





**Brighton & Hove
City Council**

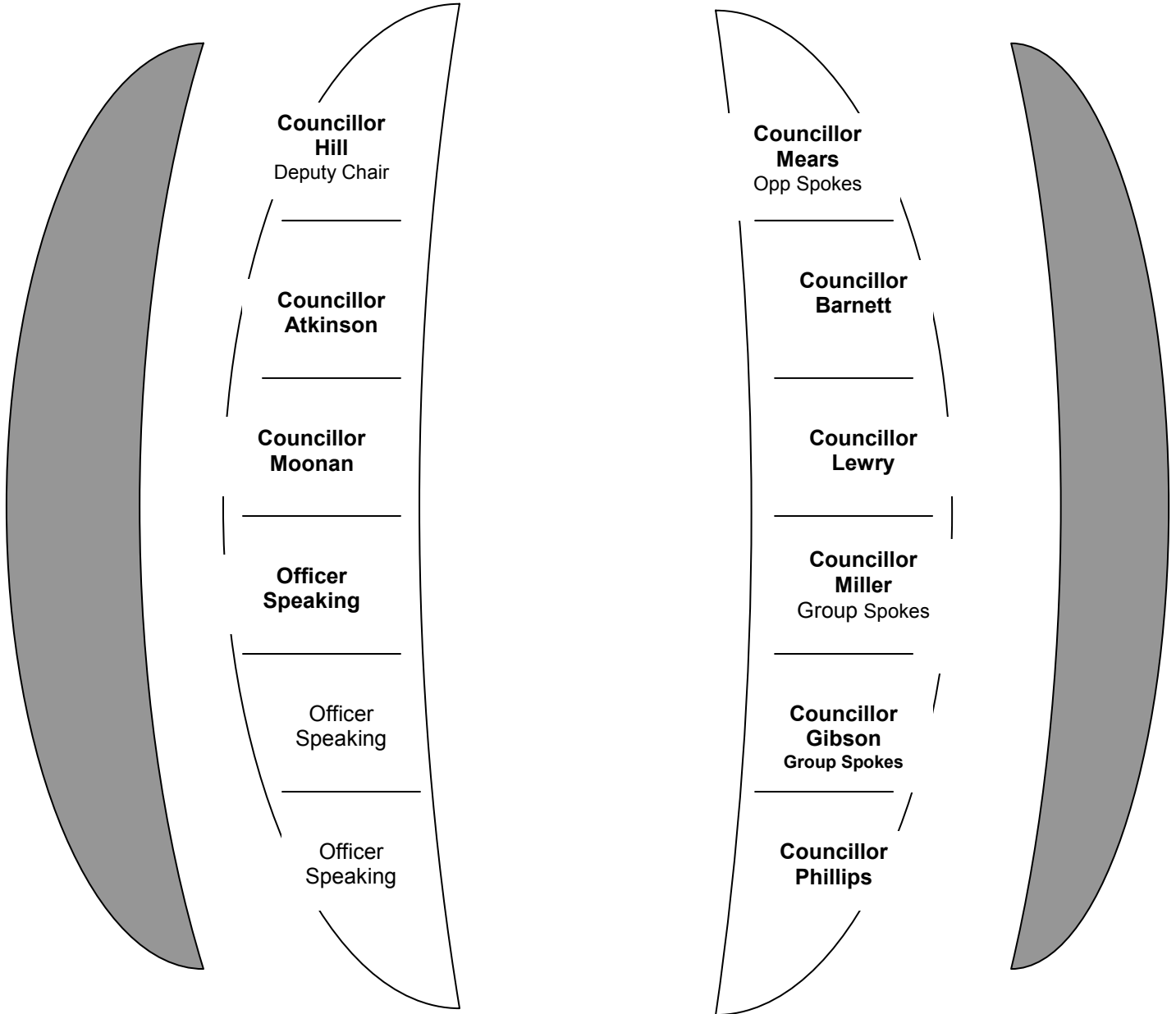
Housing & New Homes Committee

Title:	Housing & New Homes Committee
Date:	23 September 2015
Time:	4.00pm
Venue	Friends Meeting House, Ship Street, Brighton
Councillors:	Meadows (Chair), Hill (Deputy Chair), Mears (Opposition Spokesperson), Gibson (Group Spokesperson), Atkinson, Barnett, Lewry, Miller, Moonan and Phillips
Contact:	Caroline De Marco Democratic Services Officer 01273 291063 caroline.demarco@brighton-hove.gov.uk

	The Friends Centre has facilities for wheelchair users, including a ramp and toilets
	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.
	<p align="center">FIRE / EMERGENCY EVACUATION PROCEDURE</p> <p>If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:</p> <ul style="list-style-type: none"> • You should proceed calmly; do not run and do not use the lifts; • Do not stop to collect personal belongings; • Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and • Do not re-enter the building until told that it is safe to do so.

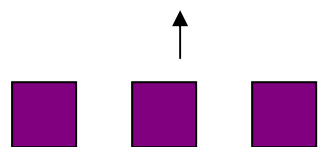
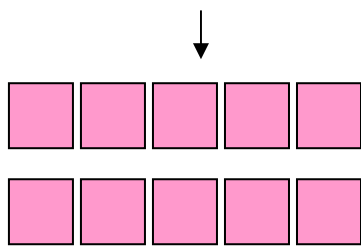
Democratic Services: Housing Committee

Interim Head of Housing	Councillor Meadows Chair	Acting Executive Director of Environment, Development and Housing	Lawyer	Democratic Services Officer
-------------------------	------------------------------------	---	--------	-----------------------------



Public Speaker	Public Speaker
----------------	----------------

Public Seating



Press

AGENDA

PART ONE

Page

17 PROCEDURAL BUSINESS

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

(b) Declarations of Interest:

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

In each case, you need to declare

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

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

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

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

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

18 MINUTES OF THE PREVIOUS MEETING

1 - 22

To consider the minutes of the meeting held on 17 June 2015 (copy attached).

19 CHAIRS COMMUNICATIONS

20 CALL OVER

HOUSING COMMITTEE

- (a) Items 23 to 32 will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

21 PUBLIC INVOLVEMENT

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

- (a) **Petitions:** to receive any petitions presented to the full council or at the meeting itself;
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the 16 September 2015;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 16 September 2015.

22 ISSUES RAISED BY MEMBERS

To consider the following matters raised by councillors:

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

23 NEW HOMES FOR NEIGHBOURHOODS - SMALL SITE STRATEGY 23 - 30

Report of the Acting Executive Director, Environment, Development & Housing (copy attached).

Contact Officer: Carol Jenkins *Tel:* 29-3832
Ward Affected: Hanover & Elm Grove;
Hollingdean & Stanmer;
Moulsecoomb &
Bevendean; Patcham; St
Peter's & North Laine

24 REVIEW OF THE COUNCIL'S HOUSING ALLOCATION POLICY 31 - 36

Report of the Acting Executive Director, Environment, Development & Housing (copy attached).

Contact Officer: James Crane *Tel:* 293316
Ward Affected: All Wards

HOUSING COMMITTEE

- 25 ALLOCATION OF TEMPORARY ACCOMMODATION POLICY 37 - 62**
- Report of Acting Executive Director, Environment, Development & Housing (copy attached).
- Contact Officer: James Crane Tel: 293316*
Ward Affected: All Wards
- 26 REVIEW OF THE LONG LEASE HELD BY THE BRIGHTON LIONS AT LIONS COURT 63 - 72**
- Report of the Acting Executive Director Environment, Development & Housing (copy attached).
- Contact Officer: Simon Pickles Tel: 01273 292083*
Ward Affected: East Brighton
- 27 HOUSING RELATED SUPPORT BUDGET & COMMISSIONING REPORT 73 - 82**
- Report of the Executive Director Adult Services, Acting Executive Director, Environment, Development & Housing, Director of Public Health, and Executive Director of Children's Services (copy attached).
- Contact Officer: Jenny Knight Tel: 01273 293081*
Ward Affected: All Wards
- 28 FUEL POVERTY & AFFORDABLE WARMTH STRATEGY FOR BRIGHTON & HOVE 83 - 102**
- Report of the Acting Executive Director, Environment, Development & Housing (copy attached).
- Contact Officer: Miles Davidson Tel: 29 - 3150*
Ward Affected: All Wards
- 29 LIVING RENT 103 - 110**
- Report of the Acting Executive Director, Environment, Development & Housing (copy attached).
- Contact Officer: Martin Reid Tel: 01273 93321*
Ward Affected: All Wards
- 30 HOUSING MANAGEMENT PERFORMANCE REPORT QUARTER 1 2015/16 111 - 132**
- Report of the Acting Executive Director, Environment, Development & Housing (copy attached).
- Contact Officer: Ododo Dafe, Tom Tel: 29-3201, Tel: 01273 293234*
Matthews
Ward Affected: All Wards

HOUSING COMMITTEE

31 ITEMS REFERRED FOR FULL COUNCIL

To consider items to be submitted to the 22 October 2015 Council meeting for information.

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

PART TWO

32 SENIORS HOUSING SCHEME REVIEW

133 -
144

Report of the Acting Executive Director, Environment, Development & Housing (circulated to Members only).

Contact Officer: Simon Pickles

Tel: 01273 292083

Ward Affected: Hanover & Elm Grove

33 PART TWO PROCEEDINGS

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

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

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

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

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

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

HOUSING COMMITTEE

WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is being filmed. You should be aware that the Council is a Data Controller under the Data Protection Act 1988. Data collected during this web cast will be retained in accordance with the Council's published policy (Guidance for Employees' on the BHCC website).

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

Date of Publication - Tuesday, 15 September 2015

BRIGHTON & HOVE CITY COUNCIL

HOUSING & NEW HOMES COMMITTEE

4.00pm 17 JUNE 2015

FRIENDS MEETING HOUSE, SHIP STREET, BRIGHTON

MINUTES

Present: Councillor Meadows (Chair) Councillor Hill (Deputy Chair), Mears (Opposition Spokesperson), Gibson (Group Spokesperson), Atkinson, Barnett, Lewry, Miller, Moonan and Phillips.

PART ONE

1 PROCEDURAL BUSINESS

1(a) Declarations of Substitute Members

1.1 There were none.

1(b) Declarations of Interests

1.2 There were none.

1(c) Exclusion of the Press and Public

1.3 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.

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

2 MINUTES OF THE PREVIOUS MEETING

2.1 Councillor Mears referred to paragraph 67.1 in relation to the closure of the Oxford Street Housing Office. She had read the Health & Safety report and Incident Survey which caused her concern. She asked why the building was bought at great expense and allowed to deteriorate to such an extent.

- 2.2 Councillor Mears referred to paragraph 71.4 in relation to Supporting People. She was concerned that there had been no proper report on this matter. She would like to see a report from Adult Social Care detailing what steps were in place to address problems. She was concerned that a £10m budget was allocated to Adult Social Care and not Housing Services.
- 2.3 Councillor Mears referred the new Neighbourhood and Communities Committee and said that she was aware that there was a member of the administration with responsibility for rough sleepers. She asked which committee should be presented with reports on rough sleepers.
- 2.4 The Chair stated that there was a need for Housing Committee reports on both Oxford Street and Supporting People.
- 2.5 Councillor Gibson echoed Councillor Mears' concerns about Supporting People issues. He noted that there was no report on financial modelling (in relation to Living Rent calculations) as stated in paragraph 69.5. The Chair stated that there would be a full and detailed report to the next meeting of the committee.
- 2.6 **RESOLVED** - (1) That the minutes of the Housing Committee held on 4 March 2015 be agreed and signed as a correct record.

3 CHAIR'S COMMUNICATIONS

- 3.1 The Chair reported that the meeting would be webcast live and would be capable of repeated viewing.
- 3.2 The Chair read out the following statement to the Committee.

"Can I begin by welcoming everyone to today's first meeting of the Housing and New Homes Committee – the first of the committee meeting cycle since the recent elections.

Whether you are a new councillor or a returning councillor, I would like to congratulate you on being elected here and can I also note my thanks to the previous administration's Chair Bill Randall.

The new democratically elected Committee of course reflects the wishes of the residents of Brighton & Hove. On May 7th they voted locally for both a change of leadership and change of direction of the council. They have clearly indicated to us all, I think, that they want to see an administration that works better for them. In practice, this means getting on and working together to improve the housing outcomes and opportunities for residents in the city. Regardless of party politics we are round the table today to serve our community, our residents, the best way we can.

The Committee has added 'New Homes' to the end of its title which is a deliberate addition to the committee's remit by the new administration.

New Homes within our city are vital to the health and economy of our citizens where we have an opportunity to join-up the needs of the homeless as well as those needing a

family home and form part of our housing strategy to help deal with our housing crisis. However, we cannot do this alone and we need to work in close partnership with many other organisations within the city to help us deliver on that strategy.

The next election is some way off however I hope you will feel like me that it is incumbent upon us all to find common ground where we can; particularly in improving the quantity and quality of many homes for lots of our residents, both in the private sector as well as those in social housing.

There is a growing pressure on all housing services in the city which will tax our resourcefulness to ensure we provide the best service or solutions possible. I hope that, where necessary, we can put aside our political differences and focus on those in need instead.”

4 CALL OVER

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

5 PUBLIC INVOLVEMENT

5.1 There were no Petitions

5.2 Pip Tindall asked the following public question on behalf of Giuseppina Salamone:

“At the March meeting of the Housing Committee, Councillor Randall said that the council would be carrying out Living Rent calculations on the new council housing being developed, and the Head of Housing Strategy and Development promised to report on this work at the June meeting. Councillors wished to find ways to offer new council housing at a Living Rent, rather than an unaffordable 80% of market rent. Do these models include the option to extend the repayment period on the building costs of new homes, so that rents can be lowered without increasing the subsidy required?”

5.3 The Chair replied as follows:

“A key Housing Strategy priority is support for new housing development that delivers a housing mix the city needs with a particular emphasis on family, Affordable Rent and where feasible, Social Rented housing.

The Government introduced Affordable Rent to help fund the development of new affordable housing using less public subsidy. Those homes developed with Government funding (and some existing homes when vacant), including those funded by use of Right to Buy receipts, are now let at a rent up to 80% of market rent. The extra rent enables the housing provider to borrow more money to pay for building the home in place of higher grant.

Through our Tenancy Strategy (2013) we are committed to:

- Ensuring that existing Council tenants will continue to enjoy lifetime tenancies within the existing Social Rent framework, with no conversion of vacant Council homes to Affordable Rent;
- Keeping Affordable Rents affordable, ensuring that Affordable Rents to be set at the lower of either 80% market rent level or the Local Housing Allowance (LHA) limit.

Local Housing Allowance (LHA) levels that in practice frame tenant rent on new homes built at Affordable Rent have not kept pace with market rents in the city. LHA levels do not reflect 80% market rent. When compared to (14/15) market rents LHA equates to 78% and 64% of market rent for a one bedroom flat and three bedroom house respectively.

Reduced public subsidy and higher income risks aligned to welfare reform have made borrowing to build homes for rent a much higher risk for Registered Providers with a significant shift away from development of homes for both Social Rent (no new homes planned) and Affordable Rent.

The City Council has responded to these challenges by initiating a programme to develop new affordable council homes for rent on HRA owned land.

Housing Committee unanimously agreed at its meeting on 6 March 2013 that a range of funding, rent and home ownership options should be provided in new housing to be developed on HRA land under the Estate Regeneration Programme in order to ensure that development is viable and to increase the number of new homes the Estate Regeneration Programme can deliver. The report indicated the level of Affordable Rents and the impact these higher rents would have on the number of homes the HRA could develop.

The proposal to this committee for Findon Road is for the scheme to be 100% Affordable Rented homes. The units have been modelled the lower of either 80% market rents level or the Local Housing Allowance (LHA) limit in accordance with the council's Tenancy Strategy. This means that rents for this scheme are set at LHA levels which are in the region of 60-70% of market rent dependent on the number of bed rooms. This also means that those tenants in receipt of full housing benefit will have their rents fully covered by benefit.

There is no agreed formula for calculating a Living Rent and a number of concerns with developing another rent calculation. All rents are currently calculated in line with Government guidance for social rents for 2015. However for illustrative purposes only, a rental figure of £600 per month modelled for the Findon Road scheme and applied to all units regardless of number of bedrooms (based on 1/3 of an average local wage of £22K PA) would increase the subsidy required from the Housing Revenue Account (HRA) from £17K per unit to £71K per unit; an overall increase of £54K per unit. Over the Findon Road development this is an overall increase of HRA scheme subsidy requirement of around £3.1M. This is modelled over 40 years which is in line with housing sector standards where schemes are generally modelled on between 30-40 years."

- 5.4 Ms Tindall asked if the living rent calculations would be presented at some point. The Executive Director, Environment, Development and Housing replied that there would be a report to the next meeting of the committee showing the difference between different rental levels.
- 5.5 **RESOLVED-** That the Public question be noted.
- 5.6 The Committee considered the following deputation which had been submitted by Dani Ahrens, Pip Tindall, Leila Erin-Jenkins, Dave Bangs and Giuseppina Salamone. The deputation was presented by Dani Ahrens. Ms Ahrens was accompanied by two private tenants who spoke about their difficulties in renting in the private sector.

Private Sector Housing

“We are pleased to see that the committee is discussing private sector housing at today’s meeting. In our campaign we have talked to many people who feel that there is a real crisis in private sector housing in the city, and there is an urgent need to take action to tackle this crisis.

However, we were disappointed that the scrutiny panel’s recommendations do not match the urgency of the problem, and in some cases do not even follow from the evidence presented in the report. For example, the report discusses the need for truly affordable rented housing to be supplied, so that low paid workers can afford to live and work in the city. But recommendation 6 deals only with owner-occupied housing.

Having heard evidence of poor quality in rented housing, particularly that rented by students, the panel recommended a series of voluntary initiatives, led by the universities or by some unspecified agency (Recommendations 12, 13 and 14). While we do not object to these ideas, we think the council could and should take much stronger action.

Recommendations 15 and 16 are similarly weak, in the face of widespread unethical, discriminatory and exploitative practice by both landlords and letting agents.

The fact is that the private rented sector is not a level playing field in which tenants are “customers within a market” who simply need more information to enable them to “make rational evidence-based decisions” (page 21 of scrutiny report). There is a big imbalance of power between tenants and landlords. This is the main factor which determines the choices tenants are able to make.

To give just two examples of how this works, we heard of a case at our regular street stall recently where a tenant asked her landlord to replace an insecure front door at her home. The landlord agreed to do this, and, encouraged by this, she asked for a series of additional repairs, as is her right. The landlord responded by increasing the rent, which was already higher than the tenant’s entitlement to Local Housing Allowance. The repairs have not been done but the tenant has no effective recourse in law because she is not entitled to legal aid.

Another tenant faces homelessness after being evicted from her studio flat when her landlord decided to sell. She is able and willing to pay rent in the private sector, but because she is on disability and housing benefits, no letting agency is prepared to let a property to her. This kind of discrimination is extremely common.

In these circumstances, the council needs to do more than act as an independent arbiter of ethical behaviour. The council must enforce decent minimum standards for all housing in the city, by introducing a comprehensive register of private sector landlords. Landlords should be required to maintain their properties at a set standard of repair, safety and energy efficiency before they can be included on the register and permitted to let out property in Brighton & Hove.

We note that both the Labour and Green Party manifestos included a commitment to a landlord register, and urge the committee to take action to implement this as soon as possible”.

5.7 The Chair replied as follows:

“I would like to thank you for submitting this deputation.

Private rented sector growth was one of the key themes emerging from development and consultation on our new Housing Strategy. The private rented sector provides a flexible market response to meet housing need. However, there are issues around affordability and the impact of loss of family homes to housing in multiple-occupation (HMOs). Many landlords recognise the long term benefits from attracting good tenants to well maintained homes. However, concerns remain around management and standards in some parts of the sector and challenges around regulatory and investment responses which the council is committed to address.

Our Housing Strategy outlines a range of strategic actions aimed at improving the quality of housing and management in the private rented sector, in particular HMOs. These actions reflect a number of points raised in this deputation.

Housing Committee today will also consider two reports both directly aligned to our priority of improving private rented housing.

Committee are asked to designate a further seven wards as subject to additional HMO licensing enabling a proactive and consistent approach to addressing issues with management and standards in smaller HMOs.

Committee are also asked to welcome the Scrutiny Panel Report on Private Sector Housing and request a formal response to Panel recommendations be prepared by officers for consideration at a future Housing & New Homes Committee meeting.

Whilst some of the aspirations of this deputation require government legislation, as we examine the Scrutiny Panel’s recommendations, we will work with our partners explore every means at our disposal to make a positive impact where we can.”

5.8 **RESOLVED** - That the deputation be noted.

6 ISSUES RAISED BY MEMBERS

6.1 There were no Petitions, Written Questions, Letters or Notices of Motion from Councillors.

7 CONSTITUTIONAL MATTERS

- 7.1 The Committee considered a report of the Head of Legal & Democratic Services which provided information on the committee's terms of reference and related matters including the appointment of its urgency sub-committee. The report was presented by the Senior Solicitor.
- 7.2 The Senior Solicitor explained that the Committee's terms of reference were attached to the report. The constitution had not been updated and the terms of reference had not changed. Meanwhile, Members were asked to establish an Urgency Sub-Committee. The membership would normally be the Chair and one representative from the other two political groups.
- 7.3 Councillor Mears put her name forward to represent her group on the Urgency Sub-Committee. With regard to the Terms of Reference, Councillor Mears noted that 2.(b) related to Homelessness and the allocation of housing. 2.(e) related to housing loans and grants which included the Disabled Facilities Grant (DFG). Therefore, the Housing and New Homes Committee had the authority to sign off the Disabled Facilities Grant. 4. Related to Supporting People which was a function of the Committee. Councillor Mears expressed concern that the Committee had not seen Supporting People contracts.
- 7.4 The Executive Director Environment, Development & Housing explained that funding for the DFG came from the Health & Wellbeing Board. Supporting People Contracts had not been to Committee and there were no new contracts. He would check the current situation and provide information to members on this matter. The Chair asked the Executive Director to provide details on contracts.
- 7.5 Councillor Phillips stated that it was the Housing & New Homes Committee's statutory duty to discharge functions relating to homelessness, yet the budget sat with the Health & Wellbeing Board. She asked how this would move forward. Councillor Phillips requested a finance & planning review on Supporting People included in the briefing requested above.
- 7.6 The Executive Director replied that the report would explain Members' role in controlling the Supporting People budget.
- 7.7 Councillor Mears requested a report to the next Committee meeting. The Chair concurred with the request.
- 7.8 **RESOLVED:** -

- (1) That the committee's terms of reference, as set out in Appendix A to the report, be noted.
- (2) That the establishment of an Urgency Sub-Committee consisting of the Chair of the Committee and two other Members (nominated in accordance with the scheme for the allocation of seats for committees), to exercise its powers in relation to matters of urgency, on which it is necessary to make a decision before the next ordinary meeting of the Committee be approved.

[NOTE: Following the meeting, Councillor Gibson put his name forward to represent his Group on the Urgency Sub-Committee. The Urgency Sub-Committee membership was therefore, Councillor Meadows (Chair), & Councillors Gibson and Mears.]

8 NEW HOMES FOR NEIGHBOURHOODS - FINAL SCHEME APPROVAL - FINDON ROAD AND GARAGE SITES UPDATE

- 8.1 The Committee considered the report of the Executive Director Environment, Development and Housing which focused on development proposals for the site at Findon Road, Whitehawk (former library site) that the Estate Regeneration Team now wished to progress through planning and construction stages. The report was presented by the Project Manager who referred to an error in the report. Recommendation 2.2 (iv) should not have mentioned the Wellsbourne site.
- 8.2 A Green Group amendment to the report recommendations had been circulated to Members prior to the meeting. The amendment was proposed and seconded by Councillors Gibson and Phillips.
- 8.3 The Chair referred to recommendation 2.1 ii which related to the scheme rent levels. She understood this had been agreed at a previous Housing Committee. The Executive Director Environment, Development and Housing explained that previously the committee had agreed the scheme in outline. The Housing Programme Manager explained that the previous report contained modelling regarding potential rent levels and options. Once the detailed design has been carried out officers present a report with rent options and explain the effects on the HRA.
- 8.4 Councillor Gibson set out his reasons for the amendment which related to affordability. There was a commitment from the previous Housing Chair to see if rents could be a little bit lower and more affordable. No-one else was providing social or living rents in the city. It was not a question of reducing subsidy from the government. Subsidy was not going into buildings. It was going into the benefits of people who had their wages topped up by housing allowance.
- 8.5 Councillor Gibson stated that the committee should be bold and ask officers to model some lower rents; either living rents or social rents on these new council houses. Councillor Gibson stressed that the council had lost over 100 socially rented Council houses in the city through Right to Buy. The council could go some way in replacing these properties. A social rent was half of the levels of the rent in the scheme proposals.
- 8.6 Councillor Gibson stated that officers had made the point that the lower the rent charged the less there would be in revenue. However, Councillor Gibson considered that the modelling had overlooked certain benefits. For example, management costs would not

be increased when the properties were built. There could be consideration about the period the modelling took place. 40 years would be more sensible than 30 years. Councillor Gibson asked for an affordable rent strategy. He stressed that there were 10,000 people who could only afford social rents and that it was incumbent on the council to go some way in meeting the needs of these people. Councillor Gibson welcomed the progress of 200 new homes. He asked for some to be truly affordable. The current rates were not affordable.

