Susie Allen*

*Date: 24.2.14*

### Legal Implications:

- 6.2 The approved ways of working for the Tenant Scrutiny Panel provide for the Panel's recommendations to be presented to the Housing Committee. That Committee has to agree a response to the report/recommendations. The report of the Panel and the Housing Committee's response will then be presented to the Housing Management Consultative Sub-Committee. A summary of the report, recommendations and any agreed actions will also be reported back to the Tenant Scrutiny Panel and published on the council's website.

*Lawyer Consulted: Liz Woodley*

*Date: 20.2.14*

### Equalities Implications:

- 6.3 Housing is very mindful of the need to communicate with residents in a variety of ways in order to meet their needs. For example, a much simplified version of the Tenants' Handbook was co-produced with colleagues from the council's Learning Disabilities Team, and involved users of that service in ensuring the content was understandable. In addition, we provide Housing Update and other communications in a variety of formats. We will need to do some further work to ensure that we gather and use tenants preferred communication methods when sending standard letters.

### Sustainability Implications:

- 6.4 While we will continue to send letters as a major form of communication, we are also mindful to think about the use of paper. For example many residents have commented to us that they would prefer to receive Homing In electronically in

order to minimise wasting paper, and we will be considering whether and how we can extend this to standard letters, giving residents the preference.

Crime & Disorder Implications:

- 6.5 There are no direct crime and disorder implications arising from this report.

Risk and Opportunity Management Implications:

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

Public Health Implications:

- 6.7 There are no direct public health implications arising from this report.

Corporate / Citywide Implications:

- 6.8 There are no direct corporate or citywide implications arising from this report. However, the quality of our communications lies at the foundation of ensuring that residents have the information they need, and are therefore able to fulfil their service needs or meet their obligations.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. None

### **Documents in Members' Rooms:**

1. None

### **Background Documents:**

1. None





## Tenant & Resident Scrutiny Panel Report

February 2014

### Letters Panel

#### Panel Members:

**Miriam Binder (Chair)**

**Liz Collard**

**Mbye Sohna**

**Observer**

## **Chair's Foreword**

*This is the first scrutiny of Housing services that this group of panel members has ever undertaken. I am a linguist by training and so it is perhaps not surprising that I elected to join those fellow panel members who decided to look at what is referred to as 'Standard Letters'. The first thing that became evident when we looked at the letters we were given was the register. The register is the means by which the content of a letter is conveyed. In short, the language used which is indicated by the choice of words and the complexity of the sentences.*

*Though Brighton & Hove is held to have a large population of highly literate and numerate residents, this is by and large a consequence of having within our boundaries two large and extremely active universities as well as the expanding City College. Further these factors have led to an overlooking of the fact that we also have a considerable number of individuals who have extremely low levels of effective skills in either one or the other, and in some instances both basic literacy and numeracy skills. A fact we refer to in our report.*

*Before I say a few words about the scrutiny, I would like to thank all those officers who have given so unstintingly of their valuable time. We were further enormously encouraged by the evident willingness that all those officers displayed.*

*An issue that came to light during the process of scrutinising was the lack of appropriate data to evaluate. I refer here to the fact that though the general process of sending letters was recorded, we could not retrieve any information of response rates to given letters. In the case of rent arrears for instance we were informed that a given set of letters were sent, along with home visits between the initial indication of rent arrears and a court date for repossession. However we could not determine at what stage rent arrear concerns were resolved aside from the bald statement that 700+ letters were sent out at what we will call stage one and that only 10 evictions were granted. Though this fact is no doubt highly commendable and to be celebrated, it does little to indicate the effectiveness of given letters within that process.*

*Resident Scrutiny of Housing Services is a very new process for us all. I am encouraged by the high level of motivation by both my fellow panellists and the officers we have met during this process that we can together turn this opportunity into a means of improving matters for Housing Services, its staff and the residents that use these vital services.*

**Miriam Binder**

**Chair of the Letters panel for the Brighton & Hove Tenant & Resident Scrutiny Panel**

## **1. Introduction**

1.1 This panel was one of two pilot reviews set up by the Tenant and Resident Scrutiny Panel (TRSP). The purpose was to look at the standard letters sent out by the Housing Service to see if they are:

- Clearly written
- Consistent in style and tone
- Properly pitched at their target audience
- Free of jargon
- Communicating the right information
- Encouraging residents to respond to housing services and/or resolve the issue
- Presenting a positive impression of the Housing Service
- Getting results.