- 8.7 The Interim Head of Housing stated that with regard to management costs, anything could be included or excluded in the modelling. He was not sure if the modelling suggested by Councillor Gibson was being carried out anywhere else. It would mean that the council would be asking existing tenants to pay for the management costs of new tenants. There was a need to be seen as fair. If the council were building hundreds of homes it could not achieve this type of modelling. For this reason the suggestion was not feasible. The Principal Accountant concurred with the Interim Head of Housing.
- 8.8 The Interim Head of Housing suggested that there could be a different mix of housing. For example, houses for sale to subsidise rented housing. However this would result in the delivery of fewer affordable units.
- 8.9 Councillor Miller stated that he considered that rent should be lower and the costs cheaper. He asked why the costs were so high. The Executive Director explained that work was tendered in the market to achieve the best possible rate for the build. The building costs with inflation were very high. The Housing Programme Manager reported that the £14.1m was the end cost not just the build costs. Officers were finding a shortage of skilled labour and materials in the local market. There were other issues with this particular site. Extensive ground work had increased costs. The scheme had a number of wheelchair units. There were three high specification lifts in the development. These were the reasons why it was more costly than a private development. The scheme would be brick built and officers would aim to bring more information to councillors. A workshop for councillors relating to development process and finance was suggested.
- 8.10 Councillor Mears did not consider that the site at Findon Road was difficult in terms of gradient. There was an issue regarding costs. She was concerned that the council had external architects to draw up plans before in house architects took over to finalise the scheme. Councillor Mears stated that she wanted to understand the funding of the land. When the library was built in Whitehawk the grant was £5.9m. There was a shortfall of 2m. There was a proposal to sell land to pay back the general fund. This did not happen. Councillor Mears asked exactly what was being paid to the general fund for the land.
- 8.11 The Principal Accountant confirmed that total cost to the HRA for the both sites was still £1.3m. The £0.940m was an element of the £1.3m for Findon Road. When the development proposals for the Wellsbourne site progressed the balance would be paid to the GF for that land.
- 8.12 Councillor Mears referred to the financial implications and mentioned that in the past the council had a 30 year business plan. There was now a 10 year difference. Why was the council carrying risk for an extra 10 years?

- 8.13 The Principal Accountant explained that the building valuation had a life of 60 years and the rental stream was expected to go beyond than 60 years. It was standard practice to model borrowing between 30-40 years and this didn't carry a risk to the viability of the Business Plan.
- 8.14 The Housing Programme Manager explained that external architects were used at the initial stage to get high quality design. The plans were then passed to internal architects. This method worked very well and did not involve duplication. Section 106 funding was included in the modelling at £5000 per unit, but actual costs would not be known until after planning permission had been gained.
- 8.15 Councillor Miller asked questions relating to cycle storage, the ground floor and whether the police had been consulted on the scheme. He further asked why rent was charged weekly rather than monthly and asked if rents could be lowered if costs were kept low.
- 8.16 The Housing Programme Manager explained that there was a need to meet the standard with regard to cycle storage. There were 10 disabled flats on the ground floor. This number might be reduced to 7. The police were involved in the planning consultation. There would be a more detailed consultation as part of the planning process. With regard to costs, alternative models were being investigated for future schemes.
- 8.17 The Project Manager stated that each flat had some private amenity space in the form of a balcony or garden.
- 8.18 The Interim Head of Housing explained that a review was being carried out on rental income and recovery. The question of whether to move to monthly payments would be investigated as part of the review.
- 8.19 Councillor Barnett stressed the need for family homes. She was disappointed that the plans did not show any children's play areas. The Project Manager replied that there was general amenity space. Meanwhile, officers had worked with the Neighbourhood Council and would look at options for the Whitehawk area outside the planned development scheme.
- 8.20 The Chair stated that having read the report and the Green Group amendment she was concerned that the development might be postponed. She was also concerned that if rents were lowered it would lower the number of homes. There was a need to ensure that rent levels were feasible in order to be able to deliver new homes that were needed in the City.
- 8.21 Councillor Phillips asked Members to consider who would provide affordable accommodation if the council were unable to provide it. She asked Members to vote in favour of the amendment. Councillor Phillips asked if the committee could support a working group which would include representatives of the Brighton Housing Trust, the Community Land Trust and the developers of the low cost houses in Lewes (KSD Housing) to see if the council could achieve truly affordable accommodation in the city.
- 8.22 At this point of the proceedings the Committee considered the Green Group amendment. Councillor Phillips requested that each recommendation be voted on separately. The Chair stated that there would be a vote on the whole amendment.

8.23 The Senior Lawyer stated that she had serious concerns about adopting a policy which would create a rule of thumb for the future. She referred to 2.2 (vii) of the amendment and recommended that this should not be agreed without a written report.

8.24 The Committee had a short break before returning to vote on the amendment.

8.25 The Committee considered the following amendment.

Proposed amendments to the recommendations listed in the report:

To delete recommendation 2.1 (ii) "The scheme rent levels," as struck through and replace it with a new recommendation, "*model rent options that provide for living rent or social target rents as part of the Findon Rd development and bring these back for decision to the next housing committee**," as shown in bold italics below; and

To insert a new recommendation 2.2 (vii), "*Adopt a policy of not increasing rents on new affordable homes, in such a way that in subsequent years the gap between affordable rents and social "target" rents reduces more quickly,*" as shown in bold italics below:

2.1 That the Housing and New Homes Committee approve the:

- (i) The final design;
- (ii) ~~The scheme rent levels,~~ ***Model rent options that provide for living rent or social target rents as part of the Findon Rd development and bring these back for decision to the next housing committee****
- (iii) The estimated levels of additional investment required from the Housing Revenue Account (HRA) for the chosen rent model and delegates authority to the Executive Director of Environment, Development & Housing and the Executive Director of Finance & Resources, in consultation with the Estates Regeneration Member Board, to agree reasonable amendments to that subsidy if changes arise; and

2.2 That the Housing & New Homes Committee recommends to Policy & Resources Committee to:

- (iv) Approve that the land at Findon Road, former Whitehawk library site is appropriated to the HRA for a capital receipt of £0.940 million for planning purposes and the development of new housing;
- (v) Approve a budget of £14.1 million for the Findon Road scheme in the HRA Capital Programme which will be financed through a mixture of unsupported borrowing and retained Right to Buy capital receipts;
- (vi) That the site at 4-7 and 15-20 Kensington Street is appropriated for planning purposes and the development of new housing; and

(vii) ***Adopt a policy of not increasing rents on new affordable homes, in such a way that in subsequent years the gap between affordable rents and social “target” rents reduces more quickly.***

**This may be achievable by:*

- *Altering subsidy levels*
- *Revising the modelling to recognise that the management costs allowed for in the modelling does not represent real additional expenditure and so could be disregarded*
- *Building into the model recognition of the subsidy provided to the HRA from rents should the loan be a repayment loan*
- *Acknowledging that in any case after a 40 year period when the loan is repaid the scheme rents will generate a subsidy for the Housing Revenue Account (HRA) justifying an initial subsidy*

8.26 The Committee voted on the amendment proposed by Councillors Gibson and Phillips. Two members voted for the amendment and eight members voting against. The Committee then took a vote against the amendment. Eight members voted against the amendment and two members voted for the amendment. The amendment was not carried.

8.27 Members then moved to the recommendations in the report (as amended by the deletion of ‘and Wellsbourne site’ in paragraph 2.2 iv) which were agreed. Two members abstained on recommendations 2.1, i, ii and iii.

8.28 **RESOLVED:-**

(1) That approval is given for:

- i. The final design.
- ii. The scheme rent levels.
- iii. The estimated levels of additional investment required from the Housing Revenue Account (HRA) for the chosen rent model and delegates authority to the Executive Director of Environment, Development and Housing and the Executive Director of Finance and Resources in consultation with the Estate Regeneration Member Board to agree reasonable amendments to that subsidy if changes arise.

(2) That the Policy and Resources Committee be recommended to:

- iv. Approve that the land at Findon Road, former Whitehawk library site is appropriated to the HRA for a capital receipt of £0.940 million for planning purposes and the development of new housing.

- v. Approve a budget of £14.1 million for the Findon Road scheme in the HRA Capital Programme which will be financed through a mixture of unsupported borrowing and retained Right to Buy capital receipts.
- vi. That the site at 4-7 and 15-20 Kensington Street is appropriated for planning purposes and the development of new housing.

9 HOUSING ADAPTATIONS SERVICE UPDATE

- 9.1 The Committee considered the report of the Executive Director Environment, Development and Housing which provided an update on the Housing Adaptations Service out-turn for 2014/15 including DFG investment in private sector housing and Housing Revenue Account (HRA) funded adaptations to Council homes. The report was presented by the Head of Housing Strategy Development and Private Sector Housing, and the Operations Manager.
- 9.2 Councillor Barnett requested that ward councillors who had been dealing with residents should be kept informed about works that would be carried out and not carried out. The Operations Manager replied that Access Point carried out the initial assessment. Housing Services was only involved after that stage. In some cases Access Point might trial equipment before providing more items. Any queries could be checked with the Major Adaptations Team.
- 9.3 Councillor Mears referred to paragraph 1.3 and stressed that savings could be made by keeping people in their own homes. Councillor Mears referred to paragraph 4.1 on page 39 (last bullet point) which stated that 'From 2009//10 to 2013/14, £0.666m in Private Sector Housing Renewal Assistance had been returned to the city council with 2013/14 showing the highest return with a total of £0.284m repaid. This was not currently recycled back into Private Sector Housing Capital Programmes.' Councillor Mears asked for an explanation. Where did the money go? The Chair asked for a written response to be sent to Members.
- 9.4 Councillor Moonan endorsed the importance of the Disabled Adaptation Budget. The pressure to delay grants was counter intuitive. She asked if there were ways of assessing need. The Operations Manager replied that there were ways of assessing need and officers were not delaying approval of grants. There had been discussions with contractors and there had been some positive responses from a number of them. For example, there was the option of working and being paid later. Critical cases were being prioritised so there was no delay on site.
- 9.5 Councillor Miller echoed comments made about delayed payments. He did not agree with shifting funding to another year. He asked about the number and annual cost of extended warranties. The Operations Manager replied that she did not have figures to hand but agreed that there was a need to review how to manage warranties. Five year warranties on electrical equipment were costly. There was a need to revisit options.
- 9.6 **RESOLVED:-**
 - (1) That the outturn and investment in adaptations be noted.

- (2) That the measures in place to manage the Disabled Facilities Grant (DFG) expenditure within budget over the next three years be approved.
- (3) That the report be referred to the Health & Wellbeing Board, along with the concerns of the Housing & New Homes Committee as outlined above.

10 PROPOSED ADDITIONAL LICENSING SCHEME FOR HOUSES IN MULTIPLE OCCUPATION (HMO)

- 10.1 The Committee considered the report of the Executive Director Environment, Development and Housing which sought to comply with the Housing Act evidence and consultation requirements in support of the recommendation to designate the wards of Brunswick & Adelaide; Central Hove; East Brighton; Goldsmid; Preston Park; Regency; and Westbourne as subject to additional licensing under S56(1) of the Housing Act 2004 in relation to smaller Houses in Multiple Occupation of two or more storeys and three or more occupiers. If approved, it was proposed that the designation will come in force, following statutory notification requirements, on 2 November 2015 for a period of 5 years. The report was presented by the Head of Housing Strategy Development & Private Sector Housing.
- 10.2 Councillor Phillips stated that she had helped to informally canvas for these proposals in her ward of Regency, where there was the highest percentage of people living in the private sector in the city. There were very high noise complaints, HMO fires and some of the highest ASB incidents in the city.
- 10.3 Councillor Phillips considered that the proposals would benefit many of the residents living in Regency Ward and also the other six wards that were included in the proposals. This was a great step forward and Councillor Phillips hoped that the Committee could build on this work in future.
- 10.4 Councillor Mears referred to a letter received from the Southern Landlords' Association in which they had expressed concerns about the scheme. Councillor Mears was concerned that if licensing was to become too draconian and landlords took their properties off the market, it would adversely affect the housing supply in the city. Councillor Mears asked for reassurance that fees for the scheme were going back into the service and not being offered up as savings as that would defeat the object and be very damaging to the private housing sector in the city. Councillor Mears also wanted to be reassured that all risks and costs were investigated so there was no fear of judicial review.
- 10.5 The Head of Housing Strategy reported that the reason for such a lengthy report was to present all the risks and costs and mitigate as far as possible the risk of judicial review. Landlords might still want to challenge the proposals; however their particular concern was about more selective licensing which was not being proposed (licensing of single family dwellings). The structure had to be transparent and show a resourced scheme. The fee structure would be subject to Freedom of Information requests. Officers had tried to minimise the risks as much as possible.

- 10.6 Councillor Gibson paid tribute to officers for a thorough and detailed report. He supported the recommendations which were of major benefit to people. It was a good scheme and he would welcome it being extended in the future. Councillor Gibson referred to page 46, paragraph 3.7 which stated that landlords must be deemed to be “fit and proper” persons. He asked what powers the council had if the landlord was not a fit and proper person. The Private Sector Housing Manager explained that it was possible to revoke the licence subject to rights of appeal. A process was in place to revoke licences.
- 10.7 Councillor Gibson referred to the table on page 49, (special conditions applied). He asked if they were actually implemented or were some conditions incomplete. The Private Sector Housing Manager stated that the conditions were in progress. Councillor Gibson suggested it would be helpful to have a progress report on the conditions achieved.
- 10.8 Councillor Gibson referred to page 63, paragraph 8.2 which stated “In fixing fees for Additional HMO licences, the council is entitled by virtue of section 63 (7) of the Housing Act 2004 to take into account all its costs in carrying out its functions under Part II of the Act.....” He asked what would be a legitimate way to spend money under the legislation. The Senior Lawyer informed Councillor Gibson that she would supply him with a list of all functions.
- 10.9 Councillor Atkinson considered the report to be excellent and based on research and evidence. He agreed with Councillor Mears that the money raised through the scheme needed to be used for running the scheme.
- 10.10 Councillor Moonan concurred with comments already made. It was a valuable report. She was aware that licensing was only as good as it was enforced and was pleased to see there was a process of inspection. She asked what happened if landlords did not comply. The Head of Housing Strategy explained that officers would work with landlords. Most were fairly diligent in meeting requirements. There had not been much need to resort to enforcement. Officers were relying on the community to report where they considered enforcement was necessary.
- 10.11 Councillor Miller referred to page 43, paragraph 1.4 relating to HMO fees. The last review was in 2010/11. He asked why there was not an annual review of fees. Councillor Miller referred to page 55 relating to area based additional licensing. He asked if this was shifting problems or should there be a city wide approach.
- 10.12 The Head of Housing Strategy replied that the fee structure was the same for mandatory or discretionary licences. Fees were not reviewed annually. It was a five year scheme. With regard to area based schemes, landlords had informed him that it would be fairer to have the scheme across the city. The council needed evidence to support this to avoid judicial review. There was a need to justify the scheme. Officers did not feel that they could bring evidence for the other areas at the present time.
- 10.13 **RESOLVED:-**

- (1) That the results of the consultation and evidence gathering exercise undertaken in relation to the proposed additional HMO Licensing Scheme as summarised in the report and detailed in the Appendix, be noted.
- (2) That the wards of Brunswick & Adelaide, Central Hove, East Brighton, Goldsmid, Preston Park, Regency and Westbourne be designated as subject to additional licensing under S56(1) of the Housing Act 2004 in relation to smaller Houses in Multiple Occupation of two or more storeys and three or more occupiers, (other than those that are HMOs by virtue of Section 257 of the Housing Act 2004). Such designation to take effect on 2 November 2015 and last for 5 years.
- (3) That the revised fees for HMO licensing as set out in Section 4 be agreed. These revised fees will apply to additional and mandatory HMO licensing schemes from 1 August 2015 to take account of cost increases since fees were last reviewed in 2010/11.

11 SCRUTINY PANEL REPORT ON PRIVATE SECTOR HOUSING

- 11.1 The Committee considered a report of the Executive Director Environment, Development and Housing which presented the Scrutiny Panel's formal report and recommendations that were published in March 2015 (Appendix 1) and proposed that officers bring a report back to the Housing & New Homes Committee with a formal response to the recommendations for Member consideration. The report was presented by the Housing Strategy Manager.
- 11.2 Councillor Hill stated that the report was essential reading for anyone interested in housing in Brighton & Hove. She stressed the importance of working in partnership and looked forward to a future discussion of the Scrutiny Panel's recommendations.
- 11.3 Councillor Gibson referred to suggestions made in the deputation considered earlier. He asked if there could be a response to the recommendations. The Chair replied that the suggestions made earlier would not be forgotten. There was a need for further consideration by officers when preparing options.
- 11.4 **RESOLVED:-**
 - (1) That the Scrutiny Panel Report on Private Sector Housing be welcomed, and that Professor Smith, panel members and witnesses be thanked for their expertise and time.
 - (2) That officers prepare a report proposing a formal response to the Scrutiny Panel recommendations for member consideration.

12 REQUEST TO SELL PIECE OF HRA LAND AT CONNELL DRIVE

- 12.1 The Committee considered the report of the Executive Director Environment, Development and Housing concerning a request to buy a piece of HRA land, which Housing Committee and Policy & Resources Committee are required to consider since the value of the land exceeds £25,000 (which exceeds the Executive Director's delegated powers). The report was presented by the Housing Stock Review Manager.

- 12.2 Councillor Phillips informed Members that she and Councillor Moonan had carried out a site visit and had a number of questions about the land which was directly in front of site in question. Councillor Phillips wondered if these questions had been answered and whether the committee might benefit from a site visit given the location of the land. There was no information in the report about how much financial benefit the council might get from leasing the land rather than selling it. Councillor Phillips asked why the land directly in front of the land proposed for sale was not a priority and what scope there was to build on this land i.e. how many houses or flats.
- 12.3 The Housing Stock Review Manager replied that the key issue was whether the sale would inhibit the council's development ambitions on the adjoining green space. He had raised these issues with planning officers and their view was that the green space was not developable due to the sloping nature of the site and the unacceptable impact the development would have on the amenity of the existing houses. The site had never been on the list of potential regeneration sites. It was not recommended by the development consultants five or six years ago.
- 12.4 The Housing Stock Review Manager reported that in terms of numbers of houses and flats, he had spoken to an architect who stated that based on work carried out on regeneration, two houses or four flats would be the maximum, but there were significant issues about highways access and the tree which might be subject to a Tree Preservation Order. With regard to leasing, the Housing Stock Review Manager had spoken to the council's valuer who stated that it would be a small amount and it would mean that the whole new title would be a mixture of a long lease and freehold. This may make the property unsellable in the future.
- 12.5 Councillor Gibson asked how the valuation was carried out. Was it a standard formula or based on recognition that it was valuable in terms of a housing development. The Housing Stock Review Manager replied that it was the latter.
- 12.6 The Chair asked for clarification regarding the revised site map which had been circulated before the meeting. The Housing Stock Review Manager replied that the original drawing was based on the Council's Localview mapping system. The amended version was based on the Land Registry. It did not affect the valuation.
- 12.7 Councillor Miller asked which map was used when the valuation was made. The Housing Stock Review Manager replied that the valuer had confirmed that the exact size of the land was immaterial. The value was based on the development the applicant was proposing.
- 12.8 **RESOLVED:-**
- (1) That the Policy & Resources Committee be recommended to agree that the council sells the freehold of the subject land at Connell Drive, Woodingdean to the applicant, Geoffrey Wells.
 - (2) That the Policy & Resources Committee be recommended to use the capital receipt to support the housing capital programme.

13 ANNUAL REPORT 2015

- 13.1 The Committee considered the report of the Executive Director Environment, Development and Housing which presented the Annual Report, which publicises the performance of the services being provided to tenants and leaseholders. The Annual Report gave a reflection of the work carried out in the year and the work that is planned for the year ahead. The report was presented by the Head of Income Involvement & Improvement.
- 13.2 Councillor Moonan noted the good work carried out but stated that she would like to see more about the aspirations for housing in the future.
- 13.3 Councillor Miller referred to page 313 and suggested that there should be a contact number for jobseekers. The Head of Housing and Social Inclusion replied that a contact number for jobseekers would be inserted into the Annual Report if it was not quoted elsewhere.
- 13.4 Councillor Miller referred to the quotation on page 317 and asked if this related to a housing function or a social care function. The Head of Housing and Social Inclusion replied that it was not a landlord function but was increasingly part of the work being carried out in housing. Apart from Job Centre Plus there were no other departments that ran courses which supported people back to work or learning.
- 13.5 Councillor Miller referred to page 318 which quoted that 98.4% of rent due had been collected. He asked why housing benefit was calculated as rent paid and commented on the high running housing costs compared with the private sector. The Head of Housing and Social Inclusion replied that the calculations did include an element of housing benefit. This was the way performance indicators were presented across the country. This method was commonly used by HouseMark. 27.8% for running housing services was high but housing services did considerably more for tenants than a private landlord would do. Housing Services housed people who would not be housed by private landlords.
- 13.6 Councillor Mears asked for information about Housing Services staff in Bartholomew House. She was concerned that back room services such as HR & Finance had moved into the building. The Interim Head of Housing replied that staff were being consulted on where they should be based. The service was trying to reduce the cost of office accommodation. Future accommodation arrangements had yet to be finalised. Customer Services should be protected and no move would take place before Christmas. Any future arrangements would be brought back to the committee.
- 13.7 Councillor Gibson stressed that there needed to be robust evidence to show that call centres were cost effective. He did not see any reference to large print or audio versions of the report or information about translation into different languages. The Head of Housing and Social Inclusion replied that officers were aware of the people who needed to see the report in large print. The report was not translated due to the high costs.
- 13.8 **RESOLVED:-**

(1) That the draft Annual Report 2015 be approved for distribution to all council tenants and leaseholders with the summer edition of Homing In.

14 NEW HOMES FOR NEIGHBOURHOODS - BROOKE MEAD EXTRA CARE HOUSING DEVELOPMENT UPDATE

- 14.1 The Committee considered the report of the Executive Director Environment, Development and Housing which updated Members on the development of the Brooke Mead Extra Care Housing scheme. A report was approved at Policy & Resources Committee in February which agreed to increase the scheme capital programme budget, in order to cover a rise in costs primarily associated with build cost inflation forecasts, to a maximum of £12m. Members gave their formal approval for this increase in the capital programme budget. The Council entered into a contract for the construction of the building with Willmott Dixon Housing Ltd in May 2015 and the scheme was due to start on site before the end of June.
- 14.2 Councillor Atkinson praised the development and stressed that it would allow older people to remain at home. There was need for more of this type of housing.
- 14.3 Councillor Mears supported the project but expressed concern that the report was being submitted to Housing & New Homes Committee after having been submitted to Policy & Resources Committee. She was concerned about at the funding of the development and reminded Members that Housing Committee in November 2013 had recommended that Policy & Resources Committee approve a capital programme budget up to a maximum of £8.3m for the delivery of the Brooke Mead project funded through unsupported borrowing in the housing revenue account, HCA Grant and a contribution from Adult Social Care. In 2015 the scheme was costing another £4m. Councillor Mears wanted reassurance that there would not be more reports coming back to the committee stating that the scheme would cost more money.
- 14.4 The Housing Programme Manager explained that Brooke Mead was a fixed priced project but there were still financial risks for example that there could be contamination on the site once the building is demolished. The project was starting in a week's time.
- 14.5 The Executive Director, Environment, Development & Housing explained that in 2013 the committee were looking at an outline scheme with indicative costs. Following planning consent the final scheme was costed by cost consultants, it is being delivered by Willmott Dixon. The scheme had been increased in scale and had been re-designed as it went through the planning process. A great effort had been made to be transparent and there had been an update to the Member Board. Extra Care was very costly and there would be lessons learnt from the scheme. Officers might look at other schemes in the future.
- 14.6 Councillor Mears expressed concerns about the traffic plan in place. The Circus Street scheme would be happening soon and there was great pressure on the Lewes Road. She wanted to be reassured that the schemes were considered together.
- 14.7 The Housing Programme Manager replied that officers were liaising and working together with residents and businesses. They would be looking at the relationship

between projects. The Project Manager reported that part of the planning process was the requirement for an Environment & Transport Plan. Officers are working with Circus Street project officers.

- 14.8 Councillor Gibson supported the scheme but suggested that in terms of costs it might be helpful to have been given estimate scheme costs per metre. He stressed that it would cost more to house the residents in the private sector.
- 14.9 Councillor Miller asked about the number of bedrooms per unit. The Project Manager replied that the units had one bedroom. There were six wheelchair accessible units.
- 14.10 Councillor Miller considered the cost of the units to be high and supported the idea of giving estimate scheme costs per metre. He stressed that if costs were lower there would be no need for a subsidy.
- 14.11 The Housing Programme Manager replied that one of the reasons for the high costs was that almost the whole of the ground floor was not flats. A workshop could be arranged for members to explain development finance. The Executive Director agreed that a financial workshop would be helpful. Officers wanted to be transparent about the process.

14.12 **RESOLVED -**

- (1) That it be noted that the final contract costs for the Brooke Mead Extra Care Housing scheme are within the approved £12m budget.
- (2) That the risks associated with this project are noted.

15 HOUSING MANAGEMENT PERFORMANCE REPORT - QUARTER 4 AND END OF YEAR 2014/15

- 15.1 The Committee considered the report of the Executive Director Environment, Development and Housing which set out the performance for quarter four of the financial year 2014/15 alongside end year results. The report was presented by the Head of Income Involvement & Improvement.
- 15.2 Councillor Mears referred to paragraph 4.04. She considered that the figure of £1,755 for total tenants with arrears of 1000 or more was high and stressed that there were problems relating to housing benefit forms. The Head of Income Involvement & Improvement explained that £1,755 was an average figure. Housing Benefit forms were completed before people moved into their accommodation in most cases.
- 15.3 **RESOLVED:-**
- (1) That the report, which was submitted to the Citywide Area Panel in May 2015, be noted, along with the comments of the Committee.

16 ITEMS REFERRED FOR COUNCIL

16.1 No items were referred to the next Council meeting.

NOTE: New Homes for Neighbourhoods – Final Scheme Approval – Findon Road and Garage Sites Update was referred to Council after the Committee meeting.

The meeting concluded at 7.35pm

Signed

Chair

Dated this

day of

Subject:	New Homes for Neighbourhoods - Small Site Strategy		
Date of Meeting:	23 September 2015		
Report of:	Acting Executive Director Environment, Development & Housing		
Contact Officer:	Name:	Carol Jenkins	Tel: 29-3832
	Email:	carol.jenkins@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 On 5 March 2014 Housing Committee agreed to three pilots to deliver much needed new homes on small, challenging council owned sites under a small site strategy for the New Homes for Neighbourhoods programme. This followed a lack of interest shown by traditional development partners in developing some smaller former or underused council housing garage sites that often have specific issues to overcome in addition to their small size, such as very narrow access.
- 1.2 This report seeks approval for a fourth pilot under the small site strategy: to test whether system and modular build can achieve economic and viable development on other small, challenging sites, in order to help meet the target of 500 new homes on Housing Revenue Account (HRA) land. It also updates the new Housing & New Homes Committee on the first three small site strategy pilots.
- 1.3 All proposed schemes coming out of these four pilots will be reported back to Housing & New Homes Committee for approval before they proceed.

2. RECOMMENDATIONS:

- 2.1 That Housing & New Homes Committee note the progress with Pilots 1-3: the RIBA design competition, co-operative housing and Passivhaus pilots to develop new rented homes on small, challenging sites under the New Homes for Neighbourhoods small site strategy.
- 2.2 That Housing & New Homes Committee approve the proposed Pilot 4 proposal set out in paragraphs 3.9 to 3.15 of the report to invite proposals from potential development partners for modular or system built new homes on small, challenging council housing land sites; such proposals may involve leasing of Housing Revenue Account (HRA) land but any scheme would be subject to prior Housing & New Homes Committee approval and any lease to Policy & Resources Committee approval as set out in paragraph 3.11.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The small site strategy reported to Housing Committee in March 2014 evolved due to difficulties encountered in the procurement of a delivery partner (including Registered Providers, developers and large construction firms) to take forward final feasibility, design and development of new council homes on four small former or underused council housing garage sites, as previously approved by Housing Committee in September 2012. More innovative solutions were required to develop smaller, challenging sites and meet the target of 500 homes on HRA land. Housing Committee approved three pilot proposals as follows.

Pilot 1: RIBA design competition

- 3.2 The first pilot was for a Royal Institute of British Architects (RIBA) supported design competition. Launched in March 2015, the competition invited initial designs for the following former or underused HRA garage sites:

- Rotherfield Crescent, Hollingbury, Brighton
- Hinton Close, Hollingdean, Brighton
- Natal Road, off Lewes Road, Brighton.

A fourth car parking site owned by the council's General Fund at:

- Frederick Street, Brighton

was also included after Policy & Resources Committee agreed on 4 December 2014 to the Estate Regeneration Team exploring options for new housing with a view to seeking agreement to appropriate this land for housing purposes if suitable housing development is subsequently agreed. These sites may deliver one to up to five homes each, subject to planning.

- 3.3 Response to the design competition was outstanding, with 140 initial designs submitted, roughly equally spread across the four sites. There will be an opportunity for local residents to comment on the shortlisted designs before they are considered by a multi-disciplinary judging panel including representatives from external organisations. The winning designs are expected to be announced in January and will be brought back to Housing & New Homes Committee before any projects go ahead.

Pilot 2: Housing co-operative pilot

- 3.4 The second pilot agreed by Housing Committee was for development of a small site by a housing co-operative represented by Co-operative Housing in Brighton & Hove (CHIBAH), in keeping with the commitments in the council's Housing Strategy 2015 to support community housing development.
- 3.5 Following meetings and site visits, in March 2015 CHIBAH nominated a small self build co-op to develop a proposal for the former garage site at Plumpton Road. This small, overgrown site has been empty for many years and a focus for flytipping. However it is very challenging for development, not only due to its size, but also because of a long, very narrow and angular access, which rules out most construction methods. Self build appears the most viable approach to bring the land into use to deliver a pair of new homes, subject to planning.

- 3.6 The co-op has the full backing and support of CHIBAH, including project management support. Co-op members are preparing a feasibility study for development of two family houses on the site and, if they work up a sound and deliverable business case which also meets the council's requirements, Policy and Resources Committee will be recommended to approve a lease to enable the scheme to proceed. This project would also enable the council to monitor the costs, timescale and quality of a self build pilot on a small site.

Pilot 3: Passivhaus pilot

- 3.7 The third pilot proposal was for the design and build of housing on small site(s) using Passivhaus principles. Such homes are super insulated with a high level of air tightness, 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.
- 3.8 Rather than undertake a separate procurement exercise, the design competition brief specifically welcomed Passivhaus proposals as some competition sites have been identified as having potential for Passivhaus development. Accordingly a Passivhaus pilot may be delivered through the design competition route.

Proposed Pilot 4: System and modular build pilot

- 3.9 System and modular build methods and prototypes which have potential to offer lower capital and development costs have been developed recently, so a fourth pilot is now proposed to test these construction methods for small, challenging sites on which initial assessment indicates that traditional forms of construction would not achieve viable development of affordable new homes. System and modular builds typically need less foundations and use elements manufactured off site, so may be able to bring into use small, challenging sites that are too confined, constrained or contaminated to viably support traditional residential development.
- 3.10 This pilot would entail inviting and assessing proposals from developers and manufacturers of system and modular build for specific small sites. It would enable the council to test out claims of low cost and speedy forms of construction that allow them to build for low or affordable rent without the need to subsidise construction costs, and to understand the costings should we explore competitively larger estate regeneration initiatives with potential providers. Many system and modular build options claim a design life up to 60 years; a pilot would help identify any issues with robustness of materials and finishes. System and modular build also has the potential to improve sustainability standards (including building to Passivhaus standards), provide training and employment opportunities and to minimise disruption for neighbouring residents; a pilot would test the deliverability of those added benefits.
- 3.11 System and modular build options available may involve leasing of council housing land. For example, the KSD project undertaken by Lewes DC involved the council supplying the land at no cost, leasing it to KSD for 25 years once the two homes were completed by KSD, in return for 100% nomination rights over the lease term. However, Housing & New Homes Committee would be asked for

approval before any scheme goes ahead. In addition, Policy & Resources Committee would be asked to approve any proposal involving a lease of more than 25 years or conveyance of freehold HRA land above the value of £25,000.

- 3.12 Sites handed over to the Estate Regeneration Team which have already been identified as potential Pilot 4 sites are detailed below.

Patchdean, Patcham

- 3.13 Following initial design and viability modelling, Housing Committee agreed in April 2014 that the Estate Regeneration Team in conjunction with the council's Sustainable Futures strategic construction partnership undertake final feasibility studies, design and development of four new two and three bedroom homes on two of the four garage sites at the Patchdean estate. Only around half of the 40 garages are let, of which only five are let to Patchdean residents.
- 3.14 Further assessment by the strategic construction partnership indicated that these small sites would be relatively challenging to develop due to the need for significant ground works and a shortage of space for site set up. An offsite construction method requiring less foundations works might be the most economic option for viable development of these two small, constrained sites.

Eastergate Road, Moulsecoomb

- 3.15 This largely cleared, small HRA garage site is next to the suppliers' entrance to the council's Housing Centre, the access to a car park and the rear of commercial properties and is currently mainly used for storage. A sewer runs the length of the site, reducing the developable area. Environmental Health have highlighted that this site is likely to be contaminated and require special measures to deal with noise and land contamination if it is to be developed for new homes. Its location and heavy vehicle traffic on the border of the site make it unsuitable for family housing. However, it may be suitable for a different client group and modular construction methods which can overcome the site constraints.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The HRA sites referred to in this report are all small former or underused garage sites. When soft-market testing was undertaken for procurement of a delivery partner, the sites since identified for the design competition and the co-operative pilot did not attract interest from potential partners. The Pilots 1 to 3 were identified as methods of exploring alternative options.
- 4.2 Feasibility assessments for the potential sites for the proposed Pilot 4: System and modular build indicate that these sites would be relatively challenging and costly for the council to develop using traditional construction methods; hence the option of exploring modular and system build alternatives is recommended in order to seek a more economic and viable way to develop new homes on them and to make best use of challenging potential sites that are too small, constrained or contaminated to viably support traditional residential development.

- 4.3 All the pilots will enable the council to test alternative methods of delivering homes for the design and build of housing on small sites in order to maximise value for money and delivery of much needed new homes on HRA land.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The Estate Regeneration Team prioritise engagement and consultation with local ward councillors, council tenant and resident associations and local residents in the neighbourhood of each site handed over to the team for development under the New Homes for Neighbourhoods programme. We involve tenant and resident associations throughout the process and will not start any development without consulting ward councillors and wider local residents.
- 5.2 Local ward councillors have been consulted and updated in the areas of each of the four design competition sites, the proposed site for a co-operative pilot and the sites already identified as potential sites for a system and modular build pilot. Their feedback and local knowledge is greatly valued.
- 5.3 Residents in the areas of the design competition sites have been informed about the competition and will be consulted on the shortlisted designs this autumn. The response of residents bordering the Plumpton Road site to a letter informing them of the possible co-operative pilot and a meeting held at the local community centre has been generally positive. Their concerns about possible wildlife on the site have been allayed by an ecologist's survey.
- 5.4 Residents in the locality of other sites agreed for development will be consulted before any final development proposals are presented to Housing & New Homes Committee for approval.

6. CONCLUSION

- 6.1 The New Homes for Neighbourhoods programme is testing the value for money, speed and quality of a variety of routes in developing the affordable new homes that the city needs on council owned land. As part of its small site strategy, the programme is seeking economic ways to bring forward delivery of new homes on small, constrained sites. This report seeks agreement for a fourth pilot to explore system and modular build options for small, challenging sites which initial viability assessments indicate would be less economic for the council to develop through traditional construction methods.
- 6.2 Inviting modular and system build proposals from potential delivery partners for such small sites would enable the council to understand and test these methods for value for money, speed, quality, deliverability and added benefits.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The progress with the RIBA design competition, co-operative housing and Passivhaus pilots to develop new rented is for noting, the financial implications of

progressing these schemes to development will be included in future reports to this committee.

- 7.2 Costs associated with the recommendation for Pilot 4, to invite proposals from potential development partners for modular or system built new homes will be minimal, mainly officer time and can be met within existing Housing Revenue Account budgets. The financial implications and viability of the proposals received will be included in future reports to the Housing & New Homes Committee.

Finance Officer Consulted: Name Susie Allen

Date: 01/09/2015

Legal Implications:

- 7.3 If the Council receives proposals which may include a works or services contract of any nature then officers should have due regard to procurement implications and Contract Standing Orders and potentially (depending on the likely value) the procurement regulations. If the Council receives proposals which include a land deal the Council should be mindful of constitutional constraints on disposal of council owned property. In either scenario the council should seek to follow good practice when procuring.

Lawyer Consulted:

Name Oliver Asha

Date: 28/08/15

Equalities Implications:

- 7.4 An Equalities Impact Assessment has been carried out for the New Homes for Neighbourhood programme and actions are built into the Estate Regeneration Team's procedures. Additional Equalities Impact Assessments are carried out for each development site.

Sustainability Implications:

- 7.5 All new homes will be required to meet sustainability standards, be energy efficient and encourage a sustainable lifestyle.

Crime & Disorder Implications:

- 7.6 Small unused or underused council garage sites and land can attract fly tipping and anti-social behaviour. Development of the sites is an opportunity to provide new, well-designed homes and to help regenerate and improve neighbourhoods, deterring crime and disorder.

Risk and Opportunity Management Implications:

- 7.7 There are a number of risks associated with developing new homes on small, challenging sites, including of relatively higher construction and development costs per home. These pilots seek alternative means and opportunities to viably develop them.

Public Health Implications:

- 7.8 There are strong links between 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. Making best use of unused or underused council owned garage sites and land supports the council's duty to promote the public health and wellbeing of people in its area.

Corporate / Citywide Implications

- 7.9 The New Homes for Neighbourhoods programme of building new homes on council land supports the council's priorities for the economy, jobs and homes. 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.
- 7.10 Partners will be asked to work with the Local Employment Scheme to ensure that work, apprenticeship and training opportunities are provided for local people.
- 7.11 Every new home built on small sites helps meet the city's pressing housing needs and deliver the first priority in the council's [Housing Strategy 2015](#) of improving housing supply.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms

None

Background Documents

1. [New Homes for Neighbourhoods - Small site strategy report to Housing Committee March 2014](#)

Subject:	Review of the Council's Housing Allocation Policy		
Date of Meeting:	23 September 2015		
Report of:	Interim Executive Director Environment Development & Housing		
Contact Officer:	Name:	James Crane	Tel: 29- 3316
	Email:	James.crane@brighton-hove.gcsx.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report proposes that the council carries out a fundamental review of the Policy used to allocate council housing and to nominate to housing associations. This will mean developing a new Housing Allocations policy in consultation with a number of statutory and voluntary sector organisations. Residents will also be key stakeholders in the development and consultation of this policy. This is to ensure that we make best use of the limited housing resources we have available.
- 1.2 The Housing Register currently contains over 22,000 applicants. The council however only allocates in the region of 500 or 600 properties within its own housing stock and nominates around 150 to 200 housing association properties each year.

2. RECOMMENDATIONS:

- 2.1 That the Housing & New Homes Committee approves a review and consultation of the Policy used to allocate social housing in the city.
- 2.2 A new Housing Allocation Scheme is submitted for approval to a future Housing & New Homes Committee by the end of March 2016.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Councils are legally obliged, under the Housing Act 1996 Part 6, to have a policy and procedures that must be followed when they allocate social housing both within its own stock or where they nominate to a housing association. In 2011 the Government introduced further legislation that, subject to certain groups having a "reasonable preference" in any allocations policy, the council would be free to make local decisions on how best to allocate housing resources that meets the need of local people.
- 3.2 The Government issued a Code of Guidance to which the council must have due regard to when formulating its Allocation Policy. A Code of Guidance was issued by the Secretary of State for Communities and Local Government in June 2012.

This guidance was updated in December 2013 and 2015 to give further guidance on residency and local connection.

- 3.3 The council is obliged to have a scheme that determines the priority that will be given to people who apply for housing. It must also have procedures that include the person or description of persons who make decisions under the policy.
- 3.4 Although the council has some control over the allocation of accommodation there are a number of factors that the council has to include in order for the allocations scheme to be considered lawful, i.e. the legislation sets out who we have to give reasonable preference and additional preference to. For anyone to be allocated accommodation they will have to be considered eligible under the Act.
- 3.5 The Allocations Scheme has been changed on a number of occasions over the past 17 years and it is felt that taking a fundamental root and branch review is now required to both the policy and procedures. The last policy review was carried out in 2012. There are a number of areas where the current policy does not conform to the latest government guidance.
- 3.6 The Allocations Policy requires the approval of members of the Housing & New Homes Committee. The way that the policy is then implemented is dealt with by procedural guidance issued to staff. This guidance looks at who is authorised to make decisions, if this is not included in the Policy. Over the summer period the Housing Needs Division has been undertaking Business Process Improvement (BPI) planning of the operational practices to look at how we deliver our services to the public. Officers have been actively involved at looking at our delivery methods and especially to look at areas where there is any duplication in process or handovers between one section and another. The service is now at a stage where it is looking to pilot new way to deliver service in a more holistic manner. At the heart of this process has been delivery of services that benefit the customer. The new delivery model looks at customers having fewer officers involved in the assessment their case. The changes will also look to provide improved front line customer contact by merging staff from different teams into a front facing contact service and merging staff to improve telephone access.

At the end of the Pilot there will be an evaluation of the changes to make sure that they are fit for purpose and bring additional value to our customers.

4.0 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 There is an option not to review the current Housing Allocations Scheme. The current scheme at it stands is not necessarily housing our residents in the greatest housing need. It is also important to note that as demand far out weighs supply in this area that by including vast numbers of applicants onto the housing register the council are building up unrealistic expectation the council is unlikely to be able to assist most households unless they are in very high need. The growth in the numbers of applicants leads to an increase in administration as people seek to increase their banding on the system. This in turn leads to higher levels of complaints, enquires and bureaucracy that does not lead to any higher number of households being offered housing solutions.
- 4.2 There is an option to partially review the allocations scheme. This could look at some areas of the scheme such as local connection or prioritisation of the banding structure. This option again is unlike to address the fundamental issue that the demand exceeds supply and again fails to manage expectations that the council is unlikely to assist most households unless they are in very high need.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 This report is not the subject of consultation as it requests the authority of members to review and start consultation regarding a future Housing Allocations Scheme. The review itself will be the subject to a full consultation exercise with the following stakeholders:
- Councillors
 - Registered social landlords with stock in the city
 - Tenants and residents associations
 - Housing register applicants
 - Communities of interest including BME & LGBT
 - Neighbouring councils
 - Voluntary sector organisations
 - Residents of the city
- 5.2 The consultation methods will include:
- Public meetings
 - Residents survey on the website
 - Meetings with stakeholders
- 5.3 A draft consultation paper will be produced that will look at possible changes to the current allocations policy. This paper will form the basis of our engagement with the city on the future allocation of social housing. The council is obliged to send a draft copy of any proposed changes to the Allocations policy to any registered social landlord where we have an agreement that allows us to nominate applicants to them. The council has operated a Joint Housing Register with a number of providers and they will be invited to take part in the development of a new allocations policy for the city. The council is also legally obliged to notify all housing register applicants of any significant changes that are approved.

5.4 The consultation will take place between October and December 2015.

6 CONCLUSION

6.1 The council has a statutory obligation to have a scheme in order to allocate social housing in the city. The Housing Allocation Scheme is in need of a total review in order to make the housing register into a manageable number of applicants who have a realistic chance of being offered social housing in the city and to ensure we make the best use of the available social housing. This policy needs to acknowledge the high levels of needs within certain groups and to offer better housing options to those that do not qualify for social housing in the City.

7.0 FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 This report proposes a fundamental review of the current policy and procedures used to allocate social housing in the City. Any costs of the review will need to be met within current revenue budgets for 2015/16 and reflected in the budget monitoring forecasts for the service.

Finance Officer Consulted: Monica Brooks Date: 18/08/15

Legal Implications:

7.2 Section 3 of the report briefly sets out the statutory requirements in Part VI of the Housing Act 1996 relating to the Allocations Policy.

Before adopting an allocation scheme, or making an alteration to their scheme reflecting a major change of policy, a local housing authority in England must send a copy of the draft scheme, or proposed alteration, to every private registered provider of social housing and registered social landlord with which they have nomination arrangements and afford those persons a reasonable opportunity to comment on the proposals. Whilst there is no statutory requirement to consult more widely, it is good practice to do so.

In preparing a new scheme the council must have regard to their current homelessness strategy and their current tenancy strategy.

Lawyer Consulted:

Name Liz Woodley

Date: 14/08/15

7.3 Equalities Implications:

An equalities impact assessment will be carried out to take a look at the likely impact of any changes that are proposed in the Housing Allocation Policy and Procedure review.

7.4 Sustainability Implications:

Applicants have many reasons to apply to the housing register for social housing. Any allocations policy needs to have regard to a person's ability to be ready to hold and maintain a social tenancy. The impact on granting someone a tenancy if they are not ready to do so can be felt by the individual who may face rent arrears and eviction proceeding. Communities can also be majorly affected if people are not ready to hold a tenancy and cause anti social behaviour that can blight people lives.

7.5 Any Other Significant Implications:

None.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms

None

Background Documents

None

Crime & Disorder Implications:

None

Risk and Opportunity Management Implications:

None

Public Health Implications:

None

Corporate / Citywide Implications:

None

Subject:	Allocation of Temporary Accommodation Policy		
Date of Meeting:	23rd September 2015		
Report of:	Acting Executive Director Environment Development & Housing		
Contact Officer:	Name:	James Crane	Tel: 29- 3316
	Email:	James.crane@brighton-hove.gcsx.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The Council has a number of statutory duties to accommodate homeless households either on an interim basis, pending assessment of duties owed, or an on-going basis if the conclusion is that a permanent duty is owed. Temporary Accommodation (TA) is provided on a corporate basis not just for statutory homeless households but also for households who are referred for accommodation by Children's Services and by Adult Social care when the need arises.
- 1.2 Over the past couple of years the local housing market has become more expensive and projections are that this trend will continue. Due to restrictions on the levels of housing benefit coupled with the benefit cap, the ability of households to afford rent levels has become more difficult.
- 1.3 As a result affordable TA is increasingly difficult to procure within the city boundaries and we are therefore procuring accommodation further away in areas where the cost of housing is less than it is in the city.
- 1.4 In a recent Supreme Court case, *Nzolameso v Westminster City Council* [2015] UKSC 22), it has been stated that where a local authority is unable to accommodate homeless households in its own local authority area then it should have a policy that has been agreed by Members to underpin its allocation process and that the safeguarding needs of the children in the household should be considered as part of the assessment process.
- 1.5 This report outlines how the council will allocate TA, within and outside the city, and presents the policy for adoption (Appendix 3)

2. RECOMMENDATIONS:

- 2.1 That the Housing Committee adopts the Allocation of Temporary Accommodation Policy set out in Appendix 3.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Temporary accommodation is provided on behalf of several departments, if we have reason to believe that a household may be homeless, eligible and in priority need, as defined by homelessness legislation. It must also continue to provide accommodation to households that have been accepted as homeless while longer term accommodation is

found or until the duty towards the household has been discharged in one of the ways contained in the Housing Act 1996 (the Act).

- 3.2 Where the council does not have a statutory homelessness duty to accommodate, because an applicant is ineligible or found to be intentionally homeless or the homelessness duty has been discharged, there may still be other obligations owed to the household under which the local authority wishes to provide accommodation for example under the Childrens Act or Care Act. This decision is made by relevant teams in the council, for example Childrens Services or Adult Social Care who then request TA be provided under a service level agreement (SLA) with Housing.
- 3.3 The council is facing increasing difficulties in procuring affordable TA for homeless households in the city due to the high level of demand for rental housing and the increasing gap between rent levels and local housing allowance limits (housing benefit).
- 3.4 The only way that the council can place homeless households within the city is by subsidising the cost to the household from the general fund. In 2014/15 the overall TA budget was over-spent by £0.507m. For 2015/16, this budget is still under pressure and is currently forecast to overspend by £0.397m. There are also pressures on other departmental budgets where they have to provide accommodation
- 3.5 Housing are pro-actively working with Childrens Services and Adult Social Care to look at how we can do more to prevent households becoming homeless and hence avoid the need to provide accommodation. However, with the pressure and competition for accommodation in the city, compounded by welfare reforms and roll out of Universal Credit expected in 2016, the potential for more vulnerable households to become homeless is increasing. This work includes looking at the feasibility of co-locating Housing Options staff within children's service early intervention service and also to co-locate within the Hospital Discharge team at the Royal County Hospital.
- 3.6 Our research has identified that more affordable accommodation is located outside the city. Further details are set out in Appendix 2. There are transport links in the greater Brighton area, enabling people to live outside the city and commute for work or other purposes. The Greater Brighton Economic Board are working to further improve transport connectivity across the Greater Brighton travel-to-work and travel-to-learn area.
- 3.7 To ensure value for money to the authority within the resources available, and to comply with the law this report recommends the adoption of a policy that; following an assessment process; and depending on availability and the resources to fund the accommodation; that accommodation may be provided outside of the city where circumstances warrant it. The policy sets out how the council will prioritise the allocation of accommodation as set out in Appendix 3. The policy further sets out which cases may be prioritised to be transferred back to the city if there is a need to place outside of the city due to the lack of accommodation at any given time.
- 3.8 Housing Needs Division has been undertaking Business Process Improvement (BPI) planning of the operational practices to look at how we deliver our services to the public. Officers have been actively involved at looking at our delivery methods and especially to look at areas where there is any duplication in process or handovers between one section and another. The service is now at a stage where it is looking to pilot new way to deliver service in a more holistic manner. At the heart of this process has been delivery of services that benefit the customer. The new delivery model looks at customers having fewer officers involved in the assessment their case. The changes will also look to provide improved front line customer contact by merging staff from different teams into a front facing contact service and merging staff to improve telephone access.

At the end of the Pilot there will be an evaluation of the changes to make sure that they are fit for purpose and bring additional value to our customers.

3.9 Legislative frame work

- 3.10 When a person is placed under a homelessness duty there are a number of legislative and other factors, such as the Homelessness Code of Guidance and case law that the council must have due regard to in the performance of its statutory duties. Case law in the area has been established in a recent Supreme Court case (*Nzolameso v Westminster City Council* [2015] UKSC 22). This area of law is complex therefore an analysis is attached at appendix 1.

When the council discharges any of its functions to homeless households it must have regard to its own Homelessness Strategy. The Council adopted its current Homelessness Strategy in June 2014. In the strategy the issue of placing people out side of its district was acknowledged.

“The Council has had to increasingly look to procuring accommodation out side of the City boundaries. Primarily these properties are procured in the Broad Market Rental Area (BRMA) which covers the surrounding areas of Shoreham, Peacehaven & Newhaven.

The private rented stock in these areas is limited and this may, over the lifetime of this strategy, mean that the Council has to look further afield to the BRMA’s in Eastbourne, Worthing or further afield. The Council is mindful of the needs of people to remain as close to the City as possible but is also mindful of the needs to have self contained accommodation that is affordable to the individual households income.”

The Council is under a duty under the Children’s Act 2004 when exercising any of its functions to "having regard to the need to safeguard and promote the welfare of children" (Section 11(2)). The local authority must in discharging their duty under this section have regard to any guidance given to them for the purpose by the Secretary of State. The current code of guidance is "Working together to safeguard children": March 2015.