1.2 If successful, such letters will get a timely response so issues can be resolved sooner.

1.3 The panel also felt it is useful for the Housing Service to continue to use other ways of communicating with residents when these might be more effective. It was important for officers to record each of the ways a resident would prefer to be contacted.

## **2. Why use standard letters?**

2.1 Used effectively, standard letters can be an efficient way of communicating with residents about a range of issues regarding their tenancy: from rent arrears to asking for access to carry out a survey. However, poorly worded standard letters might:

- Discourage residents from resolving the issue
- Force residents to contact the service to ask for more information thereby using up officer time unnecessarily
- Give a negative view of the Housing Service.

2.2 The panel felt it was important to ensure that sufficient controls are in place to ensure that the Housing Service uses effective, consistent and clear standard letters.

## **3. Scope of the panel**

3.1 This review was not carried out because the TRSP had any fixed ideas about the standard letters used by the Housing Service. It was an issue that had been raised at a number of forums. The panel looked at a sample of the Housing Service's standard letters and talked to the relevant officers, as well as independent support and advice agencies like the Citizens Advice Bureau (CAB) and Brighton Housing Trust (BHT).

## **Witnesses**

3.2 The panel spoke to the following council officers:

- Lynn Yule, Housing Income Manager
- Simon Court, Senior Solicitor, Housing & Litigation
- Laura Turner, Housing Performance & Improvement Manager
- Robert Keelan, Housing Neighbourhood Manager
- Dave Arthur, Housing Leasehold Manager
- Siobhan Newman, Housing Recovery Officer.

3.3 Panel members, or scrutiny officers, also met or corresponded with:

- Brighton Housing Trust (BHT)
- Citizens Advice Bureau (CAB)

3.4 The panel sought residents' views on the subject, by:

- Emailing a survey to Chairs of city Area Panels and Resident Associations
- Asking for comments on the BHCC Resident Community webpage
- Emailing all city Councillors to ask whether the subject of standard letters was one that people had contacted them about.

3.5 Unfortunately there was only a limited response from residents. It is clear from this exercise that the TRSP needs to develop more effective methods of engaging with tenants and residents.

## **4. Types of letter reviewed**

4.1 The panel looked at a number of the Housing Service's standard letters, dealing with:

- Rent arrears
- Garden maintenance
- Leaseholder service charges
- Obstructions to common-ways.

4.2 We also looked at sample letters from other local authorities and Registered Social Landlords, including organisations considered to have developed best practice.

## **5. Standard letters**

### **What is a standard letter?**

5.1 Standard letters are letters that have been drafted in advance and then saved as a template on computer systems. The same letter will then be sent

out to a large number of people, perhaps with some details added as appropriate.

5.2 Standard letters are commonly used when an organisation needs to:

- Send out a large volume of similar letters
- Save time
- Ensure that the information and advice it gives is consistent and accurate (and can be used if evidence is needed).

Individual letters are written in situations when a standard letter would not be appropriate or does not exist.

5.3 The panel heard from the Housing Income Manager that letter templates were used to '*ensure consistency and equality*'.

5.4 Some standard letters are purely informative: for example the letter sent to welcome new tenants. Other letters are intended to deal with specific problems: rent arrears, blocking common-ways, or having untidy gardens. Therefore many of the standard letters need to deliver negative, or difficult, messages rather than good news. The panel felt that it is vital for the service to remember that the purpose of each of these letters is to resolve the issue as soon as possible.

### **Why look at standard letters?**

5.5 There are a number of problems which are commonly associated with standard letters produced by public sector organisations. These include:

5.6 **Impersonal** – One of the drawbacks of a standard letter is that it can be sent to anyone. A letter which feels that it has specifically been written for you, might have more impact.

5.7 **Tone** – People report finding standard letters threatening. This is not surprising given that some standard letters are meant to be stern – the intention of these kinds of letters is to make people aware that they are, or could be, in breach of their tenancy agreement and how to resolve this. The letter will explain why certain actions are unacceptable, while also warning about what may happen if the issue continues. However, there is an obvious balance between encouraging people to acknowledge there is a problem which needs addressing and causing them unnecessary concern or making them angry.

5.8 **Language** – People can find standard letters hard to understand if they are:

- Too long
- Not written in plain English, or customer friendly language
- Use jargon
- Not using enough positive, or active, language

- Poorly drafted and therefore unclear.

5.9 These things are best avoided in all letters. Any faults in the original letter template will become a big issue if it is a letter that will be sent to large numbers of people. So it is important that standard letters are carefully thought out and checked for sense and readability. A standard letter can be judged a success if it is read and understood by residents, who then take action to resolve the issue.

5.10 **Accuracy** – Some standard letters, particularly those concerning rent arrears and other breaches of tenancy agreements, may need to serve as legal proof that the landlord has acted appropriately. For example by contacting tenants as soon as arrears develop and offering appropriate advice. As this can change over time, these letters must be regularly reviewed and amended. It is important that tenants who may end up facing legal action are given the most up-to-date, accurate and helpful advice possible.

5.11 **Special requirements** – Even clear letters in plain English can be a problematic way of communicating with the following groups:

- People who don't have English as a first language
- Those with literacy problems
- People who have specific mental or physical health issues or learning disabilities which mean that written communications are difficult for them to deal with.

5.12 While standard letters are an important means of communication it is important that they are not the only tool available. Organisations need to have effective means of identifying when standard letters are inappropriate and ensuring that all staff know how important it is to use the most appropriate means of communication for each resident. ***The panel hope that the special requirements of residents are properly logged by officers to make sure that staff contact residents in the most appropriate way.***

5.13 **Monitoring** – Standard letters are a major means of communicating with residents around a variety of issues. However, they are not the only way and only really make sense if they are effective. So it is important that services find ways to monitor the effectiveness of their standard letters. The panel believe that this is particularly important when dealing with potential breaches of the tenancy agreement.

5.14 **Targeting** – People have reported that standard letters have been sent to many people when they might have been better off targeting a much smaller group of residents or even an individual. Many people do find official communications distressing, even if they themselves have done nothing wrong and are not directly being reprimanded for anything. So it is good practice for organisations to think carefully before sending standard letters out to lots of people. The panel heard that this may be the case, for example in the letters sent out to all residents about obstacles in common areas. Another instance is when regular dog fouling occurs in common ways: sending a letter

warning of the consequences of this to households without dogs can give a poor impression of the Housing Service and the council in general.

**5.15 The corporate message** - Organisations are very aware of the varied means they can communicate with customers. It is imperative that they view standard letters in the same light. Standard letters are a major form of communication. For some people this may be their main point of contact with the council. It is therefore important that standard letters are written with the same level of care as other means in which the council communicates with its customers.

**5.16 Escalation** – Some of the most important standard letters are not stand-alone but are sent as part of a series of letters asking the resident to contact the Housing Service to address concerns.

5.17 With these 'series' letters, it is important that each letter places increased emphasis on resolving the issue and that the timing of these letters is as effective as possible. If the main aim of the letters is to get an individual to recognise that there is a problem and to contact the service to find a solution, then it is vital to know whether letters sent at daily, weekly or monthly intervals are most successful in getting people to engage.