The Council is under a duty under the Care Act 2014 when carrying out any of their care and support functions in respect of a person. This may sometimes be referred to as "the wellbeing principle" The wellbeing principle applies in all cases where a local authority is carrying out a care and support function, or making a decision, in relation to a person. The local authority must in discharging their duty under this section have regard to any guidance given to them for the purpose by the Secretary of State. The current code of guidance is "Care and Support Statutory Guidance Issued under the Care Act 2014"

4.0 First Placement Trend

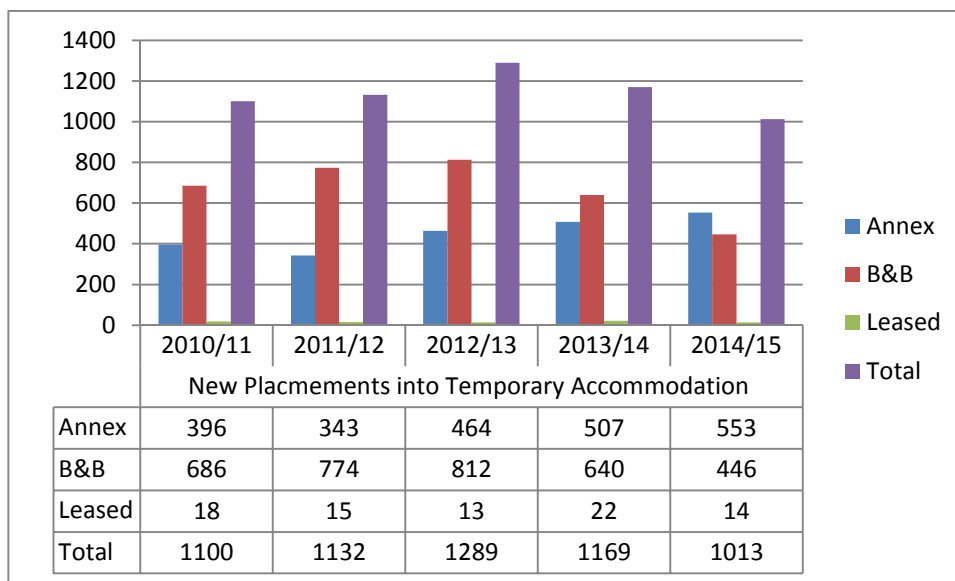


Table 1

4.1 The table above shows that in the last five financial years the requirement has been in excess of 1,000 initial placements into B&B and annex accommodation each year to cope with the demand placed on the council to provide accommodation for both statutory homeless clients and others placed by other departments. The use of blocked booked accommodation (B&B) has declined however the use of self contained leased accommodation has increased. The use of nightly booked short-term self-contained furnished flats, known as “annexes” has remained relatively stable. Some bed and breakfast accommodation is block book to ensure we have a ready supply but other bed and breakfast accommodation is booked on the day. B&B booked on the day is the most expensive form of accommodation. The council subsequently moves households into longer term leased accommodation as can be see in table 2 below.

Location of placements by local authority area over the past 5 years.

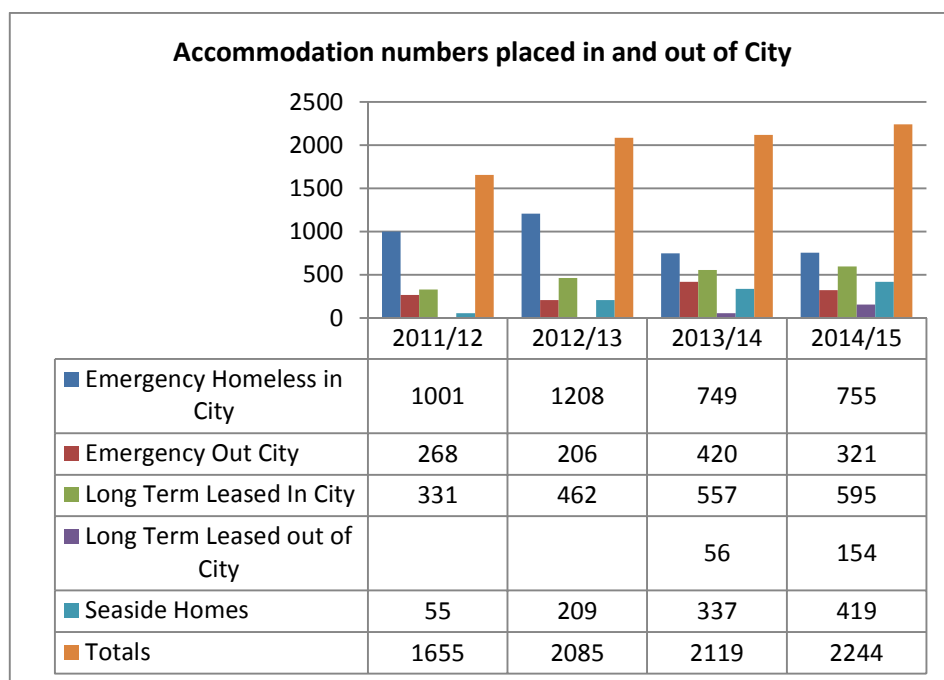


Table 2

- 4.2 Table 2 looks at some of the available data that shows the number of units of accommodation that has been procured both within the city boundaries and beyond. A high proportion of households are placed within the city boundaries. Households placed into emergency accommodation are brought back to the city when supply allows. Long term leased accommodation however means that a household may be placed outside of the city for the duration of the lease, unless they are successful in obtaining permanent accommodation through the Housing Register.
- 4.3 In 13/14 and 14/15 we placed an increased number of households outside of the city some of which are further away from the city than previously. Traditionally the council has used accommodation in Worthing and Eastbourne for emergencies. In the past year emergency accommodation has had to be sourced further afield in Horsham, Crawley, Redhill, Horley and Gatwick. As accommodation becomes more difficult to source locally the council may not be limited to these areas but further afield, in future.
- 4.4 Longer term leased accommodation is currently acquired in surrounding local authority areas within the Broad Market Rental Area. This is the area that is used by the DWP for the purposes of setting LHA levels. They are set by the Valuation Office Agency who use the proximity of the area, transport links, where people tend to travel to work or to socialise. Once again the council may be obliged to look further afield to source longer term TA if it is not possible to find accommodation nearer to the city that remains affordable for the council and for customers. This was acknowledged in the recent Homelessness Strategy 2014 – 2019.
- 4.5 The council has procured most of its long term leased accommodation out side of the City in the Lewes District Council area. The council has a good working relationship with Lewes Council and has developed an agreement whereby we look to procure accommodation in their area and offer any accommodation sourced to them to assist them in discharging their own housing duties. If Lewes do not require the unit of accommodation then this is used by the council to place one of our own applicants.

Types of accommodation used over the last 5 years.

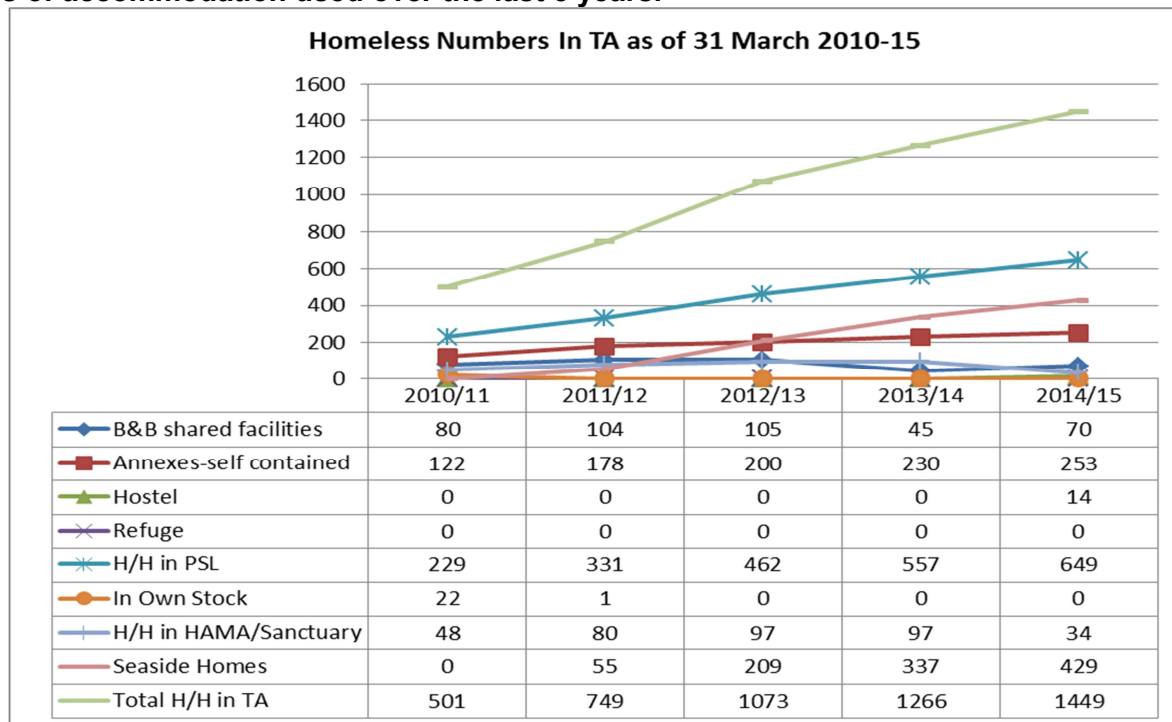


Table 3

- 4.6 In 2010 the Council achieved its target of reducing the numbers of statutory homeless households in TA by 50% to 333. Since this date there has been a substantial increase in the use of TA. The latest figures show that there were 1449 statutory homeless households in TA at the end of the last financial year. This represents a 335% increase in the use of accommodation for homeless household alone in the past five years. Some of the reason for this is because the private sector rents are high and that accommodation becoming more difficult to access for our households, and the priority for limited social housing reduced so that households didn't use the homeless route as a way to leapfrog into social housing.
- 4.7 The council is legally not permitted to keep statutory homeless households where there are children or someone who is pregnant in bed and breakfast with shared facilities for more than 6 weeks. This statistic is reportable to the Department of Communities and Local Government. The Council has managed not to breach this target.
- 4.8 It can be seen from table 3 above that the vast majority of household are accommodated in self-contained accommodation most of which is in long leases and also with Seaside Homes properties. The table shows the number of household in different types of accommodation at the end of each of the last five financial years.

Cost and supply of temporary of accommodation.

- 4.9 The council has to pay landlords for the use of accommodation. The costs are offset against the income the council receives in rent from the tenant. A high proportion of households in TA are receiving housing benefit. The level of rent set is related to the amount of housing benefit that the household is able to receive. This is limited by the DWP to 90% of Local Housing Allowance for the Broad Market Rental Area as set in 2011 plus a fixed amount of costs for management and maintenance (currently £60 per week).
- 4.10 Until three years ago the council made a surplus income against the expenditure of rents owed. The surplus was used to assist in the management of temporary accommodation, as housing benefit included an allowance for management and maintenance. However as the cost the council has to pay to owners has increased the rents we are able to charge has remained static and hence the amount of surplus from leasing has substantially reduced. . 2014/15 there was an overspend of £0.507m for TA. This is attributable to many of our cheaper leases coming to an end and being returned to owners who have requested them back so as to sell them and the cost of replacement properties at a higher price.

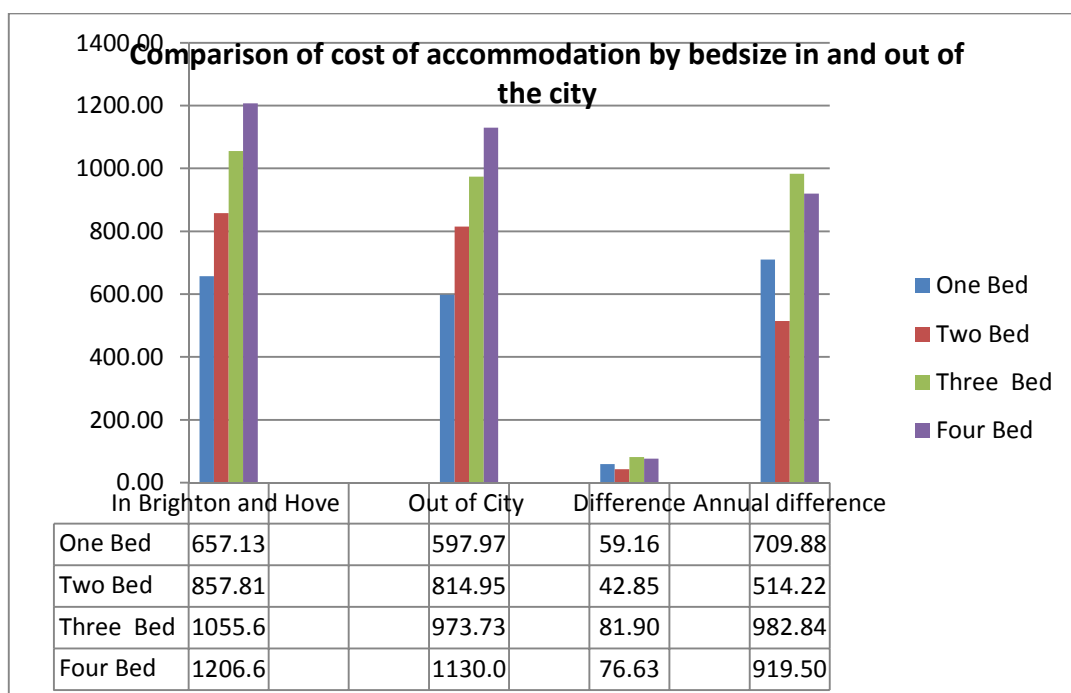


Table 4

- 4.11 The table above shows the current average cost of accommodation that is currently leased in and out of the city. The cost of properties in the city includes those that have been leased to the council for a number of years. As these leases come to an end the council has to pay increased rents to extend the leases and therefore the cost differential will potentially increase over the next few years as we seek to maintain some properties within the city.
- 4.12 One of the major factors that is causing the pressure in the TA budgets is the cost of accommodation that is booked on a nightly basis in bed & breakfast establishments and sometimes in hotels (spot purchase). The average cost of two bedroom accommodation leased from a private landlord is £28 per night in the city and £26 per night out of the city. The average cost of spot purchased accommodation is £48 per night equating to £336 per week. When account is taken for the income that the council can receive in housing benefit there is an average loss of £140 per week for each person that is placed in spot purchased accommodation.
- 4.13 The best way to reduce costs in the TA budget is to procure more long term leases to reduce our reliance on expensive spot purchase accommodation. Supply of this type of accommodation is however difficult to source in the city as landlords can find a ready supply of tenants willing to pay high rents. This situation is exacerbated by people leaving high cost areas in London to find cheaper housing solutions along the south coast. Sourcing accommodation in areas that we have traditionally found a supply is under pressure for the same reasons along the coast and may force the council to look further away in future to meet our statutory obligations.

5.0 Budget position.

- 5.1 For 2015/16, the budget is currently forecast to overspend by £0.397 million as reported to Policy and Resources Committee on 9th July 2015. The placing homeless people outside of the city in accordance with this policy is one method of reducing costs.

6.0 Impact of welfare reform & costs of housing.

Benefit household cap.

6.1 In 2012 the government introduced a cap in the total amount of benefit households could receive of £500 per week for families and £350 for single people. This has been implemented through the HB system so that, when a cap is applied, the HB is reduced to result in a total benefit payable. This policy has impacted disproportionately on larger households and in areas with high housing costs such as Brighton & Hove. The impact of the cap is that those people affected in the PRS may become homeless and need TA. The reduction in the amount the council will receive will be reduced for these households, reducing our income.

6.2 The policy of capping total benefits will be continued following the implementation of Universal Credit.

6.3 Capping of Local Housing Allowance (LHA) rates.

6.4 Since 2010 the government has changed the levels at which it pays housing benefit for households in the private rented sector. Initially it restricted the payment of benefit to the rent levels of the cheapest 30% of tenancies in an area however since 2013 the level has been fixed and rents increased annually based on the consumer price index only (CPI) This will mean an increase in LHA rates of 1% (4% for shared and 4 bedroom accommodation) from April 2015. This rate has fallen behind the rate of inflation of rents which has meant that landlords are now able to get significantly more rent through the “professional” market than by letting to households on HB.

6.5 For all property sizes except studio flats (which receive the 1 bedroom flat rate), the average cost of renting exceeds the Local Housing Allowance:

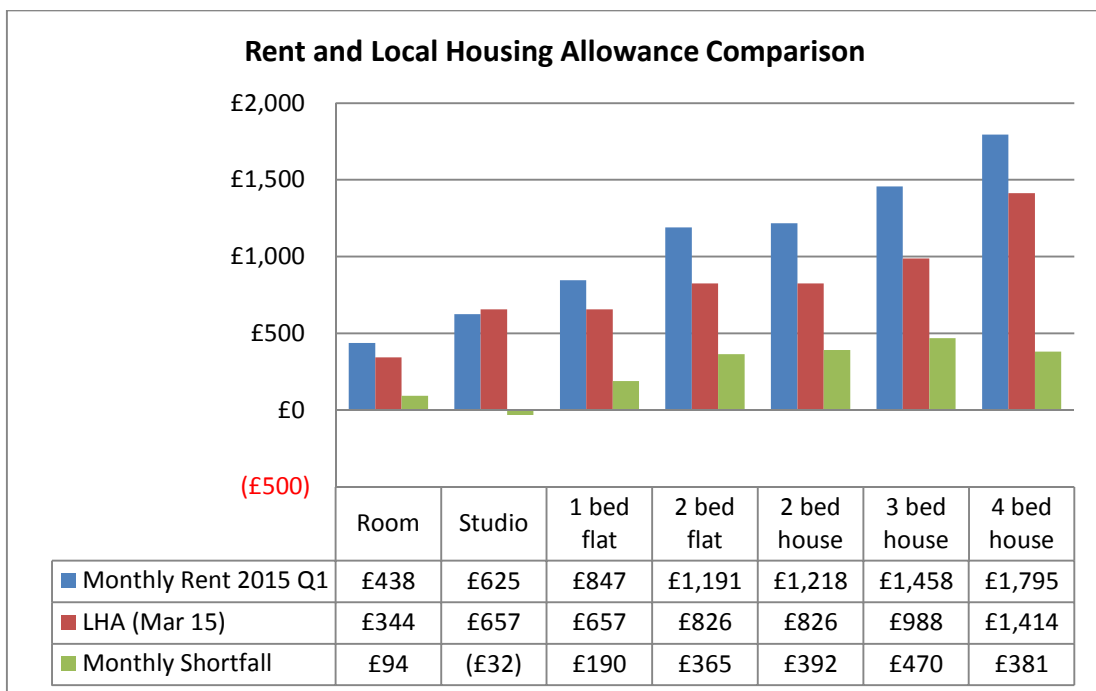


Table 5

6.6 As the Local Housing Allowance is based on household size, it impacts on households rent affordability in different ways in Brighton & Hove. Based on an analysis of the properties available to rent in the city within LHA limits at rightmove.co.uk on 31 March 2015:

- Single people under 35 and others sharing would find 4 affordable homes
- Single people over 34 and couples without children would find 49 affordable homes (44 of these being studios)

- Families with children would find 10 affordable homes (however, 7 of these are 4 beds which were mostly advertised as student lets)

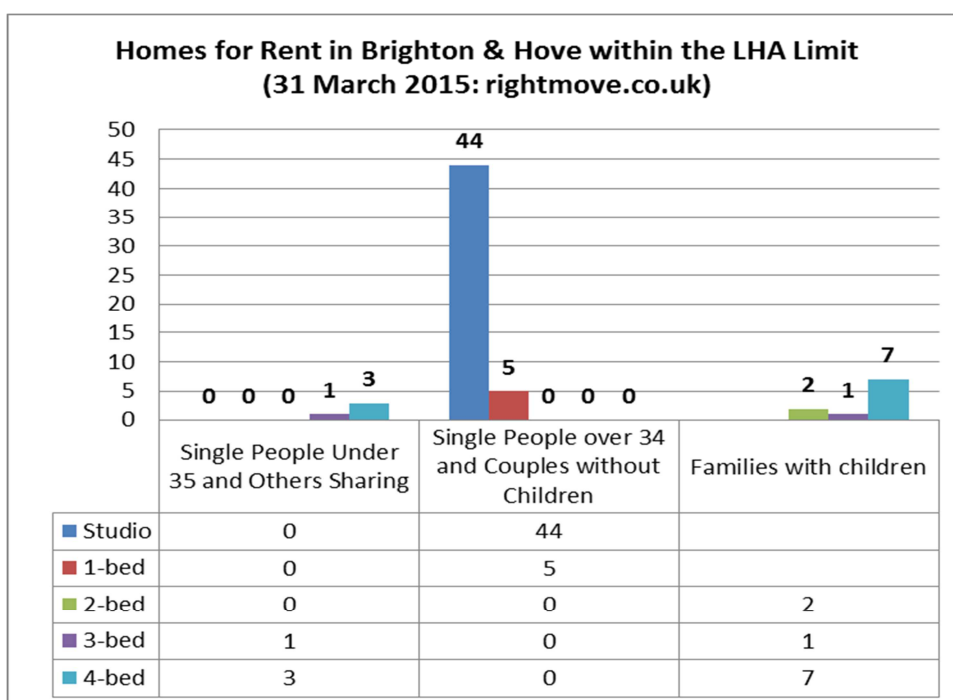


Table 6

6.7 Discretionary Housing Payment (DHP)

- 6.8 The DHP fund was initially set up in 2001/2 to replace the previous Housing Benefit (HB) protections for tenants receiving less HB than their rent. The original core fund was £20m nationally and the DHP fund stayed at this figure until 2011/12.
- 6.9 Since 2011/12 the Government (Department for Work & Pensions – DWP) has added to the DHP fund to mitigate the impact of Welfare Reform. However for the current financial year the amount available has been reduced significantly and this is likely to continue in future years.

BHCC reduction in DHP allocation for 2015/16

	2014/15	2015/16	Change
Core funding	£267,098	£101,588	-61.97%
Local Housing Allowance (private rented sector)	£318,519	£191,662	-39.83%
Removal of the Spare Room Subsidy (RSRS) (Bedroom Tax)	£143,196	£145,880	+1.87%
Benefit Cap funding	£281,643	£171,954	-38.95%

- 6.10 Whilst this is how the DWP determine the allocation of DHP, the amounts are not ring-fenced and it is down to individual councils to decide how to prioritise these payments. DHP funding has been used to support the subsidy to households in the private rented sector in accommodation where the level of HB does not meet the rent level. As this funding is withdrawn however the council's ability to provide this subsidy will diminish. There is a risk that as this funding ceases that there will be a corresponding rise in homelessness as a result.

7.0 Impact on children & Childrens Services

7.1 The placement of families in locations away from the city will have a number of impacts on families and the services that support them.

7.2 Impacts include:

- families may refuse to go to the location offered to them. In many cases they may “make do” with friends and relatives thus increasing the levels of overcrowding with the resulting impact on children.
- Families may refuse offers of TA outside of the city and the housing duty may cease. From past experience and number of the families will approach CYC for assistance as children in need. CYC are likely to determine that the children are in need due to their lack of accommodation. In order to avoid a cost shunt from housing to CYC it will be necessary to ensure that the joint assessment carried out by Housing and CYC effectively discharges both duties and that the accommodation remains available until the decision is made.

7.3 The placement of families in other local authority areas may have an impact on the relationship with other local authorities. We need to avoid the allegation that BHCC are exporting our problem families into their areas. This allegation will be partly avoided by demonstrating that we have a robust assessment process that seeks to keep households with high needs within the city. We will also seek to agree placement protocols between BHCC and the host authority to ensure information is exchanged and services are not disrupted. There may be impacts on health; education and employment.

7.4 The movement of families to other locations could have an impact on the social networks of those families. However by prioritising those most at need to stay in the city then those most needing to maintain links will be able to do so. For the families who do have to move some distance then they will have to establish new links in the new areas. On an individual basis we will develop a support and resettlement package will be put in place to enable them to settle as quickly as possible.

7.5 Impact on vulnerable adults & ACS

7.6 The ability of ACS to provide support to vulnerable adults will be made more difficult if they are located some distance from the city taking people away from, their existing support networks, and health and treatment providers. If the vulnerable adult is in need of funded Community Care Support services then the receiving authority will be reluctant to pick up the costs due to the temporary nature of the accommodation and therefore may not be deemed as being Ordinarily Resident out of the city.

8.0 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

8.1 The Council could decide that it would prefer the option to acquire more properties within the city. This option would require additional funding to meet the additional cost of procuring accommodation within the city boundaries. There are also risks that due to the high rents that owners can charge that the council would not be able to acquire a sufficient number of properties to meet to satisfy both our statutory duties and demand from other services. The budget pressure in the last financial year was £507,000 in housing and this would also significantly raise costs for other departments.

8.2 The Council has the power to discharge its statutory homeless duty with an offer of accommodation to the Private Rented Sector. This activity could be increased but a

major barrier is again the high cost of renting and the availability of accommodation that is within the local housing allowance rate.

- 8.3 Increase lets to social housing stock.
- 8.4 Buy off plan for use as TA. This option is being pursued however it is likely to take two years before properties are available for letting and it is unclear at this stage whether the quantity of properties coming through this route will be sufficient to meet the expected demand . The time lapse of two years before any properties would be available includes consideration of working up such a scheme and notes that buying off plan means that the council would have to wait for the properties to be built.

9. COMMUNITY ENGAGEMENT & CONSULTATION

- 9.1 As a unitary authority the council has adopted an approach to procure accommodation to meet its statutory obligations through the housing department who have the knowledge and expertise in this area. This has the advantage of different departments not chasing the same pool of accommodation and not paying increased rents demanded that it may do if the accommodation was procured by each department themselves.
- 9.2 As a result of the increase in demand for accommodation by both housing and other departments there have been a number of meetings to consult on how the council can take forward the issues that arise in allocating temporary accommodation, especially as more accommodation will be procured outside of the city in future in order to satisfy demand across the council. This policy has been developed with Adult Social Care and Children's services departments.
- 9.3 Many aspects of our work now involve developing shared outcomes to common problems in the greater Brighton Area. This report has been sent to board partners with a view to following this up with a wider discussion on the pressures that we are facing as this feeds into the discussion about housing affordability, travel and work-to-learn.