## **Tone**

5.18 Any social landlord, when communicating generally with tenants and leaseholders, should aim to be courteous. This becomes more complicated with letters designed to get a response from tenants who are potentially in breach of their tenancy. In these instances, the intention is to make the resident aware of the possible consequences of a continued breach of their tenancy conditions: whilst simultaneously seeking to encourage the resident to engage with services and begin to address the concerns. For example the panel thought the fixed notice used regarding removal of items for common ways '*...was stern and would help to eradicate the problem.*'

5.19 It is also important that letters are no more threatening than they need to be: there is nothing to be gained by distressing people. It needs to be remembered that some social housing tenants are particularly vulnerable. The council spends a good deal of time and effort in trying to present a positive image with service users. Where possible the council should remain customer friendly, even when delivering potentially difficult news in its letters.

5.20 According to the panel, some of the letters were thought to be '*awkward*'. An example given by the panel was '*you do not have an outstanding claim for housing benefit*' which it was suggested could be clarified to say '*our enquiries have shown that you do not*'.

5.21 The panel was pleased to hear that Cllr Bill Randall, Chair of the Housing Committee, has personally reviewed some of the council's rent arrears letters, amending them to make them easier to understand and more personal (for instance using "*we*" rather than "*the council*").

5.22 The panel welcome the fact that the council is aware of the importance of tone in its standard letters, and that this awareness is driven by the most senior and experienced people in the Housing Service. ***The panel think it would be good to see similar exercises undertaken with other standard letters. This would also ensure that a consistent tone is taken in standard letters.***

### **Accuracy**

5.23 Some standard letters serve a dual purpose – to encourage tenants to respond to a problem and provide proof that the landlord has followed procedures properly in case the matter ends up in court.

5.24 Again, the panel is pleased that this revision is undertaken regularly. However, given that arrears letters have also been rewritten by the Chair of Housing Committee, there would appear to be a risk that different reviewers end up editing out each others' revisions. ***The panel hopes that there are procedures in place to make sure that this does not happen.***

### **The need to include legal information**

5.25 Standard letters must include legal information if they relate to their tenancy or a breach of tenancy conditions. The Senior Solicitor told the panel that:

*'It was important that the legal terms were in plain English and understood by tenants.'*

5.26 Standard rent arrears letters are regularly reviewed by Housing staff, especially in order to reflect Court feedback. For example, when seeking a Possession Order in the County Court, it is vital for the landlord to be able to prove that it has engaged appropriately with a tenant from the start. Rent arrears letters are key to providing this proof. It is therefore important that the council's standard rent arrears letters accord with what the courts demand. This changes over time, and so the form of the relevant standard letters needs to evolve too.

### **Language/plain English**

5.27 Not all local government officers are fully aware of the importance of writing in plain English. They can produce jargon-filled documents which are not easy to read. This is not a problem for internal communications, where council officers understand each others' language. But it is a problem when those officers are writing letters to residents.

5.28 The panel also heard that Housing staff have had training courses. Recovery Officers and the Performance & Improvement team had received training in letter-writing and using plain English. This type of training is



important because writing in plain English is not always easy; this skill usually has to be learnt and used on a regular basis.

5.29 The panel welcomes the fact that some Housing staff have training in letter writing and using plain English. The panel were not clear whether this kind of training was given to all those who need it. If such a programme does not exist then the panel recommend that Housing managers make sure that all relevant officers are able to write clearly using plain English.

***Recommendation 1 – The panel believe that all council Housing staff who are involved in writing letters to residents need to communicate in plain English. The panel would like the Housing Service to inform them what steps the service will take to make this happen.***

### **Special Requirements**

5.30 Some people have particular problems understanding the written language. This may be for a variety of reasons: English is not their first or main language, there are literacy issues, learning disabilities, physical impairments or mental health problems which make reading difficult.

5.31 Standard letters are intended to produce results. If certain residents won't, or can't, respond to standard letters then it is obviously important that Housing staff recognise this and make alternative arrangements. It is also important that information on these service users is shared across Housing services. It makes little sense for rent collection officers to adopt different tactics when trying to engage with tenants than officers in the council's Neighbourhood or Tenancy teams.

### **English as a second language**

5.32 The panel learnt that Housing teams do commonly record information about residents who require translation services on the relevant databases. The council has translations of key rent arrears and tenancy letters in the five most commonly requested languages, and can arrange for translations into other languages on request.

5.33 It is important that some letters are translated for people who have English as a second language, particularly in cases where it may result in legal action, including in the County Court. In other circumstances, less formal approaches may work better, such as relying on family members to act as translators for tenants who need this assistance. The panel were assured that officers:

*'...would always use the translation services when communicating important messages and taking tenancy action.'*

The panel trusts that this is indeed the case.

## **Resident Involvement**

5.34 Since tenants and leaseholders pay for Housing Services, it is important for them to be involved in making decisions about those services. It is now widely recognised that the most effective services are those which make the best use of customer feedback.

5.35 It would therefore appear positive to have resident involvement in standard letters. The panel was delighted to learn that there is a Housing Income Management Group, made up of elected tenants, which does review rent arrears standard letters.

## **Problems with literacy and numeracy**

5.36 Brighton & Hove has an unusually large graduate population, but it also has significant numbers of people with literacy and/or numeracy problems. For instance, it was estimated in the Brighton & Hove Adult Learning Strategy that around 12,000 local adults lack basic literacy skills and up to 60,000 lack basic numeracy skills. It is therefore important that Housing staff always remember that some tenants may struggle to understand written communications, especially letters about rent or benefits where a degree of both literacy and numeracy is needed.

5.37 The panel heard that there were some measures in place designed to make standard letters more accessible for people with literacy problems. For example, the Housing Income Manager said that red type was used in sections of rent arrears letters to emphasise that they contained urgent information. The panel would like the Housing Service to explore whether there are other ways to highlight the importance of certain kinds of letters.

5.38 The Income Manager told the panel that the service felt that people with literacy problems usually ask for help in understanding letters from family and friends. It was felt that sending standard letters to people with literacy problems was not pointless. However the panel would like to point out that literacy issues are still to a degree viewed as something to be hidden. Those who lack literacy skills may be less willing to seek help with written communication than residents who do not have English as their first language.

5.39 People with low literacy skills are going to find some types of letters easier to understand than others. The panel hope that Housing staff are aware that some residents may have literacy problems and write their standard letters accordingly. It is hoped that this information can be picked up and recorded when officers meet with new tenants.

5.40 The panel does think that there may be a role here for the Service Improvement Groups which are currently being set up. One of the roles of these groups could be to think about relevant standard letters in terms of their readability for those with literacy problems. It could be useful if, amongst those represented on those groups, are some residents who themselves have

literacy issues. This direct experience could be a very valuable resource for Housing officers drafting standard letters.

**5.41 *The panel suggests (if this does not already happen) that the Service Improvement Groups should:***

- ***Take an active role in ensuring that standard letters are as accessible as possible for people with literacy and numeracy issues***
- ***Be willing to challenge officers to ensure that all standard letters use plain English***
- ***Aim to attract a broad range of members, including members with literacy and numeracy issues.***

### **Monitoring**

5.42 The panel were concerned that data on the response rate to the letters was currently '*unavailable*', but were pleased to hear:

*'...the response rates as a whole were good.'*

5.43 The panel were unable to evidence this claim and feel it would be beneficial to the service as a whole to maintain response records.

**5.44 *The panel felt that it could be useful for the Income Management Team to carry out an exercise to:***

- ***Monitor the response rate to each of the rent arrear standard letters***
- ***Compare the effectiveness of sending out standard letters to other forms of communication such as telephoning or visiting residents.***

### **Sharing good practice and quality control**

5.45 One of the main concerns of the panel was whether the Housing Service had systems in place to make sure they were sending out the best possible standard letters to residents.