10. CONCLUSION

- 10.1 To manage the budget position going forward we need to accommodate some households outside of the city with exceptions set out in the policy. This will run alongside improved joint working across the council to prevent homelessness at an earlier stage and a joined up response to households to consider their resources and the availability of affordable housing options which may also be outside of the city.
- 10.2 Overall the aim is to manage the demand for temporary accommodation at a time of budget reduction. However there will still be a need for temporary accommodation which is becoming increasingly unaffordable in the city. We need to procure and place households in good quality accommodation and this is increasingly out of the city.

11.0 FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 11.1 For 2014/15, the temporary accommodation and allocations budget over spent by £0.507 million. For 2015/16, the budget is currently forecast to overspend by £0.397 million as reported to Policy and Resources Committee on 9th July 2015. This report requests that Housing and New Homes Committee adopts the Allocation of Temporary Accommodation Policy set out in Appendix 3 which includes measures to allocate temporary accommodation that is outside of the City if the need arises. This accommodation is cheaper and, although difficult to quantify at this stage, this measure

will assist in reducing the spend for this service within the context of the growing need for temporary accommodation and the reducing level of resources available for the Council.

Finance Officer Consulted: Monica Brooks

Date: 27/08/15

Legal Implications:

- 11.2 The legal duties creating the powers to accommodate are set out in detail elsewhere in this report – they are very comprehensive and reflect fully what has been determined in a recent set of cases before the Courts. Their impact is binding at this stage. The clear message is that there does in fact need to be a ‘policy’ in order that the individual circumstances of an applicant are taken in to account when a decision as to where a placement is made. This report identifies many of the relevant factors looked at as part of the cases before the Court. There will be circumstances where other exceptional circumstances apply and these will have to be looked at on a case by case basis.
- 11.3 In many cases where there is a policy being considered or being reviewed consultation on that policy is best practice. In this case there is no clear group to consult with as it is not possible to foresee who will become homeless other than in broad categories. It would be a useful exercise to get input from a limited number of advocate organisations who support the homeless who object to their offer. So far this has been Shelter; BHT and a few local solicitors. If the policy could be shared with them their contribution might be useful.
- 11.4 The policy will have to be kept under review and may have to be amended from time to time dependant on what the outcomes may be.

Lawyer Consulted: Simon Court

Date: 0.9.15

11.5 Equalities Implications:

The sample size of people currently accommodated out of the city is small. It is therefore difficult on such a small sample size to make any determination of the impacts by equality strands. Early data show that the majority of household placed out of the area has a lead applicant from a white British background. This information is consistent with what we know of household that are making homeless application.

Some of the other equality strands such as disability are again very small in numbers. It is however noted that people with high needs such as physical or mental disabilities are for more likely to be accommodated within the city as this is how the policy is designed.

As more properties are acquired out of the city the numbers will be statistically more relevant. The Housing Department carries out regular equality impact assessments across the service and this will be one are that is monitored to see if there is any bias in any particular equality strand.

11.6 Sustainability Implications:

There are no other sustainability implication that have not been addressed in this report

11.7 Any Other Significant Implications:

None

SUPPORTING DOCUMENTATION

Appendices:

1. Legal background
2. Housing Prices and Affordability in Brighton & Hove
3. Temporary Accommodation Placement Policy.

Documents in Members' Rooms

1. None

Background Documents

1. None

Crime & Disorder Implications:

- 1.1 NONE

Risk and Opportunity Management Implications:

- 1.2 None

Public Health Implications:

- 1.3 NONE

Corporate / Citywide Implications:

- 1.4 None

Appendix 1

Legal background.

The Council has to provide temporary accommodation for people who apply as homeless; if it has reason to believe that the household may be homeless, eligible and in priority need, as defined by homelessness legislation. It must also continue to provide accommodation to households that have been accepted as homeless while longer term accommodation is found or until the duty towards the household has been discharged in one of the ways contained in the Housing Act 1996 (HA).

When offering accommodation to homeless applicants there are a range of statutory provision that apply to the offer of accommodation and specifically if an offer of accommodation is out of the city. In addition there is statutory guidance issued by the Secretary of State for Communities and Local Government

Section 205 Discharge of functions

Section 206 Discharge of functions by local housing authority

Section 208 Discharge of function out-of-area placement

Section 210 Suitability of accommodation

The council must of due regard to Guidance by the Secretary of State, at which time the following guidance and statutory instruments are in force.

Chapter 17, Homelessness Code of Guidance for Local Authorities (July 2006),

Homelessness (Suitability of Accommodation Order 1996) (SI 1996/3204),

Homelessness (Suitability of Accommodation (England) order 2003 (SI 2003/3326),

Homelessness (Suitability of Accommodation (England) Order 2012 (SI2012/2601),

Supplementary Guidance on the homelessness changes in the Localism Act 2011

Homelessness (Suitability of Accommodation (England) Order 2012 (8 November 2012).

The council should take into account of the body of case law this includes

Nzolameso v City of Westminster 2015

R (Sacupima) v Newham 2001 (Impact of schooling, employment and medical factors)

R (Calgin) Enfield LBC 2005 (Council entitled to take into account resources)

R (Yekini) v Southwark LBC 2014 (Homeless duty not discharged by inability to meet rent)

Although placements that are not made under homelessness provisions are not subject to the same statutory framework there are other provisions that will apply. The Housing Department is under an obligation to cooperate other departments in discharging their functions. This obligation is to assist has to be reasonable under the circumstances.

Children's Act 2004 Section 11

Care Act 2015

Appendix 2

Costs of private renting in the city and other locations in the sub-region and the UK.

Despite the increasing costs of housing in the city the demand for private renting has increased in recent years.

Costs of private renting in B&H over the past 5 years by bedsize.

Our private rental market monitoring¹ is a representative sample of properties that have been advertised in the city during the quarter in the Latest Homes magazine and website:

Average Monthly Rent	2010 Q1	2011 Q1	2012 Q1	2013 Q1	2014 Q1	2015 Q1	Total Increase	Average Annual Increase
Room	£363	£372	£391	£416	£450	£438	21%	3.8%
Studio	£519	£555	£582	£559	£614	£625	20%	3.8%
1 bed flat	£690	£728	£752	£776	£816	£847	23%	4.2%
2 bed flat	£961	£1,045	£1,089	£1,096	£1,163	£1,191	24%	4.4%
2 bed house	£1,005	£1,075	£1,132	£1,088	£1,199	£1,218	21%	3.9%
3 bed house	£1,337	£1,306	£1,381	£1,449	£1,421	£1,458	9%	1.8%
4 bed house	£1,549	£1,729	£1,686	£1,668	£1,725	£1,795	16%	3.0%

For all property sizes except studio flats (which receive the 1 bedroom flat rate), the average cost of renting exceeds the Local Housing Allowance:

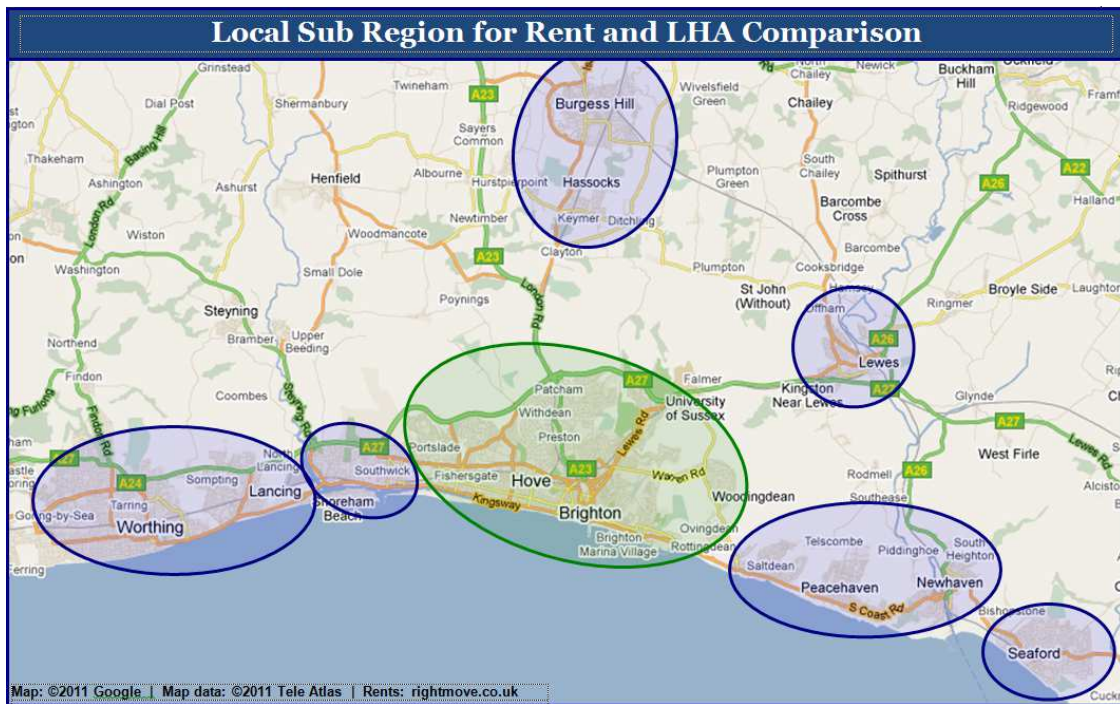
Average Monthly Rent	2015 Q1	Local Housing Allowance (Mar 15)	Monthly Shortfall
Room	£438	£344	£94
Studio	£625	£657	-£32
1 bed flat	£847	£657	£190
2 bed flat	£1,191	£826	£365
2 bed house	£1,218	£826	£392
3 bed house	£1,458	£988	£470
4 bed house	£1,795	£1,414	£381

Cost of private renting in B&H compared to other authorities in the sub-region.

This data is a snapshot done on 31 March 2015 of the number of private rented homes available on the rightmove.co.uk website in Brighton & Hove and neighbouring areas to identify how many of these are affordable to those on the housing benefit Local Housing Allowance (LHA)².

¹ Housing Costs Update Report (2015 Q1): <http://www.brighton-hove.gov.uk/content/housing/general-housing/housing-strategy-costs-reports>

² Rent & Local Housing Allowance Comparison Report (31 March 2015): <http://www.brighton-hove.gov.uk/content/housing/general-housing/housing-strategy-costs-reports>



As the Local Housing Allowance is based on household size, the data has been separately analysed for:

- Single people under 35 and others sharing
- Single people over 34 and couples without children
- Families with children

Single People Under 35 and Others Sharing

On 31 March 2015, single people under 35 and other sharers on full housing benefit wanting to live in **Brighton & Hove** would find 4 (0.5% of 746) affordable homes:

- 0 of the 323x 2-bed homes
- 1 of the 167x 3-bed homes
- 3 of the 256x 4-bed homes were affordable

Regionally, overall, of the 939 larger 2-4 bed homes available to rent, 24 (3%) were within LHA limits.

- **2 bed homes:** Our analysis found 2 affordable 2-bed home (0.5% of 432x 2-beds) for two people sharing, located in Saltdean to Newhaven and Burgess Hill & Hassocks
- **3 bed homes:** Our analysis found 9 affordable 3-bed homes (4% of 227x 3-beds) for three people sharing, located mainly Saltdean to Newhaven (3)
- **4 bed homes:** Our analysis found 13 affordable 4-bed homes (5% of 280x 4-beds) for four people sharing, located mainly in Worthing & Lancing (4)

Single People Under 35 and Others Sharing

(LHA assumes each bedroom occupied by someone on the shared room rate)

	Area	Average Rent (£/mth)	Properties Advertised (#)	Local Housing Allowance (£/mth)	Properties within LHA Rate (%)	Properties within LHA Rate (#)
2 bed	Brighton & Hove	£1,223	323	£688	0.0%	0
	Worthing & Lancing	£878	62	£594	0.0%	0
	Shoreham & Southwick	£985	7	£688	0.0%	0
	Lewes	£1,066	6	£688	0.0%	0
	Burgess Hill & Hassocks	£848	13	£682	7.7%	1
	Saltdean to Newhaven	£1,014	14	£688	7.1%	1
	Seaford	£792	7	£578	0.0%	0
	2 bed total		432		0.5%	2
3 bed	Brighton & Hove	£1,559	167	£1,032	0.6%	1
	Worthing & Lancing	£1,188	23	£891	4.3%	1
	Shoreham & Southwick	£1,307	6	£1,032	0.0%	0
	Lewes	£1,173	6	£1,032	33.3%	2
	Burgess Hill & Hassocks	£1,165	10	£1,023	20.0%	2
	Saltdean to Newhaven	£1,169	11	£1,032	27.3%	3
	Seaford	£1,024	4	£867	0.0%	0
	3 bed total		227		4.0%	9
4 bed	Brighton & Hove	£1,773	256	£1,376	1.2%	3
	Worthing & Lancing	£1,216	7	£1,188	57.1%	4
	Shoreham & Southwick	£1,850	3	£1,376	0.0%	0
	Lewes	£1,954	5	£1,376	20.0%	1
	Burgess Hill & Hassocks	£1,381	4	£1,364	75.0%	3
	Saltdean to Newhaven	£1,575	4	£1,376	50.0%	2
	Seaford	£1,500	1	£1,156	0.0%	0
	4 bed total		280		4.6%	13

Single People over 34 and Couples without Children

On 31 March 2015, single people over 34 and couples without children on full housing benefit wanting to live in **Brighton & Hove** will find more opportunity renting a studio than 1-bed home with:

- 44 (64% of 69) studios within the LHA limit
- 5 (3% of 164) 1-bed homes within the LHA limit

Single People Over 34 and Couples without Children

	Area	Average Rent (£/mth)	Properties Advertised (#)	Local Housing Allowance (£/mth)	Properties within LHA Rate (%)	Properties within LHA Rate (#)
Studio	Brighton & Hove	£635	69	£657	63.8%	44
	Worthing & Lancing	£463	21	£515	76.2%	16
	Shoreham & Southwick	£0	0	£657	0.0%	0
	Lewes	£0	0	£657	0.0%	0
	Burgess Hill & Hassocks	£0	0	£631	0.0%	0
	Saltdean to Newhaven	£0	0	£657	0.0%	0
	Seaford	£0	0	£500	0.0%	0
	Studio total		90		66.7%	60
1 bed	Brighton & Hove	£902	164	£657	3.0%	5
	Worthing & Lancing	£637	49	£515	12.2%	6
	Shoreham & Southwick	£721	6	£657	0.0%	0
	Lewes	£968	7	£657	14.3%	1
	Burgess Hill & Hassocks	£703	6	£631	16.7%	1
	Saltdean to Newhaven	£692	9	£657	33.3%	3
	Seaford	£676	7	£500	14.3%	1
	1 bed total		248		6.9%	17

Regionally, overall, of the 338 studio and 1 bed homes available to rent, 77 (23%) were within LHA limits:

- **Studio Flats:** 60 (67%) were within LHA limits, located in Brighton & Hove (44) and Worthing & Lancing (16)
- **1 bed homes:** 17 (7%) were within LHA limits located in Worthing & Lancing (6) and Brighton & Hove (5)

It is assumed that couples with no children on local housing allowance would live in 1-bed homes which limits choice further.

Families with children

On 31 March 2015, families with children on full housing benefit wanting to live in **Brighton & Hove** would find 10 (1% of 746) family homes (2-4 bed) falling within the LHA rate:

- 2x 2-bed were within LHA rates
- 1x 3-bed were within LHA rates
- 7x 4-bed homes (however, 65% of all 4-bed homes advertised were student lets)

Overall, of the 939 larger 2-4 bed homes available to rent, 28 (3%) were within LHA limits.

- **2 bed homes:** 8 homes were found to be within LHA rates (2% of 432x 2-beds) and located mainly in Brighton & Hove (2), Saltdean to Newhaven (2) and Burgess Hill & Hassocks (2)
- **3 bed homes:** 5 homes were found to be within LHA rates (2% of 227x 3-beds) mainly located in Saltdean to Newhaven (3)
- **4 bed homes:** 15 homes were found to be within LHA rates (5% of 280x 4-beds) and located mainly in Brighton & Hove (7)

Families with Children

	Area	Average Rent (£/mth)	Properties Advertised (#)	Local Housing Allowance (£/mth)	Properties within LHA Rate (%)	Properties within LHA Rate (#)
2 bed	Brighton & Hove	£1,223	323	£826	0.6%	2
	Worthing & Lancing	£878	62	£657	1.6%	1
	Shoreham & Southwick	£985	7	£826	14.3%	1
	Lewes	£1,066	6	£826	0.0%	0
	Burgess Hill & Hassocks	£848	13	£774	15.4%	2
	Saltdean to Newhaven	£1,014	14	£826	14.3%	2
	Seaford	£792	7	£650	0.0%	0
	2 bed total		432		1.9%	8
3 bed	Brighton & Hove	£1,559	167	£988	0.6%	1
	Worthing & Lancing	£1,188	23	£795	0.0%	0
	Shoreham & Southwick	£1,307	6	£988	0.0%	0
	Lewes	£1,173	6	£988	0.0%	0
	Burgess Hill & Hassocks	£1,165	10	£955	10.0%	1
	Saltdean to Newhaven	£1,169	11	£988	27.3%	3
	Seaford	£1,024	4	£783	0.0%	0
	3 bed total		227		2.2%	5
4 bed	Brighton & Hove	£1,773	256	£1,414	2.7%	7
	Worthing & Lancing	£1,216	7	£1,025	28.6%	2
	Shoreham & Southwick	£1,850	3	£1,414	0.0%	0
	Lewes	£1,954	5	£1,414	20.0%	1
	Burgess Hill & Hassocks	£1,381	4	£1,329	75.0%	3
	Saltdean to Newhaven	£1,575	4	£1,414	50.0%	2
	Seaford	£1,500	1	£981	0.0%	0
	4 bed total		280		5.4%	15

Appendix 3.

Brighton & Hove City Council Temporary accommodation Policy (out of area placements)

Background Information

The Council has to provide temporary accommodation for people who apply as homeless, if it has reason to believe that the household may be homeless, eligible and in priority need, as defined by homelessness legislation. It must also continue to provide accommodation to households that have been accepted as homeless while longer term accommodation is found or until the duty towards the household has been discharged in one of the ways contained in the Housing Act 1996 (HA).

Where the housing department does not have a duty to accommodate, because they are ineligible or have been found to be intentionally homeless or the homelessness duty has been discharged there may be another “corporate” duty to accommodate households under another duty such as the Children’s Act 2004 or the National Assistance Act 1948. Accommodation provided under a duty other than homelessness legislation is commonly known as a service level agreement (SLA)

Homelessness services and temporary accommodation are paid for by the Council’s General Fund and currently cost over £3.2 million annually. There has been a rise in homelessness applications and acceptances in Brighton & Hove over the past four years, largely due to local increases in private sector rent, caps on the increases in local housing allowances (LHA) and reductions in welfare benefits. Rent increases also mean that temporary accommodation for homeless households is becoming scarce and more expensive, both within the city and in the surrounding areas. Rents in the city are some of the highest to be found outside London and in some instances are higher. There are areas within the south east region where rent levels are within Local Housing Allowance (LHA) levels and are therefore affordable to households on benefits.

Because of this, there is a risk that the annual cost of temporary accommodation will increase significantly.

The Council could fund the additional expenditure, from the general fund, but this would increase the financial pressures on other services at a time of severe financial constraints. The Council’s preferred option therefore is to consider its options to reduce these costs and improve the value for money, to avoid having to find additional money to cover additional expenditure.

The use of temporary accommodation is subject to limitations under statute in the Housing Act 1996. There is also a substantial volume of guidance issued by the Secretary of State Communities and Local Government. In the past 12 months there has been new case law developed. In many local authority areas, especially in high rental areas, they struggle to procure accommodation within their own locality at a reasonable cost. The impact of placing households, particularly those containing children or vulnerable adults, outside of the city may add costs on households and other services. Costs of travelling to school or receiving social service support may increase. Social networks may be more difficult to maintain. This could increase the overall costs to the public exchequer. Relations with other local authorities may also suffer if they interpret that BHCC is exporting its problems to their areas.

To address some of the issues, we have developed guidelines for placing people in temporary accommodation that are agreed across the council so that we can better manage demand from customers and other professionals in the city.

Who does the policy apply to:

This policy applies when there is either no suitable accommodation in the city or there is insufficient accommodation and the council must choose between applicants. The policy applies to:

- Applicants placed under an interim duty to accommodate (Housing Act 1996 s188)
- Applicants placed under a full duty to accommodate (Housing Act 1996 s193 (2) & 195a(1))
- Applicants placed under a power to accommodate under review or appeal of homeless decision (S188(3) & 204(4))
- Requests to accommodate by Children's Service or Adult Social Care

Those above that are subject to the provisions of the Housing Act 1996 as amended will have to follow the provisions of the act

- Section 205 Discharge of functions
- Section 206 Discharge of functions by local housing authority
- Section 208 Discharge of function out-of-area placement
- Section 210 Suitability of accommodation

The council must of due regard to Guidance by the Secretary of State, at which time the following guidance and statutory instruments are in force that include:

Chapter 17, Homelessness Code of Guidance for Local Authorities (July 2006),

Homelessness (Suitability of Accommodation Order 1996) (SI 1996/3204),

Homelessness (Suitability of Accommodation (England) order 2003 (SI 2003/3326),

Homelessness (Suitability of Accommodation (England) Order 2012 (SI2012/2601),

Supplementary Guidance on the homelessness changes in the Localism Act 2011

Homelessness (Suitability of Accommodation (England) Order 2012 (8 November 2012).

The council should take into account of the body of case law that currently includes

- Nzolameso v City of Westminster 2015
- R (Sacupima) v Newham 2001 (Impact of schooling, employment and medical factors)
- R (Calgin) Enfield LBC 2005 (Council entitled to take into account resources)
- R (Yekini) v Southwark LBC 2014 (Homeless duty not discharged by inability to meet rent)

Although placements that are not made under the provisions of the Housing Act are not subject to the same statutory framework there are other provisions that will apply.

Children's Act 2004 Section 11

Care Act 2015

Location of temporary accommodation

Under s208 HA the Council is under an obligation so far as is reasonably practicable to provide accommodation is available in its district. It is accepted that in some circumstances that if there are clear benefits for the applicant that accommodation may be offered outside the city, these are:

- Risk of Domestic Violence
- Risk of other Violence
- Safeguarding Children
- Safeguarding Adults
- Breaking the links with previous contacts who could exert negative influence
- Applicant own request to be placed out of area
- Accommodation is affordable for the applicant and their household.

Following case law and guidance in this area the council seeks to offer homeless households accommodation within the city boundaries, whenever this is available and affordable. It should be noted that placing households with children or where a member of the household is pregnant can legally only be for a period of 6 weeks if the accommodation is not self contained. Where accommodation is required by children's services or adult social care there is no corresponding 6 week rule, however the council must consider the best interest tests in social care legislation.

Each case must be assessed on the facts of the case. Matters that are not mentioned in this policy must be considered in terms of the impact on the applicant and members of the household.

Below are guidelines for the location of offers of temporary accommodation. The guidelines separate households requiring temporary accommodation into three main groups and set out different criteria for each of these groups about where they should be placed. There will be circumstances when it is appropriate to allocate outside of these categories and each case will be considered on its own merits. The category guidelines are:

Group A, where possible, offered accommodation in Brighton & Hove. The group consists of households who include:

- a child in secondary school within the city in their final year of key stage 4 (generally year 11)
- a child who has a Statement of Special Educational Needs and is at school in the city
- a child who is the subject of Child Protection Order Plan from BHCC
- someone who is officially caring for another person in the city as part of a care plan agreed with the relevant social care department.
- someone in permanent or settled employment who works anti-social hours within the city and would risk losing their employment (unless they can be transferred by their employer)
- someone who is receiving medical treatment that can only be provided by a specific medical facility within the city and that treatment requires a high volume of attendance at that medical facility (a minimum of 2 – 3 times per week).

Group B are prioritised for temporary accommodation in adjacent districts within the broad market rental area, or neighbouring districts in the Sussex sub-region which is approximately one hours travelling distance on public transport from the city. The group consists of households who include:

- An applicant who has their own transport to enable them to travel into the city
- a child in secondary school either in the city or neighbouring boroughs
- someone who is receiving medical treatment that can only be provided by a specific medical facility only available within the city
- someone who is receiving NHS treatment for mental health problems other than from their GP and/or is on the Care Programme Approach.

Group C all other homeless households would be offered temporary accommodation wherever the borough is able to procure it, provided that it is suitable for the household's needs. In all cases the council will seek to find accommodation as close to the city as possible. This group can include a household where there is no local connection with the city.

In cases where there are competing demands for accommodation a statutory duty to provide accommodation will take priority over any power to provide accommodation.

Assessment of cases

It is important to note that a household's individual circumstances (i.e. the household's needs) must always be taken into account when making an allocation of temporary accommodation. This means factors such as the distance from B&H, any disruption caused to employment, education or caring arrangements, access to medical facilities and proximity to other amenities. Following an assessment this could still mean that households are provided with temporary accommodation out of the city but will determine how far this may be.

Factors to consider in assessment

Distance outside of the area.

In some instances accommodation that is offered is directly adjacent to accommodation offers that are in the city. This is true of accommodation in Saltdean and Southwick where the city boundaries dissect these communities. These areas are in Lewes and Adur district council areas but in fact have extremely close links including local buses, local schools and local health services. Where a placement is therefore within Southwick or Saltdean these can reasonably be considered to be suitable on the case basis that the accommodation is within the city.

All efforts will be made to keep the applicant as close as possible to the City. Note will be taken of the impact of distance on a range of factors as set out below.

Own Transport

When assessing the distance outside of the city if the applicant or member of the household has their own transport this should be considered as a factor (including increased costs of petrol as other costs are already being paid)

Public Transport

When assessing distance outside of the city factors such as ability to use public transport or if transport is and can continue to be provided should be assessed. Increase cost of travel and increased time are also factors. Where the cost of accommodation includes utility bills this should be taken into account where there may be increased expenditure.