***Recommendation 2: The panel would like the Housing Service to find ways to make sure all their standard letters are of the same quality. The aim would be to make these letters consistent in:***

- ***How to address tenants when writing letters***
- ***How to encourage tenants to contact the council or other organisations who can help them resolve the issue***
- ***Using plain English***
- ***Giving examples of useful sentences, including how to sign off letters.***

***The panel would like the Housing Service to find ways to obtain residents' views on the key standard letters used by the service. It would be particularly useful if the service could get the views of residents who have difficulties with literacy and numeracy.***

### **Letters after home visits**

5.46 While this issue was outside the remit of the panel, a cause for concern was discovered by the panel when collecting their evidence for this review.

5.47 Home visits are carried out by the Income Management team at different stages of the rent arrears process. The Housing Income Manager told the panel that any agreement reached during the home visit would be recorded on the electronic database.

5.48 The Senior Solicitor said that courts wanted to see that the council had given the resident enough opportunities to pay their rent arrears, including home visits. However these home visits were not specifically taken into account by the courts. The rent arrear letters would suggest a home visit as well as list the ways to contact the council, including texting or telephoning, to give the resident further opportunities to pay their rent arrears or get advice.

5.49 The panel found out it was not usual practice to send out a follow up letter after the home visit. They believed it was important to confirm the details of the home visit in writing, clearly stating what was agreed by the resident and the officer. This will ensure that the tenant and officer both agree on the outcome of the visit and avoid misunderstandings. In addition, it will serve as evidence that efforts are being made by the service to engage with residents, whether this was during a visit or a telephone call. The panel felt that this was good practice and the information could be referred to at a later date if necessary, especially if the case did end up in court.

### **Recommendation 3**

***The panel recommend that all teams in the Housing Service should send out a letter to the resident(s) after every home visit detailing what was discussed, and agreed, at the visit. The panel also feels that it may be good practice to write to tenants where appointments made have been missed. The letter should also encourage the resident to reply to the service with any concerns. This recommendation should be piloted for six months and then feedback on the results be given to the Tenant & Resident Scrutiny Panel.***

## **6. Conclusion**

6.1 The panel welcomed the very good performance of the Housing Service in important areas such as rent arrears. They felt that standard letters are a useful tool in communicating with residents and can save time and the duplication of effort.

6.2 Their recommendations are aimed at ensuring the consistency and quality control of standard letters. The panel felt as issues facing residents become more complex, such as welfare reform, it is vital for the service to communicate clearly and in a customer friendly way.

6.3 The panel also hope that the service look at other ways of communicating with residents; such as email, telephone and social media. This would depend on the preferences of the resident and the kind of information which was being given to them.

## **7. Recommendations**

7.1 While the panel appreciate that the Housing Service is achieving high levels of performance in areas such as rent collection, they felt the following recommendations could help to ensure the quality, effectiveness and consistency of the council's standard letters to residents.

***Recommendation 1 – The panel believe that all council Housing staff who are involved in writing letters to residents need to communicate in plain English. The panel would like the Housing Service to inform them what steps the service will take to make this happen.***

***Recommendation 2: The panel would like the Housing Service to find ways to make sure all their standard letters are of the same quality. The aim would be to make these letters consistent in:***

- ***How to address tenants when writing letters***
- ***How to encourage tenants to contact the council or other organisations who can help them resolve the issue***
- ***Using plain English***
- ***Giving examples of useful sentences, including how to sign off letters.***

***The panel would like the Housing Service to find ways to obtain residents' views on the key standard letters used by the service. It would be particularly useful if the service could get the views of residents who have difficulties with literacy and numeracy.***

### **Recommendation 3**

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## **8. Monitoring**

8.2 The panel feel it is very important to monitor the progress of these recommendations and would like to receive a report on the outcomes which have been achieved, to go to Housing Committee in 12 months time.