Employment

When assessing if a person is in employment it should be assessed if the person would be at risk of not being able to continue with the employment, if transport is unavailable to access the employment along with any increased costs of transport. Factors such as the ability to transfer employment may be taken into account but should not be assumed. Consideration may also be given as to the availability of work in any proposed area.

Children's schools

When assessing households with children that are in schools in the city regard should be had to the ability of the child to continue to access the school. If there is no other option but to offer accommodation out of the area inquiries should be made on the feasibility of accessing schools in the area of the accommodation (this may be dependent on the length of time the household is likely to be placed out of the area. If the placement is for interim accommodation (pending full assessment) and the person is likely to be transferred back to the city this may not be required.

If the school can confirm that other children travel from the area of the placement this may be considered a suitable, subject to increased travel costs and time. An assessment should include each child in the household as they may be in educational establishments in different locations. If the allocation is in discharge of a full housing, or other duty, factors such as the availability of school places may be a relevant factor. Inquiries will need to be made in order to satisfy suitability.

Medical Factors

Brighton has a number of medical services that do not only serve residents in the city. Many services are provided across the region especially to our neighbouring local authority areas. Some households may have to travel to medical appointments outside the city to other centres in London for example. The assessment of these factors should be taken into account including increase travel, ability to travel, increased cost and time of travel. Other factors may be the number of appointments the person has to attend.

Other factors to consider are that there are a number of services that provide services across the sub region for example Sussex Partnership NHS Foundation Trust. The assessment should not assume that medical services can be transferred but inquiries will be required to ascertain if this is possible.

Other factors

Applicants may raise other issues that are not contained in this policy document. Each issue should be assessed on it's own merits and a decision made using the factors above.

On some occasions the availability of temporary accommodation is severely limited despite our continued efforts to procure accommodation to match demand. The section below is designed

to ensure that people being transferred back to accommodation in the city will also be dealt with on a priority basis.

The duty to accommodate a household is subject to continuing duty that the accommodation remains suitable, until the duty is permanently discharged. If an issue of suitability is raised on households that are placed out of the city this policy will apply.

Transferring applicants

On some occasions it will be necessary to place households from group A & B in emergency accommodation outside of the city. Where a family are placed out of the city we will transfer the household back to the city on a priority basis that in essence will follow the same prioritisation as set out above – that is those in category A, then B where a property is deemed to be suitable to meet the needs of an applicant then the case will not be afforded a consideration to move back to the city.

Where household chose to move to another area, for example because of family connections, then the council will seek to identify suitable accommodation in that area and enable to family to move. Where a household wish to remain in temporary accommodation where they have been placed then the council will seek to support them to remain in the accommodation or the area.

Duty to inform other local authority

Under s208 HA the council is under a duty to inform a local authority that is has placed a homeless household in temporary accommodation in is area. The information provided is as follows:

- Name of the applicant
- Number and description of other persons who normally reside with the applicant
- The address of the accommodation
- The date the accommodation was made available
- The function that we are discharging is securing the accommodation

BHCC will notify the council into which homeless households are placed and will seek to develop protocols with other councils to ensure that services are maintained where required.

Statutory Right of Review

Homelessness Placements

Under the provisions of the Housing Act 1996 some placements have to be considered suitable before the council can consider its functions are discharged.

S188 Interim Accommodation

Interim accommodation is provided to applicants if the council is satisfied that a person is eligible, homeless and has a priority need for accommodation. The council must provide accommodation while it makes enquiries and gives the applicant a formal notification of the duty owed, if any. The accommodation must be suitable to meet the needs of the applicant and any member of the household. This requires an assessment of housing need to be carried out.

Because this accommodation is being provided whilst the homeless case is assessed it can be very basic but there are levels which even interim accommodation cannot fall below. The

Council is not able to accommodate families with children in Bed and Breakfast accommodation except in an emergency and then not for period exceeding 6 weeks. There is no statutory right of a review on suitability of interim accommodation. Decisions taken are however subject to legal challenge by way of Judicial Review.

S193 Households accepted as being owed a full housing duty.

Once the council accepts that it has a duty to an applicant then it must ensure that the applicant and household are maintained in accommodation. Again this accommodation must be suitable and when the full duty to accommodate arises so do levels of what is considered suitable. At this stage offers of accommodation are subject to a statutory right of review if a person accepts or refuses an offer of accommodation.

A property must remain suitable to the applicant and or their household until the council has discharged its duty by providing permanent accommodation or discharging its duty by providing a private sector offer. Any challenge to the suitability of accommodation is subject to a statutory right of review.

Where a statutory right of review exists if the review upholds the decision that the accommodation is suitable the applicant has the right to appeal to the County Court but only on a point of law.

Council Customer complaints process

The Council has a customer complaints procedure. However it should be noted that where there is a statutory review & appeals procedure in place the council would expect that this process is used before the council will consider a matter under the complaints procedure.

Placements made on behalf of Children's Service and Adult Social Care.

Placements made by the Housing Department on behalf of Children's Service and Adult Social Care services are not subject to the same statutory review process. There are different processes in place and if an applicant wishes to complain then this can be done to the council's standards and complaints section

<https://www.brighton-hove.gov.uk/content/council-and-democracy/compliment-or-complain/social-services-complaints>

or

By phone: FREEPHONE: 0500 291229

By email: Complaints@brighton-hove.gov.uk

By writing:

Standards and Complaints team
Brighton and Hove City Council
Freepost SEA2717
Hove
BN3 2ZW

It should be noted that the council will not under an obligation to keep an offer of accommodation open whilst the review or complaints process is undertaken.

Subject:	Review of long lease held by Brighton Lions at Lions Court		
Date of Meeting:	23 September 2015		
Report of:	Executive Director of Environment, Development and Housing		
Contact Officer:	Name:	Simon Pickles	Tel: 29-2083
	Email:	simon.pickles@brighton-hove.gov.uk	
Ward(s) affected:	East Brighton		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The Brighton Lions, through its Housing Society, were leased council (Housing) land at Manor Way, Brighton in 1968 in order to build affordable residential accommodation for rent. They built 30 older persons' flats which they manage. The lease has approximately 52 years left to run. The Brighton Lions now wish to buy the freehold to enable them to grow and invest in new social projects.
- 1.2 The Brighton Lions have met with council officers to discuss the options of:
 - a) buying the freehold (the Brighton Lions' preference)
 - b) extending the lease (which they have a statutory right to do)
 - c) letting the current lease continue until it expires (not their wish)
- 1.3 The Brighton Lions' Manor Way scheme supports the council's housing strategy. Sale of the freehold would provide a capital receipt that could subsidise the housing capital programme.

2. RECOMMENDATIONS:

- 2.1 That Housing & New Homes Committee recommends to the Policy and Resources Committee the sale of the freehold of Lions Court to the Brighton Lions for a consideration equal to its market value, in the sum of £670,000.
- 2.2 That Housing & New Homes Committee agrees that if a decision is taken to sell the freehold, a restrictive covenant is placed on the land for social housing use only.
- 2.3 That Housing & New Homes Committee notes that the council will be offered nominations by the Brighton Lions if they are unable to let a vacant flat.
- 2.4 That Housing & New Homes Committee recommends to the Policy and Resources Committee that it approves that the capital receipt be used to support the housing capital programme.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 The organisation

- Brighton Lions (BL) housing society is a registered provider, and an industrial and provident society. They were last inspected by the housing regulator 8-10 years ago
- BL has 15 board members, including professionals from the legal, finance and property sectors
- BL has never attracted government grant funding, they have been self-financing. The council leased the land to BL who were able to fund the build thanks to a donor
- In addition to Lions Court (30 homes) BL owns (as freeholder) Lions Dene (37); Lions Gardens (6); and Lions Gate (42). Total stock: 115 homes
- BL tenants are on assured tenancy agreements
- Rents at Lions Court range from £103.45 - £120.74 per week, which includes a service charge of £10.13 and water rates of £6.06
- A site map is at Appendix 1. Photographs are at Appendix 2.

3.2 Allocations process/ nomination rights

- The BL operate their own waiting list. Applicants must be residents of Brighton and Hove, be over 55 years of age and have been resident for 5 years. Applicants are allowed up to £16,000 'liquid assets' but must not own a property
- The majority of BL tenants are on Housing Benefit
- Vacancies are allocated on greatest need to people over 55 years old.
- They prioritise to those in greatest need using a needs-based points system
- Despite provision in the lease, historically the council and BL have not exercised the nominations clause
- As part of the negotiation BL have offered a side nominations agreement that they will accept nominations for tenants from the council's waiting list if they cannot find a tenant for a flat themselves ('second refusal')
- Nominations rights have a value. If the freehold is to be sold, there cannot be any legally binding requirement for future nomination rights by the council, as there could be in a lease. Should the council wish to retain 'guaranteed' nomination rights, the advice from the council's appointed chartered surveyor is to extend the lease rather than sell the freehold. This would reduce the capital receipt to approximately £165,000.

3.3 Brighton Lions' stated reasons for wishing to purchase the freehold of Lions Court

- a. Acquisition of the freehold will increase the Brighton Lions' borrowing power and improve their ability to commence a new social housing development for older people, which will benefit the City. For any new development the finance provider takes a first charge on the entire portfolio and the funder's own surveyor values the portfolio to ascertain how much money they will lend. As leases get shorter they are diminishing assets and will be downgraded accordingly for lending purposes.

- b. Should any unexpected emergency work be needed at Lions Court ownership of the freehold will improve their chances of raising finance. The ability to secure lending against this asset will decrease as the lease length diminishes.
- c. To bring their portfolio all into line. All their other properties are freehold.
- d. To safeguard the future of Lions Court as social housing for older people in need.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 While Option 1 is recommended, the Housing & New Homes Committee may decide to adopt options 2 or 3 instead.

Option 1:	Brighton Lions (BL) buy the freehold	<ul style="list-style-type: none"> • In September 2014 Cluttons valued the freehold at £700,000 and a sale price agreed after negotiation at £670,000 (once assumptions had been clarified) in April 2015 • Brighton Lions (BL) can borrow against its asset and replace buildings at its own expense • BL will accept a covenant to permanently provide social housing on this site • BL has agreed to a side agreement to retain nomination rights for the Council in the event they are unable to fill vacant units.
Option 2:	Extend the lease – which BL has a statutory right to do	<ul style="list-style-type: none"> • In September 2014 Cluttons valued the leasehold extension (up to 125 years) at approximately £165,000 • BHCC receives a smaller capital receipt than Option 1 • BL can borrow against a higher value and replace buildings at its own expense • BL is back in the same position in the future with a diminishing asset • Opportunity for BHCC to renegotiate nominations % (but with BL applying its own re-housing criteria).
Option 3:	Let the lease run to end of 99 year term	<ul style="list-style-type: none"> • Lease then reverts to BHCC • If BHCC doesn't agree to a lease extension, BHCC may get the property back in 52 years with the need for significant improvement • If BHCC takes property back (in 52 years), it would be able to develop the site at greater density.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The East Area panel was consulted on 26 January 2015 and was satisfied but sought reassurance that Brighton Lions were good guardians of their properties. The Housing Stock Review Manager has visited all four schemes owned and managed by Brighton Lions and was satisfied by the quality of maintenance in evidence.
- 5.2 The ward members have been informed of the proposal. One question was asked about nomination rights and one about the market value.

6. CONCLUSION

- 6.1 The council has been offered a capital sum of £670,000 for the freehold. This would enable the council to deliver its housing strategy by reinvesting this receipt in the housing capital programme, whilst protecting the future use of the site for social housing.
- 6.2 If the council wishes to retain nomination rights (which on this site have not been exercised) then a reduced receipt of approximately £165,000 would be received.
- 6.3 There is a 'do nothing' option, which is waiting for the lease to revert to the council in 52 years. The council currently receives £5 (five pounds) ground rent per annum.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Financial Implications:

- 7.1.2 Changes in Capital Financing regulations took effect from April 2013, which allows the council to retain the full amount of the capital receipt from the sale of this freehold to fund capital expenditure. The receipt can therefore be used to fund capital expenditure such as affordable housing or regeneration projects or repayment of HRA debt.
- 7.1.3 In August 2014 the council's agent, Cluttons, originally valued the freehold of the land at £700,000. After negotiation and clarification on assumptions made within the valuation process, Cluttons recommends the Council's acceptance of the Brighton Lions offer of £670,000. The current freehold sale price was negotiated and agreed in good faith between the relevant chartered surveyors in April 2015. The council's valuer has advised that, as the period of the current lease diminishes, the value of the freehold would increase, however not materially over the period since the price was agreed in April and that it is not considered best practice to seek in to increase the offer of £670,000 that has been agreed in good faith.

7.1.4 Subject to Committee's approval for the sale of this freehold, in accordance with the councils accounting policies, the capital receipt will be retained in the council's capital receipts reserve until a decision is made for its use either to support a capital scheme or repay debt. This decision would require approval by the Policy & Resources Committee.

Finance Officer Consulted: Susie Allen

Date: 10.09 .2015

7.2 Legal Implications:

7.2.1 Under section 32 of the Housing Act 1985 land held by the council for housing purposes can only be disposed of with the consent of the Secretary of State. Consent may be given either generally or in relation to particular land. The General Housing Consents 2013 allows a local housing authority to dispose of land for a consideration equal to its market value.

7.2.2 Under the council's constitution, the disposal of land must be referred to the Policy & Resources Committee for determination. The Head of Law would complete the surrender of the lease and freehold disposal of the land, subject to such nomination agreement that is agreed between the parties.

Lawyers Consulted: Liz Woodley; Joanne Dougnaglo

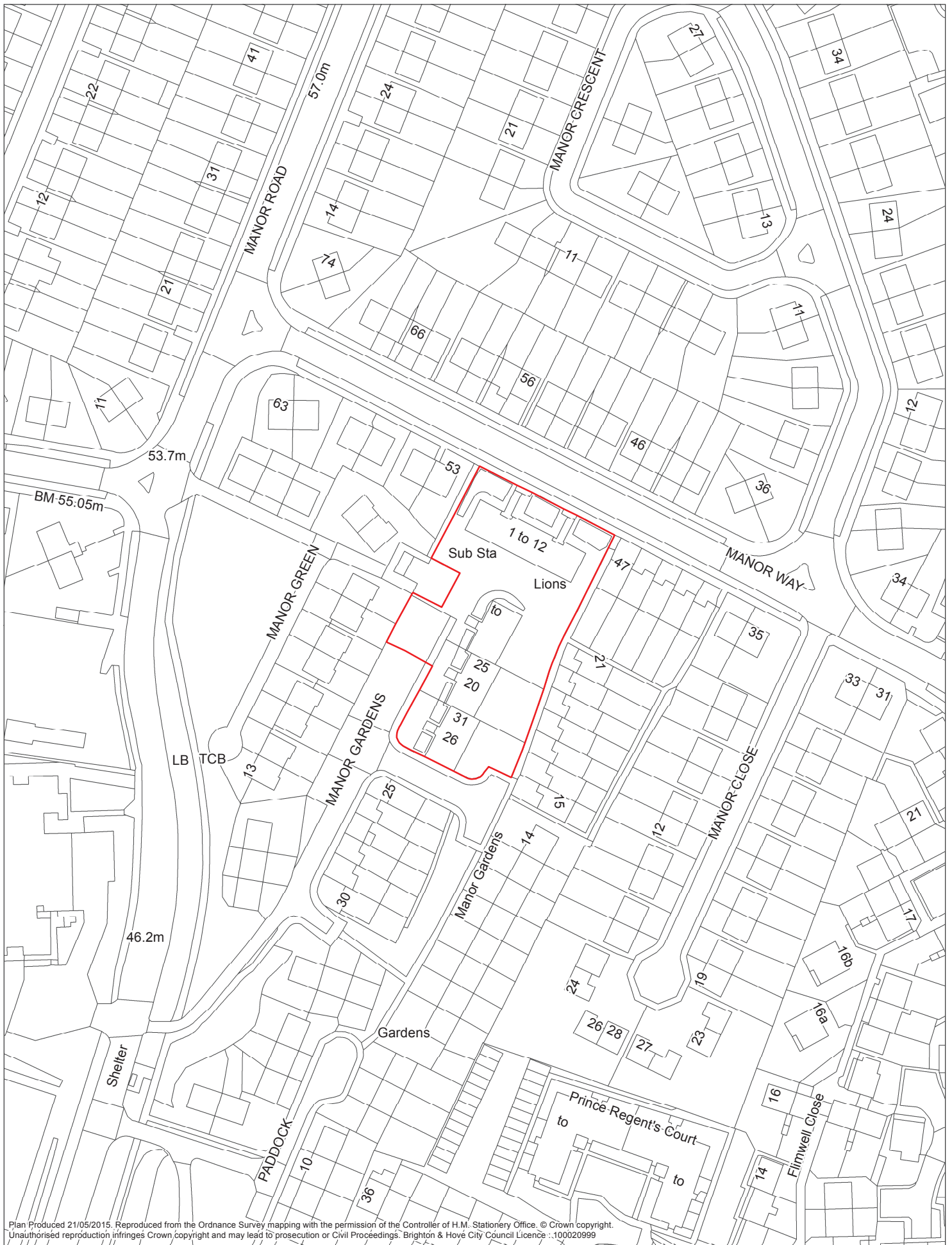
Date: 07/01/15

7.3 Equalities Implications:

This Brighton Lions scheme addresses the needs of older people in the city.

7.4 Sustainability Implications:

There are none to report.



Plan Produced 21/05/2015. Reproduced from the Ordnance Survey mapping with the permission of the Controller of H.M. Stationery Office. © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or Civil Proceedings. Brighton & Hove City Council Licence : 100020999



Lions Court, Manor Way, Brighton

Scale 1:1,250



Appendix

Photographs of Lions Court



Subject:	Housing Related Support Budget & Commissioning Report		
Date of Meeting:	Housing & New Homes Committee 23rd September 2015		
Report of:	Denise D'souza, Executive Director Adult Services Nick Hibbert, Acting Executive Director of Environment, Development & Housing Tom Scanlon, Director of Public Health Pinaki Ghoshal, Director of Childrens Services.		
Contact Officer:	Name:	Jenny Knight	Tel: 293081
	Email:	Jenny.knight@brighton-hove.gov.uk	
Ward(s) affected:	All		

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

- 1.1 This report is being provided to inform the Housing & New Homes Committee of the current position in regard to the Housing Related Support (HRS) Budget, HRS procurement activities and the development of the new Rough Sleeper Strategy. Housing Related Support Services were formally known as Supporting People services and incorporate Homeless Prevention Grant Funded services. These services aim to prevent homelessness and provide support which help individuals move towards or maintain independent living.
- 1.2 The Housing Related Support Budget is subject to a reduction of £2.000m on externally commissioned contracts. The Housing Related Support Budget was £7.970m in 2014/15 this is to be reduced to £4.925m by 31/03/16 with £1.220m being transferred to other commissioners. Budget reductions totalling £1.320m have been achieved so far this financial year and these are illustrated in the table in 3.3 along with the reductions still to be implemented.
- 1.3 The Housing Related Support Commissioning Team was transferred from Housing to Adult Social Care last year, and this has enabled closer working with commissioners across ASC and Health. Using a commissioning cycle model of assessing needs, reviewing and remodelling services, the team is carrying out planned decommissioning of some services, redrafting service specifications to ensure services are flexible, providing a more personalised response to need, reducing dependency, avoiding duplication with other services across the city and meeting local priorities such as reducing admissions to institutions.
- 1.4 This approach will ensure that those with the most complex needs, who receive a range of services, will be supported into independence where this is achievable or will have a suitable service in place to support them to maintain accommodation and prevent homelessness. People with lower needs will now receive short term, outcome focused and targeted support. A focus will also be on people who have been in homeless services for some time to offer them

sustainable support and accommodation packages. We want to significantly reduce the numbers of people who have unplanned moves between homeless services and ensure people have a suitable service which adequately meets their needs.

2. RECOMMENDATIONS:

2.1 The recommendation is for the content of the report to be noted.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 Adult Social Care has the lead responsibility for commissioning Housing Related Support services (previously Supporting People funding). These services cover a range of client groups (illustrated in 3.3) and provide services to ensure that individuals can access and retain accommodation, link to support services to meet their needs and improve their health and wellbeing.

3.2 On 22nd January 2015, Performance and Resources agreed to delegate authority to the Executive Director of Adult Services to procure and enter into any contract to secure effective delivery of support services for vulnerable people. Decisions are to be made in consultation with the Executive Directors of Environment, Development & Housing, Children's Services, Finance & Resources, Director of Public Health and the Monitoring Officer.

3.3 The Housing Related Support Budget 2014-16 by Client Group

	Budget 2014/15 (£'000)	Savings achieved (£'000)	Savings to be made (£'000)	Budget Transfers to other dept.'s (£'000)	Contract Values as at 31/03/16 (£'000)	Proposed savings carry forward to 17/18
Supported Accommodation	2,025	190	185	0	1,650	185
Floating Support / Peer Support / Work & Learning	910	525	10	0	375	0
Mental Health	880	85	235	0	560	0
Young People	1,390	115	185	0	1,090	185
Rough Sleepers / SWEPE / Housing First	400	20	-100	0	480	0
Older People	265	175	35	0	55	0
Tiered Mental Health	155	-115	0	0	315	0
Generic (money advice/ HIA)	410	10	0	0	400	0
Inflation 2015/16	155	155	0	0	0	0
Learning & Physical Disabilities	505	70	0	435	0	0
Substance Misuse	635	90	0	545	0	0
Domestic Violence	240	0	0	240	0	0
TOTAL	7,970	1,320	550	1,220	4,925	370
Inflation 2016/17	0	0	120	0	0	0
Grand Total	7,970	1,320	670	1,220	4,925	370

3.4 Services recently retendered:

Provider	Service Name	End Date	Start Date	2014/15 Contract Value (£'000)	2015/16 Contract Value (£'000)
BHT	MH Floating Support	30/9/15		110	
Southdown/BHT	Supprt4Housing	30/9/15		440	
Southdown	Floating Support		1/10/15		300
YMCA Downslink	HATS	30/9/15		226	
Home Group	YP Young People's floating		1/10/15		174
CRI	RSSSRT	31/8/15		312	
CRI	A10 Rough Sleepers	31/8/15		42	
St Mungos			1/9/15		325
			TOTAL	1,130	799

3.5 We are remodelling services in line with identified gaps. While there will be an overall reduction in the number of supported accommodation beds for single homeless people we plan to expand the range of smaller accommodation services as recommended by the Overview & Scrutiny Panel for Homelessness.

3.6 The impact of overall budget reductions on supported accommodation services may increase pressure on other services within the city, including Housing, Adult Social Care, Health and Community Safety. We may also see an increased number of people living on the streets.

3.7 The following information details the current position with regard to each client group and the plans for future commissioning.

3.8 Single Homeless Supported Accommodation

Housing Related Support funds the Integrated Support Pathway (ISP) which was set up in 2007 as a way of providing supported accommodation for single homeless people, rough sleepers and ex offenders who require support.

Through consultation, the rough sleeper estimate and needs analysis we have identified a number of gaps in provision and an increase in levels of demand for some services within the city.

We are currently in the process of drafting the specifications for the future tender of Homeless Supported Accommodation. The contracts for these services are at an end. We are remodelling the pathway to fill identified gaps in services this

includes tendering a small women only accommodation service for women with complex needs. We will also be introducing medium support accommodation because of the difficulty that service users have moving from hostel accommodation with 24 hour support to low support accommodation.

We have started to decant some lower demand accommodation services. We are working with providers and the Housing Allocations Team to support the individuals whose accommodation is being decommissioned and to source alternatives.

As part of the remodeling of accommodation services and the integration of services under the Homeless Better Care Programme we will also be looking to review the working groups that support the homeless pathway. The current structure supports the outcomes of the Homelessness Strategy and attendance is mainly HRS providers. We would like to review the groups and their terms of reference to broaden representation and include other services in the city who are working with this client group.

The aim is to develop stronger links with health and other support services for Homeless People and to encourage the shared ownership of actions which relate to improving services and improving the outcomes of service users. This model would include wider representation from service users.

3.9 Floating Support, Peer Support & Work & Learning

The previous floating support services for adults and people with mental health issues have been combined and have been out to tender. The contract for this service has been awarded to Southdown Housing. The new service commences on 1st October 2015 and will be a focused, outcomes based service to build people's resilience and reduce their reliance on support services.

We are currently in the process of assessing some excellent peer support models from other areas of the UK with the intention of commissioning a new service. The previous support service was decommissioned on 30 June 2015. This service will complement and not duplicate the existing peer support services in the city.

We have one externally commissioned work and learning service supporting individuals with literacy and numeracy. This service will be tendered in 2016.

3.10 Mental Health Supported Accommodation

Mental health supported accommodation services will be retendered at the end of 2015/16 with a reduced budget. However, by remodelling services to meet the changing demand for accommodation services, we aim to tender for a similar number of units of accommodation.

3.11 Rough Sleepers Outreach Service

The Rough Sleepers Outreach Service has been tendered and the contract has been awarded to St Mungos Broadway. The budget for this service has been reduced however they will continue to work with all rough sleepers within the city. The new service commenced operation on the 1st September 2015.

3.12 Housing First & Severe Weather Emergency Provision

The Housing First Tender is due to be released in September 2015 following a successful pilot and evaluation by the University of York. Brighton & Hove will be one of the first local authorities in England to tender for a Housing First service. The current service supports 7 individuals and this support will continue in the new service with the addition of 2 units of support funded through Children's Services for 18-25 year olds and an expansion in the provision for adults.

Brighton & Hove City Council will continue to provide Severe Weather Emergency Provision through Brighton Housing Trust in conjunction with St Mungos Broadway.

3.13 Young People

Young Peoples services are due to be retendered and the process of designing the tenders is underway in consultation with Children's Services and Housing. As part of this process we have decommissioned 14 units of accommodation in 2015.

The Young Peoples Floating Support Service has been through a competitive tender process and was awarded to Home Group. The new service is due to commence on the 1st October 2015 and we are working closely with the service provider to mobilise this service.

3.14 Older People

The funding for support services to sheltered accommodation ceased on the 1st April 2015. Service Providers were supported to apply for the Intensive Housing Management rate of Housing Benefit and remodel services in order to mitigate the loss of funding. A review of alarm services is being carried out. Services are currently funded until 31/3/16.

3.15 Tiered Mental Health Pathway

This pathway which includes mental health accommodation and floating support services was jointly commissioned with the CCG in 2014. These services are commissioned until 2018.

3.16 Other (Money Advice & Home Improvement Agency HIA)

The Money Advice Service is being extended for this financial year to allow for work to take place to align the service with other commissioners. This contract is part of a council wide review of commissioned advice and information services.

Savings were made on the Home Improvement Agency contract in April 2015. We are currently looking to align this service with other Adult Social Care contracts and tender in 2016.

3.17 Rough Sleeper Strategy

We are reviewing the city's approach to rough sleeping to develop a new Rough Sleeper Strategy.

The number of rough sleepers has increased in recent years (132 estimated in March 2014). To respond to these challenges, the current approach is being

reviewed across housing, public health, social care, health, community safety, police and the third sector.

The strategy aims to reinvigorate our partnerships to address the recent increase in the numbers of rough sleepers and improve outcomes for rough sleepers and those at risk of rough sleeping.

The review has a phased approach and forms part of the Corporate Modernisation programme, the review will include a rough sleepers summit:

Phase	Timing	Activity
1	2015 Q4	Position Paper
2	2015 Q4	Stakeholder Summit
3	2016 Q1-Q2	Finalise / approve strategy and transformation plans
4	2016 Q3	Launch and implement

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 This report is for information only.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Consultation was undertaken as part of the development of the Housing and Homelessness Strategies 2014-19 and as part of the review of the Housing Related Support Strategy 2011-15. Consultation with partners has taken place through existing working groups.

5.2 Analysis has taken place internally to assess the needs of service users, the gaps in provision, service performance, benchmarking, outcomes and value for money.

6. CONCLUSION

6.1 The tendering of HRS contracts is underway and we are finalising the timescales of the retender of supported accommodation and young people's services to ensure an effective implementation plan.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 The 2015/16 Budget Strategy included a savings target of £2.000m against the Housing Related Support budget to be delivered over 2015/16 and 2016/17.

The 2015/16 gross budget for external contracts against the Housing Related Support budget is £6.011m, which is after the target savings of £0.959m (part year effect) for the current year and the transfer to other commissioners

(£1.000m of the £1.200m) as referred to in 1.3 of this report. Savings achieved to date are £1.320m

The 2016/17 gross budget will be reduced by the remaining £1.041m (i.e. the full year effect) of the 2015/16 savings target. There is a projected shortfall of £0.370m against this savings target from Supported Accommodation and Young People services which requires mitigating actions to manage this shortfall in 2016/17. The remaining £0.220m of the transfers will be implemented in 2016/17

The Integrated Service and Financial Plans for the period 2016/17 to 2019/20 are currently being developed in accordance with the Budget Planning report to Policy & Resources on 9th July 2015.

In addition, a number of risks have been identified under section 7.5 of this report due to the loss of accommodation and the financial impact will need to be quantified against these to see the overall impact to the council services.

Finance Officer Consulted: Neil J Smith

Date: 02/09/15

7.2 Legal Implications:

As the report is for information only no detailed legal advice is required at this stage. The equalities issues are dealt with below.

Lawyer Consulted: Simon Court Date: 19th August 2015

7.3 Equalities Implications:

Budget EIA has been completed for proposed reductions to externally contracted Housing Related Support and non statutory Homeless Prevention contracts.

There are equalities impacts which will result from the reducing budgets for Housing Related Support. People who require Housing Related Support often have multiple and complex needs and can suffer multiple exclusions from mainstream services. The impact of the loss of accommodation and support provision could further widen inequalities for these service users.

To mitigate the impact of the budget reductions and the changes in services individual groups are working on each service area to support the mobilisation of new services and to work with service users and partners around the risks of decommissioning services.

7.4 Sustainability Implications:

Procurement processes are taking into account the sustainability of housing stock and the principles of Social Value in order to achieve best value for money, sustainability of services and community resilience.

7.5 Any Other Significant Implications:

There are significant impacts for the city which are detailed below:

Risk	Impact
Loss of Accommodation Inc Closure of high support hostel bed spaces	<ul style="list-style-type: none"> • Increase in street homelessness – we have commenced planning for the decant of service users. Contract end notices are being served on some of our current low support services. • The decant of service users and the loss of bed spaces will have a significant impact on our waiting lists and add to pressures on other services. • The loss of approximately 136 adult bed spaces will significantly increase the waiting list for supported accommodation.
Impact on the city	<ul style="list-style-type: none"> • Negative publicity for Brighton & Hove City Council. • Reputational damage. • Increase in numbers rough sleeping and its visibility. • Increase in street drinking and associated anti-social behaviour. • Impact on the way the city is perceived by visitors and tourists. • Increase in enquires from councillors, MP's and members of the public. • Increased pressure on acute services.
Loss of low support accommodation	<ul style="list-style-type: none"> • The loss of low support accommodation will reduce move on from higher support services, although the introduction of medium support accommodation will mitigate some of the bed losses it will not resolve the issue of how we move clients through the higher support services. • Decanting people in low support accommodation has been difficult with lack of access to PRS accommodation in the city.
Loss of Support Services to Older People	<ul style="list-style-type: none"> • There is a risk that the provision provided through intensive housing management will not meet the needs of service users and will result in increased numbers of service users accessing residential care.
Impact on other services	<ul style="list-style-type: none"> • Increase in Housing & ASC accommodation placements and emergency placements. • Increase in A&E attendances and unplanned hospital admissions due to numbers of individuals with multiple and complex needs living on the streets. • Loss of direct access for probation referrals. • Impact on Community Safety and Sussex Police from increased numbers on the streets and associated complaints from the public. • Increased pressure on the Rough Sleepers Outreach Team which has been retendered with a lower budget. • Impact on the implementation of the Homeless Better Care Programme
Impact of loss	<ul style="list-style-type: none"> • In order to mitigate the loss of accommodation services we

of Floating Support	have significantly reduced the budget for floating support and peer support. These services are vital to homeless prevention and keeping people in their own accommodation and we risk increasing the number of individuals who lose their accommodation and need to access Housing Options or enter supported accommodation further increasing our waiting lists.
---------------------	--

These risks are being mitigated on a service by service basis or at client group level by working with partners and service providers to ensure the impact on the city and individual services users is minimised.

SUPPORTING DOCUMENTATION

None

Subject:	Fuel Poverty and Affordable Warmth Strategy for Brighton & Hove		
Date of Meeting:	23 September 2015		
Report of:	Executive Director Environment Development & Housing		
Contact Officer:	Name:	Miles Davidson	Tel: 29-3150
	Email:	Miles.davidson@brighton-hove.gov.uk	
Ward(s) affected:	All		

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

- 1.1 The National Institute for Health and Care Excellence (NICE) released guidance in March 2015 entitled 'Excess winter deaths and morbidity and the health risks associated with cold homes'. The guidance provides evidence based recommendations on how to reduce the risk of death and ill health associated with living in a cold home. The health problems associated with cold homes are experienced during 'normal' winter temperatures, not just during extremely cold weather. The guidelines propose that year-round planning and action by multiple sectors is needed to reduce these risks. Accordingly the guidelines are aimed at commissioners, managers, housing providers and health, social care and voluntary sector practitioners who deal with vulnerable people who may have health problems caused, or exacerbated, by living in a cold home.
- 1.2 In response to the NICE guidelines and the recent national fuel poverty strategy for England, 'Cutting the cost of keeping warm', a Fuel Poverty and Affordable Warmth Strategy for Brighton & Hove is being developed with an associated action plan. The Housing and Public Health departments, working with key partners in the city, will develop this over the coming months. The action plan builds on existing good practice and partnership working between the Housing and Public Health departments, with local NHS and community and voluntary sector organisations, such as the Citizen's Advice Bureau and Age UK, and identifies where this activity needs to be scaled up and accelerated to address the issues.
- 1.3 A draft action plan in response to the NICE guidelines is attached as Appendix 1. This will also be presented to the Health & Wellbeing Board in October, as the body that is recommended in the guidelines, to develop a 'strategy to address the health consequences of cold homes'.

2. RECOMMENDATIONS:

- 2.1 That committee note the contents of this report and the NICE guidelines and recommendations.
- 2.2 That committee notes the ongoing work to develop a wider Fuel Poverty and Affordable Warmth Strategy, a draft of which will be brought to a future meeting for approval.

3. CONTEXT / BACKGROUND INFORMATION

3.1 Public Health England's 2014 Cold Weather Plan states that winter weather has a direct effect on the incidence of: heart attack, stroke, respiratory disease, flu, falls and injuries and hypothermia. Indirect effects include mental health problems such as depression, and the risk of carbon monoxide poisoning if boilers, cooking and heating appliances are poorly maintained or poorly ventilated.

3.2 A wide range of people are vulnerable to the cold, including:

- people with cardiovascular conditions
- people with respiratory conditions (in particular, chronic obstructive pulmonary disease and childhood asthma)
- people with mental health conditions
- people with disabilities
- older people (65 and older)
- households with young children (from new-born to school age)
- pregnant women
- people on a low income.

3.3 The UK has a relatively high rate of Excess Winter Deaths (EWD), based on international comparisons that use this definition. The EWD Index expresses excess winter deaths as a percentage increase of the expected deaths based on non-winter deaths. The number of EWD varies between years with an average of 25,000 in England each winter. The Brighton & Hove Joint Strategic Needs Assessment (JSNA) 2015 identifies the health risks of cold homes including winter deaths. For 2012-13 the EWD Index in Brighton & Hove was 19%, equivalent to 130 Excess Winter Deaths.

3.4 EWD are almost three times higher in the coldest quarter of housing than in the warmest quarter, with an estimated 40% of all EWD being attributable to inadequate housing. The majority of EWD occur in those aged 65+ with 93% of EWD in England occurring in this age group during 2012-2013.

3.5 The NICE guidelines make recommendations, with the aim to:

- Reduce preventable excess winter death rates
- Improve health and wellbeing among vulnerable groups
- Reduce pressure on health and social care services

- Reduce fuel poverty and the risk of fuel debt or being disconnected from gas and electricity supplies
 - Improve the energy efficiency of homes.
- 3.6 A household is defined as being in fuel poverty if it;
- has an income below the poverty line (including if meeting its required energy bill would push it below the poverty line); and
 - has higher than average energy costs.
- 3.7 In Brighton & Hove the 2015 Housing Strategy aims to create 'Decent Warm & Healthy Homes' under the priority of improving housing quality; however the housing stock in Brighton & Hove presents a number of challenges to improving its energy efficiency. The 2008 House Condition Survey showed that the age profile of the total private housing stock differs from the average for England in that there is a substantially higher proportion of pre 1919 stock at 40% compared to the national average of 25%. Overall the stock profile is older than the national picture with 66% built before 1945 compared to 43% in England as a whole. Many private sector properties are labelled 'hard to treat' (e.g. those with solid walls) in relation to standard energy efficiency measures.
- 3.8 The 2011 census showed that the size of the private rented sector in Brighton & Hove has increased by 37% since 2001 with an extra 10,691 homes. Two out of every seven households in the city are now renting from a private landlord, with the city having the 9th largest private rented sector in England & Wales with a total of 34,081 private rented homes.
- 3.9 The factors outlined above can consequently impact on the ability of homeowners, landlords and tenants to improve the energy efficiency of properties and therefore on occupiers to live in warm and healthy homes. The most recent annual fuel poverty statistics report estimated that nearly 15,000 (11.9%) of the city households were estimated to be living in fuel poverty in 2013, higher than the average for the south east region (8.1%). The report also estimated that across England as a whole the level of fuel poverty is considerably higher in the private rented sector (19% of all households in this tenure are fuel poor). This tenure is associated with relatively poor energy efficiency ratings and relatively low incomes which are key drivers of fuel poverty.
- 3.10 Led by the Council's Housing and Public Health departments, a steering group will be established over the coming months, to include representatives from relevant NHS partners, housing, social care and community and voluntary sector organisations to oversee the development of an over-arching Fuel Poverty and Affordable Warmth Strategy for the city. The aim will be to 'embed' the recommendations contained in the NICE guidelines into relevant organisation systems, processes and service delivery where possible. This strategy will also reflect the objectives within the national Fuel Poverty Strategy released in March 2015 at a local level for Brighton & Hove.
- 3.11 It is proposed that a draft of the new Fuel Poverty and Affordable Warmth Strategy will be presented to the Housing & New Homes Committee on the 13th January 2016 and to the Health & Wellbeing Board on the 2nd February 2016.

- 3.12 To support the recommendations within the NICE guidelines and subsequent actions in the Council's own action plan, along with partners across the city, we continue to look for possible funding streams to support and escalate work to support vulnerable householders across the city. A current bid, co-ordinated by Brighton & Hove Citizens Advice Bureau, has been submitted to the British Gas Energy Trust Warm Homes Fund 2015-16. The Council has supported this bid to ensure it fits with the strategic challenges and approach outlined above. The outcome of the bid will be known in September 2015 and update can be provided at committee.
- 3.13 Further to the NICE recommendations outlined in the attached action plan addressing energy inefficient housing and bringing homes up to a minimum standard of thermal efficiency would have the greatest impact on the most vulnerable households. The Council continues to explore options and different models for the delivery of investment into the city's housing, across all tenures. This includes the work we have carried out with partners in Your Energy Sussex and emerging models that enable the Council to lever in new investment outside of the both the general fund and HRA capital investment programmes. Further work will be carried out to explore these options and different models of delivery and reported back to committee as appropriate. Many private sector landlords in the city are keen to work with the council to increase investment in the local housing stock to improve quality; we will work closely with this group to explore the most effective way to achieve this with the aim of increasing levels of energy efficiency.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The Council can choose to not adopt a strategy and wider action plan; support will continue on a small ad-hoc basis. The Public Health funded Warm Homes Healthy People Programme currently operates annually on a limited budget, addressing risks to the most vulnerable groups. Future continuation of the programme will be subject to budget pressures.
- 4.2 The Council can continue to apply for funding streams on an ad hoc basis for specific projects to address the issues outlined above. This is something that can continue regardless, however through engaging with city partners a strategy and corporate/city-wide approach to the issues will ensure a more coordinated approach that would prove to be more effective.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Consultation and feedback from residents and partners from previous projects and programmes will be used to inform the development of the strategy and action plan.
- 5.2 Working with partners across the city, including community and voluntary sector organisations in the development of the strategy and delivery of action plan will ensure a good representation of community views.

6. CONCLUSION

- 6.1 Cold homes pose a significant risk to vulnerable residents' health; this has an impact on people's lives, contributes to preventable winter deaths and creates significant pressure on a variety of services, including the NHS, which is estimated to spend £1.36bn every year treating illnesses caused by cold homes.
- 6.2 Fuel poverty is estimated to affect nearly 15,000 (11.9%) of the city's households, meaning many people in the city are struggling to pay their energy bills and keep their homes warm in the colder months. This has an impact, not only on older people and those with existing health conditions, but also the attainment of children in school and the mental wellbeing of many adults and children.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no direct financial implications of this report. The Fuel Poverty and Affordable Warmth Strategy, once drafted, will be assessed for financial implications prior to implementation and reported as part of the budget monitoring process or separate report to Committee as necessary.

Finance Officer Consulted: Name Monica Brooks Date: 17/08/15

Legal Implications:

- 7.2 As this report is for noting, there are no significant legal implications to draw to the Committee's attention at this time.

Lawyer Consulted: Name Liz Woodley Date: 14/08/15

Equalities Implications:

- 7.3 A full Equalities Impact Assessment will be carried out alongside the development of the Fuel Poverty & Affordable Warmth Strategy.
- 7.4 The vast majority of EWD in England occur among those aged 65 or over. As in previous years in England and Wales, there were more excess winter deaths in females than in males in 2012-13.
- 7.5 In 2013, households in England where the oldest person in the household was aged 16-24 were more likely to be fuel poor. However people aged 75+ experienced the deepest levels of fuel poverty.
- 7.6 Fuel poverty is a contributor to social and health inequalities. In 2013, all fuel poor households in England came from the bottom four income decile groups. Unemployed households in England have the highest rates of fuel poverty across all economic activity groups and lone parent households have consistently been more likely to be in fuel poverty. People who have a long term illness or disability are also more likely to be fuel poor than those who do not.

- 7.7 For Gypsies and Travellers living on site accommodation or travelling, trailers with little insulation combined with the expense of Calor gas can cause higher than average heating costs and fuel poverty. Fuel poverty strategy and interventions may need to be tailored to reach Gypsy Traveller communities.
- 7.8 Some groups at risk of fuel poverty lack awareness and/or understanding of existing sources of support and programmes to help improve home energy efficiency. Lack of understanding can restrict those that are aware to adopt such interventions. This is likely to vary across different groups, for example for people with language barriers (such as minority ethnic communities), and those who have limited social networks and connections with their local community, such as isolated older people and people with learning disabilities.

Sustainability Implications:

- 7.9 The most effective way to tackle fuel poverty and address the issue of cold homes and impacts on health for the long term is to improve the energy efficiency of the city's homes. This also has the potential to reduce CO2 emissions from the city's housing, which currently makes up the largest proportion (42%) of the city's total emissions.
- 7.10 The aims of the strategy and action plan have a significant impact on improvements to the health and wellbeing of some of the city's most vulnerable residents.

Public Health Implications:

- 7.11 Strategically addressing cold homes and fuel poverty in vulnerable groups will contribute to the prevention of ill health and excess winter deaths, reduce health and social inequalities, and improve wellbeing and quality of life.

SUPPORTING DOCUMENTATION

Appendices:

1. Draft action plan in response to NICE guidelines 'Excess winter deaths and morbidity and the health risks associated with cold homes'

Documents in Members' Rooms

1. NICE guidelines 'Excess winter deaths and morbidity and the health risks associated with cold homes'

Background Documents

1. None

Excess winter deaths and morbidity and the health risks associated with cold homes

Brighton & Hove City Council Action Plan in Response to NICE Guidelines

Proposed schedule of meetings

- 1st June 2015 - Health Protection Forum
- 7th July 2015 & 9th November 2015 - Strategic Housing Partnership
- 23rd September 2015 & 13th January 2016 - Housing Committee
- 20th October 2015 & 2nd February 2016 – Health & Wellbeing Board

Recommendation	Who should take action	What we are doing	Further action
<p>1. Develop a strategy</p> <p>Include the health consequences of living in a cold home in the joint strategic needs assessment process.</p> <p>Develop a strategy to address the health consequences of cold homes.</p> <p>Ensure planning includes identifying relevant local interventions and providers from all sectors (such as relevant local authority departments, the health sector, utilities, housing organisations and organisations in the voluntary sector).</p>	<p>Health & Wellbeing Board (HWB)</p>	<p>Risks and challenges are reflected in the following key documents;</p> <ul style="list-style-type: none"> • Cold Weather Plan (CWP) • Joint Strategic Needs Assessment (JSNA) • Housing Strategy • Housing Revenue 	<p>1.1 Pull together relevant work streams, existing policy and sections of relevant existing strategy to develop an overarching Fuel Poverty & Affordable Warmth Strategy for B&H</p> <p>1.2 Set into HWB annual reporting timetable</p> <p>1.3 Establish cross sector Fuel Poverty & Affordable Warmth working group to</p>

Recommendation	Who should take action	What we are doing	Further action
<p>Consider how the issues and actions identified are reflected in health and wellbeing and other relevant local strategies or plans and ensure actions take account of other local and national strategies.</p> <p>Ensure the strategy includes monitoring and evaluation. Also ensure any evaluation is used to improve the strategy and is made publicly available</p>		<p>Account (HRA) capital programme</p> <ul style="list-style-type: none"> • Director of Public Health Annual Report • One Planet Living Sustainability Action Plan 	<p>deliver related action plan and monitor progress. Membership to include BHCC Housing, Public Health, ASC & Children's Services; NHS/CCG; CVS; ESFRS; Landlords, including RPs (housing associations); Gas network operator (SGN); District Network Operator for electricity (EDF).</p>
<p>2. Ensure there is a single-point-of-contact health and housing referral service for people living in cold homes Ensure the referral service:</p> <ul style="list-style-type: none"> • Takes account of existing services. • Involves face-to-face contact, if necessary, with the person using the service, their families and their carers. • Works with the person and their carers to identify problems caused by living in a cold home and the possible solutions. • Makes it clear to the person and their carer what actions are planned (or taking place) and coordinates activities to minimise disruption in the home. • Encourages self-referrals using a free phone number. • Monitors and evaluates the impact of actions taken and gives feedback to the practitioner or agency that originally referred the person. 	<p>HWB</p>	<ul style="list-style-type: none"> • Support and advice to Citizens Advice Bureau bid to British Gas Energy Trust, for funding to implement single-point-of-contact health and housing referral service. • Compiling learning from the Warmth for Wellbeing (WfW) pilot project • Advice and support on fuel poverty and cold homes through the Welfare 	<p>2.1 Report findings and learning from WfW and identify potential longer term funding for city-wide scheme/single point of contact for cold home referrals 2.2 Ensure learnings from DECC funded trials of 'Warmth on Prescription' schemes are used to inform any future local development (Explore any potential future funding from this source) 2.3 Review current Moneyworks commission</p>

Recommendation	Who should take action	What we are doing	Further action
		<p>Benefits Advice Service in selected general practices</p> <ul style="list-style-type: none"> • Refer-all into Private Sector Housing (PSH), part of Council Housing department, previously trialled • Links with community and voluntary sector (CVS) and Advice Partnership through Warm Homes Healthy People (WHHP) Programme & CWP • Brighton & Hove Energy services Company (BHESCO) help desk operates on an ad hoc basis dependent on available resource and funding. • Moneyworks commission includes giving 	<p>to establish scope for this to be single-point-of-contact (SPoC)</p>

Recommendation	Who should take action	What we are doing	Further action
		advice on fuel poverty, debt and welfare benefits	
<p>3. Provide tailored solutions via the single- point-of-contact health and housing referral service for people living in cold homes</p> <p>Solutions should include:</p> <ul style="list-style-type: none"> • Housing insulation and heating improvement programmes and grants. Programmes should be led, or endorsed, by the local authority and include those available from energy suppliers • Advice on managing energy effectively in the home and securing the most appropriate fuel tariff and billing system (including collective purchasing schemes, if available) • Help to ensure all due benefits are being claimed • Registration on priority services registers • Advice on how to avoid the health risks of living in a cold home • Access to, and coordination of, services that address common barriers to tackling cold homes. For example, access to home improvement agencies that can fix a leaking roof, or to voluntary groups that can help clear a loft ready for insulation. • Short-term emergency support in times of crisis (for instance, room heaters if the central heating breaks down or access to short-term credit) 	<p>HWB; BHCC; housing providers; energy utility and distribution companies; faith and voluntary sector organisations</p>	<ul style="list-style-type: none"> • Work with Your Energy Sussex (YES) • Advice and support on fuel poverty and cold homes through the Welfare Benefits Advice Service in selected general practices • Your Energy Sussex /Community Energy South – ‘Sussex Energy Tariff’ • Ad hoc switching advice sessions / energy cafes • Mears Home Improvement Agency • Annual WHHP Programme • HRA capital works programme & Asset Management Strategy 	<p>3.1 Ensure any review of Housing commissioning including review of Home Improvement Agency takes into account need to have robust housing options service in place that is advertised to partners across the city</p> <p>3.2 Consider commission of new service or develop Moneyworks commission</p> <p>3.3 Ensure any opportunities presented by changes to ECO funding are maximised by BHCC/YES</p> <p>3.4 Explore funding streams from national government/ EU and other sources as they become available to assist in funding measures for Brighton & Hove residents</p> <p>3.5 Further exploration of energy switching, Sussex Energy Tariff</p>

Recommendation	Who should take action	What we are doing	Further action
<p>4. Identify people at risk of ill health from living in a cold home Primary health and home care practitioners should:</p> <ul style="list-style-type: none"> • In collaboration with relevant local authority departments, use existing data, professional contacts and knowledge to identify people who live in cold or hard-to-heat homes • Include this information in the person's records and use it (with their consent) to assess their risk and take action, if necessary (see recommendations 2 and 3). • Ensure data sharing issues are addressed so that people at risk can be identified. 	<p>Primary health and home care practitioners</p>	<ul style="list-style-type: none"> • Annual WHHP programme provides advice and information to workers across BHCC, NHS & CVS to increase awareness and facilitate identification of at risk patients and clients. • Previous fuel poverty awareness training sessions • Work with CCG, GPs and clinical teams to identify and refer at risk patients through WHHP Programmes and previous WfW pilot project. • Liaising with CCG Clinical Lead for Sustainability re. opportunities to utilise the newly developed risk 	<p>4.1 Address data sharing issues as part of broader arrangements 4.2 Further engagement with health and care providers across the city 4.3 Engage with Home Care practitioners, review guidance from DECC re. data sharing 4.4 Develop e-learning package / training strategy and enable provision to a broad range of local practitioners 4.5 Engage with health provider Learning & Development teams</p>

Recommendation	Who should take action	What we are doing	Further action
		stratification tool to identify vulnerable patients.	
<p>5. Make every contact count by assessing the heating needs of people who use primary health and home care services Primary health and home care practitioners should:</p> <ul style="list-style-type: none"> • At least once a year, assess the heating needs of people who use their services, whether during a home visit or elsewhere, taking into account the needs of groups who are vulnerable to the cold. • Use their time with people to assess whether they (or another member of the household) are experiencing (or are likely to experience) difficulties keeping their home warm enough. • Be aware that living in a cold home may have a greater effect on people who have to spend longer than an average amount of time at home. This could include those with chronic health conditions (including terminal illnesses) or disabilities. • Be aware that people may not want to admit they are having difficulties paying for heating and may try to hide this. (For instance, they might only put the heating on when expecting a scheduled home visit.) • Give people at risk, and their carers, information about how living in a cold home can affect their health. They should also tell them about services that can help and refer them if necessary. Ensure recipients can understand and act on the 	Primary health and home care practitioners	<ul style="list-style-type: none"> • Previous fuel poverty training provided to frontline workers 	<p>5.1 Embed training into corporate / Adult Social Care (ASC) training programmes 5.2 Engage with health provider L&D teams 5.3 Work with CCG, Community NHS trust (including through the 'Better Care' programme) to engage relevant health professionals/GP practices/teams to assess and refer on</p>

Recommendation	Who should take action	What we are doing	Further action
<p>information they are given.</p> <ul style="list-style-type: none"> • If a cold home is a risk to someone's health and wellbeing, assess the likely effect and identify how the situation could be improved. Make sure relevant services are aware who will take action and when. This could include: <ul style="list-style-type: none"> ○ referral to the local health and housing service ○ referral to a health service (for instance, to ensure the person is offered flu vaccinations at the start of the winter). • Record assessments and actions in the person's notes or care plans. Make this information available to other practitioners, while respecting confidentiality. 			
<p>6. Non-health and social care workers who visit people at home should assess their heating needs</p> <p>People who do not work in health and social care services but who visit people at home (see who should take action?) should:</p> <ul style="list-style-type: none"> • Refer anyone who needs help with the problems of living in a cold home to the local single-point-of-contact health and housing referral service, if they give their consent (see recommendations 2 and 3). • Give people who may be vulnerable to the cold information on the effect that living in a cold home can have on their 	<p>People who do not work in health and social care services but who visit people at home, for instance: to carry out housing repairs, to read or install meters (including the installation of smart meters), or to provide general support or to</p>	<ul style="list-style-type: none"> • Fuel poverty training to front line practitioners from a range of services 	<p>6.1 Train relevant ESFRS staff 6.2 Train and share information with contractors in the Your Energy Sussex supply chain 6.3 Work with Green Growth Platform and the Sustainable Business Partnership to train and inform local businesses</p>

Recommendation	Who should take action	What we are doing	Further action
health and what can be done to remedy this.	socialise. This includes: faith and voluntary sector organisations; energy utility and distribution companies; housing professionals; installation and maintenance contractors		
<p>7. Discharge vulnerable people from health or social care settings to a warm home Those responsible for arranging and helping with someone's discharge from a health or social care setting (see who should take action?) should:</p> <ul style="list-style-type: none"> Assess whether the person is likely to be vulnerable to the cold and if action is needed to make their home warm enough for them to return to. This assessment should take place at any time of the year, not just during colder weather, and well before they are due to be discharged to allow time for remedial action. For instance, it could take place soon after admission or when planning a booked admission. As part of the planned discharge, coordinate the efforts of all the practitioners involved to ensure the home is warm enough. This could include simple measures such as turning on the heating before discharge, providing advice on the ill effects of cold on health, or providing advice on how to use 	Secondary healthcare practitioners; social care practitioners	To confirm current discharge planning with BSUH NHS Trust	<p>7.1 Provide information to workers involved in discharge process at Brighton & Sussex University Hospitals NHS Trust on risks and support available to patients and carers</p> <p>7.2 Engage relevant workers to make early referrals for housing improvements</p>

Recommendation	Who should take action	What we are doing	Further action
<p>the heating system. (It could also involve more complex measures – see below.)</p> <ul style="list-style-type: none"> If needed, refer the person to the local single-point-of-contact health and housing referral system (see recommendations 2 and 3). For example, refer them if the heating system needs replacing or the property needs insulating, or to prevent or address fuel debt. (The latter may accrue during someone's stay in health or social care accommodation.) Ensure any heating issues are resolved in a timely manner, so as not to delay discharge from hospital. 			
<p>8. Train health and social care practitioners to help people whose homes may be too cold Training providers for health and social care practitioners (see who should take action?) should:</p> <ul style="list-style-type: none"> Ensure training to support continuing professional development includes detail on the effect on health and wellbeing of living in a cold home and the benefits of addressing this issue (for example, insulation could save money on heating bills). Ensure ongoing training programmes raise awareness of local systems and services to help people who are living in homes that are too cold for their health. Ensure practitioners can raise the issue of living in a home that is too cold. They should also be able to advise on 	<p>NHS England, universities and other training providers. This includes: accredited agencies that train practitioners in environmental health, nursing and allied professions, medicine and para-medicine, environmental health and housing</p>	<ul style="list-style-type: none"> Previous WHHP fuel poverty awareness training NEA training BESN training delivered by BHESCO 	<p>8.1 Embed training into corporate / ASC training programmes and explore options for sharing this with 3rd sector and private providers 8.2 Engage with Brighton and Sussex Medical School and University of Brighton nursing and midwifery to check forms part of syllabus</p>

Recommendation	Who should take action	What we are doing	Further action
sources of support and help and know how to refer someone, if necessary.			
<p>9. Train housing professionals and faith and voluntary sector workers to help people whose homes may be too cold for their health and wellbeing</p> <p>Training providers for housing professionals and for people working in the faith and voluntary sector (see who should take action?) should:</p> <ul style="list-style-type: none"> • Ensure those in contact with people who may be vulnerable: <ul style="list-style-type: none"> ○ are aware of how cold housing can affect people's health and wellbeing ○ can spot when and how someone is at risk of being too cold at home ○ know of local services designed to address these problems ○ understand how to refer someone for help. 	<p>Training providers including: Chartered Institute of Environmental Health, Chartered Institute of Housing, National Council for Voluntary Organisations, National Association for Community and Voluntary Action, National Housing Federation, Board Development Agency, further education colleges and accredited NVQ training agencies, universities</p>	<ul style="list-style-type: none"> • Previous WHHP fuel poverty awareness training • NEA training • Big Energy Saving Network training delivered by BHESCO • HRA staff trained and engaged in schemes targeted at Council Housing Tenants 	<p>9.1 Work through the Strategic Housing Partnership to share learning and training opportunities amongst all housing workers</p> <p>9.2 Explore opportunities to share learning/training packages with local CVS groups through Community Works and local faith networks</p>

Recommendation	Who should take action	What we are doing	Further action
<p>10. Train heating engineers, meter installers and those providing building insulation to help vulnerable people at home</p> <p>Employers who install and maintain heating systems, electricity and gas meters and building insulation and those involved in employee training (see who should take action?) should ensure employees who visit vulnerable people are:</p> <ul style="list-style-type: none"> • Trained to deal sensitively with the needs of the person they are visiting. For instance, they should provide information about the work they are doing in a form that can easily be understood by the recipient. • Aware of how a cold home can affect someone's health and are able to spot if someone is vulnerable to the cold and the risks they are facing. • Able to identify if ventilation is adequate – and know how to put this right if it is not. This includes knowing who to call if there is a problem. • Given accreditation for these skills. 	<p>Employers who install and maintain heating systems, electricity and gas meters and building insulation; training providers including energy utility and distribution companies, further education colleges and accredited NVQ training agencies</p>		<p>10.1 Through Your Energy Sussex, Green Growth Platform and Sustainable Business Partnership work with local supply chain to ensure heating engineers have information on support available and referral options</p>

Recommendation	Who should take action	What we are doing	Further action
<p>11. Raise awareness among practitioners and the public about how to keep warm at home Health and wellbeing boards, Public Health England and the Department of Energy and Climate Change should:</p> <ul style="list-style-type: none"> • Ensure up-to-date information is available in appropriate formats for both practitioners and the public on how cold homes can affect people's health. • Address commonly held misconceptions, for instance, that drinking alcohol can help keep someone warm, that hypothermia is the main health problem caused by the cold, or that sleeping in a cold bedroom is good for your health. • Ensure up-to-date details of national and local support is available for both practitioners and the public. This support might include: help to improve the fabric of the housing or the heating system; help to make heating the home more affordable; or general advice on how to keep warm. • Ensure national advice takes into account local and regional variations in the kind of support offered. 	<p>HWB; Public Health England; the Department of Energy and Climate Change</p>	<ul style="list-style-type: none"> • Previous WHHP fuel poverty awareness training and outreach workshops • Information and advice leaflets and room thermometer cards provided through WHHP • NEA training • BESN training delivered by BHESCO • BHCC web pages 	<p>11.1 Build on previous WHHP Programmes to run annual public awareness campaigns</p> <p>11.2 Work with healthy living pharmacies in the city to link with related winter campaigns such as flu.</p> <p>11.3 Utilise Public Health England NHS Winter Campaign and associated marketing and resources.</p>
<p>12. Ensure buildings meet ventilation and other building and trading standards Building control officers, housing officers, environmental health officers and trading standards officers should:</p> <ul style="list-style-type: none"> • Ensure changes to buildings are carried out at least to the standards required by building regulations, in particular with 	<p>Building control officers; housing officers; environmental health officers; trading standards officers</p>	<ul style="list-style-type: none"> • Private Sector Housing team inspections and visits, advice on condensation and mould leaflet • Previous promotion 	<p>12.1 Target training and information at housing officers, building control and trading standards officers</p> <p>12.2 Ensure alignment to new regulations on Energy Efficiency in Private</p>

Recommendation	Who should take action	What we are doing	Further action
<p>respect to ventilation (see the government's Planning portal).</p> <ul style="list-style-type: none"> Use existing powers to identify housing (particularly in the private rented sector) that may expose vulnerable residents (see recommendation 5) to the cold. Existing powers fall under both the housing health and safety rating system and trading standards legislation (in relation to energy performance certificates). <p>Ensure any relevant problems are addressed.</p>		<p>of Private Sector Housing Team and referral route to GPs</p>	<p>Rented Sector and monitoring of this locally</p>

DRAFT

Subject:	Living Rent		
Date of Meeting:	23 September 2015		
Report of:	Acting Executive Director Environment, Development & Housing		
Contact Officer:	Name:	Martin Reid	Tel: 29-3321
	Email:	martin.reid@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 At the Housing & New Homes Committee (17 June 2015) the Chair responded to a public question concerning Living Rent calculations on new council housing being developed in the City. The meeting resolved that the public question be noted. The Executive Director, Environment Development & Housing advised that there would be a report to the next meeting of the Committee showing the difference between rental levels.
- 1.2 This report outlines some of the key challenges and considerations when developing a Living Rent model.
- 1.3 The report also notes that the following matters have arisen since Housing & New Homes Committee on 17 June that are material to any meaningful review of Living Rent models, are currently subject to consideration by officers and will require a full report to a future Committee meeting:
 - The Government's Summer Budget 2015 announcements, including that rents in social housing sector will be reduced by 1% a year for the next four years, will have a material impact on the Housing Revenue Account Business Plan and budget decisions, including rent calculations on any new housing schemes.
 - Initial discussions are taking place with Greater Brighton partners about new models of delivery, including exploring Living Wage housing models, as part of the emerging Devolution proposals.

2. RECOMMENDATIONS

- 2.1 That the Housing & New Homes Committee notes the contents of this report.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Housing & New Homes Committee on 17 June 2015 considered the following public question:

'At the March meeting of the Housing Committee, Councillor Randall said that the council would be carrying out Living Rent calculations on the new council housing being developed and that the Head of Housing Strategy and

Development promised to report on his work in the June meeting. Councillors wished to find ways to offer new council housing at a Living Rent rather than an unaffordable 80% of market rent. Do these models include the option to extend the repayment period on the building costs of new homes, so that rents can be lowered without increasing the subsidy required?’

The Executive Director, Environment, Development and Housing replied that there would be a report to the next meeting. Our initial outline of some of the key challenges and considerations to be taken into account when developing a Living Rent model are outlined in paragraphs 3.6 to 3.19 of this report.

- 3.2 On Wednesday 8 July 2015 the Chancellor announced his Summer Budget to Parliament. Key announcements in relation to reforming the welfare system included that rents for social housing will be reduced by 1% a year for 4 years, and tenants on higher incomes (over £40,000 in London and over £30,000 outside London) will be required to pay market rate, or near market rate, rents.
- 3.3 The impact of the measures in the Summer Budget for the HRA Business Plan is currently being reviewed by council officers and will require a full report back to a future Housing & New Homes Committee, including implications for the modelling of rents on the building costs of new homes. Registered Provider partners in the City are also considering the implications of reduced social housing rents on their ability to borrow to deliver new rented homes in Brighton & Hove.
- 3.4 In addition:
- Discussions are taking place with Greater Brighton partners about new models of delivery, including exploring Living Wage housing models, as part of the emerging devolution proposals.
 - Following a report to Policy & Resources Committee (14 October 2014) on ‘Improving Housing Supply, Off Plan Procurement & Residential Acquisitions’, and a successful bid to Department of Communities & Local Government for case study funding, modelling is being undertaken to review options for the Council to intervene in the local housing market as potential purchaser (or lessee) of new housing being brought forward on development sites in the City to meet housing needs.
- 3.5 It is proposed more information on both of these initiatives, in particular as it relates to any considerations aligned to Living Rent models, also be included in a future report to Housing & New Homes Committee.

Living Rent – an outline of key challenges and considerations

- 3.6 A key Housing Strategy 2015 priority is support for new housing development that delivers a housing mix the city needs with a particular emphasis on family, Affordable Rent and where feasible, Social Rented housing. The Government introduced Affordable Rent to help fund the development of new affordable housing using less public subsidy. Those homes developed with Government funding (and some existing homes when vacant), including those funded by use of Right to Buy receipts, are now let at a rent up to 80% of market rent. The extra rent enables the housing provider to borrow more money to pay for building the home in place of higher grant.

- 3.7 Through the Tenancy Strategy (2013) the council is committed to:
- Ensuring that existing council tenants will continue to enjoy lifetime tenancies within the existing Social Rent framework, with no conversion of vacant Council homes to Affordable Rent;
 - Keeping Affordable Rents affordable, ensuring that Affordable Rents to be set at the lower of either 80% market rent level or the Local Housing Allowance (LHA) limit.
- 3.8 In practice, due to the increasing gap between market rents and the LHA levels, Affordable Rents in the city are not set at 80% market rate but are capped at the LHA limit. When compared to 2014/15 market rents, the LHA equates to around 78% and 64% of market rent for a one bedroom flat and a three bedroom house respectively.
- 3.9 A number of consultation responses to the development of the new Housing Strategy 2015 and deputations to Committee have argued that Affordable Rents or LHA rents are too high for those on low incomes who see little noticeable difference in their disposable incomes from their work efforts and have called for a Living Rent in Brighton & Hove that is affordable to those on lower incomes.
- 3.10 In theory, the Local Housing Allowance (LHA) provides a safety net that supplements incomes for those with rents beyond their affordability. However, even when rents are within LHA limits, the high cost of renting in Brighton & Hove means that a household needs to be earning a significant sum before they see a real increase in their disposable income beyond the minimum disregards and taper allowances afforded by the LHA. In effect, all those earning below the level required to be free of the LHA see very small differences in their disposable income despite the range in hours worked and money earned.
- 3.11 The Living Rent is intended to be a level below LHA limits, where those in work but at lower income levels can see a noticeable difference in their disposable income.
- 3.12 However, there is no set definition of a Living Rent and a multitude of assumptions, options and methodologies that could be used to set such a level.
- 3.13 A true Living Rent would be based on the individuals income irrespective of the size of the property they needed to live in which brings us back to the traditional rent model with LHA to top up the shortfall which has its own shortcomings as outlined above.
- 3.14 This shapes the real meaning of what is behind the Living Rent concept to effectively having “a lower rent” that is between the higher LHA level rents and Social Rents such as those charged on existing council homes. The lower the rent, the more subsidy required to build a new home which, without additional investment or alternative borrowing strategies, risks fewer new affordable homes being built overall.
- 3.15 To define what this lower rent level may be, a number of assumptions will need to be made. Each of these assumptions has the potential to be considered in a number of ways and would therefore be subject to an options appraisal that

would require a range of stakeholder input. Some of the challenges in defining a Living Rent include:

What proportion of income is affordable to spend on housing costs? An affordable housing cost is defined by various researchers and agencies in a number of ways, such as 25% of net income, 35% of gross income. The real circumstances of households vary so much – wages, numbers earning, tax, national insurance, child care, location costs etc. adding to the complexity of linking rents to earnings and what is affordable.

- **At what level do we set the rent?** A key consideration is whether we set rents based on the specific household's ability to pay. Research has shown that tying rents directly to individual's incomes raises concerns about work incentives and social mix, as well as increased administration costs. To counter this, a mechanism for linking rents to average local earnings data, such as that available from the Annual Survey of Hours and Earnings (ASHE) produced by the National Office of Statistics (which is updated annually) could be used as a basis to set rent levels. It is also important to recognise that service charges are also an important aspect to rent setting and need to be considered as part of the whole affordability approach. Critically, if the level is set too low, the rent will not be enough to cover the property costs and the higher the level, the fewer the people who would be able to afford it.
 - **How do we account for different property sizes?** A household can afford a fixed level of rent based on their income. A key Living Rent challenge is therefore whether the same rent should be charged / paid irrespective of the property size required? A method could be used to adapt the figures arising from the average earnings data to reflect the differing composition of household in different sized properties. This would allow for the fact that household income for low paid families with children is likely to be enhanced by government support.
- 3.16 One of the biggest challenges is that a Living Rent is about an individual household's ability to afford their home which is dependent on their income. Where-as, the rent of a property is dependent on the cost to build, maintain, manage the home. By their very nature, larger houses are going to cost more to build and maintain, however, a single earner on the minimum wage can afford the same rent level irrespective of whether they need to live in a 1, 2, 3 bed or larger home.
- 3.17 Reduced public subsidy and higher income risks aligned to welfare reform have made borrowing to build homes for rent a much higher risk for Registered Providers with a significant shift away from development of homes for both Social Rent (no new homes planned) and Affordable Rent. The City Council has responded to these challenges by initiating a programme to develop new affordable council homes for rent on HRA owned land.
- 3.18 Housing Committee unanimously agreed at its meeting on 6 March 2013 that a range of funding, rent and home ownership options should be provided in new housing to be developed on HRA land under the Estate Regeneration Programme in order to ensure that development is viable and to increase the number of new homes the Estate Regeneration Programme can deliver. The

report indicated the level of Affordable Rents and the impact these higher rents would have on the number of homes the HRA could develop.

- 3.19 To illustrate the impact of a notional Living Rent on new affordable housing development, for illustrative purposes only, a rental figure of £600 per month modelled for the recently approved Findon Road scheme and applied to all units regardless of number of bedrooms (based on 1/3 of an average local wage of £22,000 per annum) would increase the subsidy required from the Housing Revenue Account (HRA) from £17,000 per unit to £71,000 per unit; an overall increase of £54,000 per unit. Over the Findon Road development this is an overall increase of HRA scheme subsidy requirement of around £3.100M. This is modelled over 40 years which is in line with housing sector standards where schemes are generally modelled on between 30-40 years.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 This is a scoping report outlining some of the key considerations to a Living Rent. If a Living Rent was defined for Brighton & Hove, a wide range of financial options and permutations will have to be explored.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Consultation on the Housing Strategy 2015 and deputations to Committee have repeatedly called for some form of rent restraint, whether in the private rented sector or with affordable social housing. Any new Living Rent model would have to be developed with full stakeholder engagement.

6. CONCLUSION

- 6.1 The challenges in developing a Living Rent model raises the key consideration that affordability or a 'Living Rent' is a factor of the households ability to pay rather than being based on the property size, value and costs to develop and manage. Any 'Living Rent' level that we could suggest risks being a theoretical concept that would be difficult to apply in practice.
- 6.2 Based on the above, this would suggest a larger scale research project may be required that would require extensive stakeholder engagement. Clearly, with Brighton & Hove being a low wage economy with excessively high property costs, there is a need to consider how best we can support households within our financial envelope and perhaps this may be a matter for an independent body such as the Fairness Commission or one of the Universities to consider.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Officers are currently reviewing the impact of the Government's Summer Budget 2015 announcements (Welfare Reform bill) on the Housing Revenue Account (HRA) 30 year Business Plan. The most significant announcement for our authority's HRA is the proposed 1% reduction in in social housing rents from April

2016 for 4 years. Although the 4 year rent reduction may be seen as good news for some tenants, the reductions in rental income has a significant impact on the HRA financial plans, and therefore the resources available to deliver services, property and estate improvements and development plans.

- 7.2 The budget statement also included provision for high income (£30k household income) tenants to be charged a market or near market rent ('Pay to Stay') with the additional rent raised by local authorities to be returned to the Treasury. This is expected to be introduced from April 2017.
- 7.3 Other announcements were also made on the on-going welfare reforms, including
- Roll out of universal credit, payments to claimants rather than to landlord
 - 18-21 will no longer be automatically entitled to Housing Benefit
 - Benefit cap for working age families reduced to £20,000
 - Continuation of bedroom tax.
- 7.4 Officers are reviewing what actions can be introduced to mitigate the loss of rental income within the HRA from the recent budget announcements, including how the future plans of investment in existing stock, as well as building new homes can be managed within the funds available to the HRA.. A full report will be presented to a future New Homes and Housing Committee.
- 7.5 The example in this report of a reduced notional living rent modelled for Findon Road scheme, shows a potential increase in HRA subsidy required of approximately £3.100M as detailed in the body of the report.

Finance Officer Consulted: Name Susie Allen

Date: 13/09/2015

Legal Implications:

- 7.6 Rents for council properties are required to be reasonable (section 24 Housing Act 1985). This gives the council a wide discretion to fix their own rents.

Lawyer Consulted:

Name Liz Woodley

Date: 11/09/2015

Equalities Implications:

- 7.7 A Living Rent set below the Local Housing Allowance or legally defined Affordable Rent level (80% market rent) will reduce housing costs and increase disposable income for those affected households. This will benefit vulnerable groups. However, if the trade off is that fewer affordable homes are developed then overall, fewer households can be helped. This trade off will need careful consideration.

Sustainability Implications:

- 7.8 None arising from this report.

Any Other Significant Implications:

- 7.9 Increasing a household's disposable income via reduced rents will improve their quality of life as they will be more able to heat their homes, provide adequate food and clothing, engage in social activities and cultural opportunities that Brighton & Hove is able to offer. However, there would be implications for the HRA Business Plan which will be reported to a future meeting.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms

1. None

Background Documents

1. None

Subject: Housing Management Performance Report
Quarter 1 2015/16

Date of Meeting: 23 September 2015

Report of: Acting Executive Director for Environment,
Development & Housing

Contact Officer: Name: Ododo Dafé Tel: 01273 293201
Email: ododo.dafe@brighton-hove.gov.uk

Ward(s) affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 This Housing Management Performance Report covers the first quarter of the financial year 2015/16.







2. RECOMMENDATIONS:

2.1 That the Housing & New Homes Committee notes and comments on the report, which went to Area Panels in July and August 2015.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 The report continues the use of the 'RAG' rating system of red, amber and green traffic light symbols to provide an indication of performance, and also trend arrows to provide an indication of movement from the previous quarter. Explanations of performance have been provided for indicators which are red or amber.

3.2 Key to symbols used in the report:

Status		Trend	
Performance is below target (red)		Poorer than previous reporting period	
Performance is close to achieving target, but in need of improvement (amber)		Same as previous reporting period	
Performance is on or above target (green)		Improvement on previous reporting period	

3.3 The report includes benchmarking figures from Housemark to compare our performance with other housing providers. Unless stated otherwise, all figures represent the top quartile performance (top 25%) during the year 2014/15 and benchmark against all participating upper tier local authorities with a stock size of 10,000 dwellings or more. These local authorities are as follows:

- Aberdeenshire Council
- Bristol City Council
- City of Edinburgh Council
- Dudley MBC
- East Riding of Yorkshire Council
- Fife Council
- Hull City Council
- LB of Barking and Dagenham
- LB of Camden
- LB of Croydon
- LB of Ealing
- LB of Hammersmith and Fulham
- LB of Havering
- LB of Hillingdon
- LB of Islington
- LB of Southwark
- LB of Wandsworth
- North Lanarkshire Council
- North Tyneside Council
- Renfrewshire Council
- Sheffield City Council
- South Lanarkshire Council
- Southampton City Council
- Stoke on Trent City Council
- Swindon BC
- West Dunbartonshire Council

4.0 Rent collection and current arrears

The indicators below are year-to-date, and their targets are for the end of the year, rather than for each quarter. Therefore, no traffic lights or trend arrows will be applied until the quarter four 2015/16 report.

Performance Indicator		Q1 2015/16	Target 2015/16	Housemark benchmark (top quartile)	RIEN benchmark* (average)
1	Rent collected as proportion of rent due for the year (projected rate for the 2015/16 financial year)	98.57% (£51.18m of £51.93m)	98.40%	-	97.54%
2	Tenants with seven or more weeks rent arrears	3.15% (362 of 11,505)	4.07%	-	5.48%
3	Tenants in arrears served a Notice of Seeking Possession (NoSP)	6.07% (166 of 2,734)	24.82%	-	28.95%
4	Tenants evicted because of rent arrears	0.02% (2 of 11,505)	0.29%	0.15%	0.41%
5	Rent loss due to empty dwellings	1.12% (£581k of £51.68m)	1.3%	1.07%	-
6	Former tenant arrears collected	10.96% (£67k of £612k)	34.25%	-	14.43%
7	Rechargeable debt collected	1.73% (£3.8k of £222k)	19.78%	-	-

*Rent Income Excellent Network benchmarking of 45 local authorities for 2014/15. Although the published analysis does not break down by quartile, it does include an average figure for all respondents.

4.0.1 Rent collected as proportion of rent due for the year by area







Rent collection area		Q1 2015/16
1	North (includes Seniors Housing)	99.16% (£14.61m of £14.74m)
2	West	98.93% (£10.40m of £10.51m)
3	Central	98.56% (£9.28m of £9.41m)
4	East	97.85% (£16.89m of £17.26m)
5	All areas	98.57% (£51.18m of £51.93m)

4.0.2 Tenants in arrears by amount

Amount of arrears		Q1 2015/16
1	No arrears	76.2% (8,771)
2	£0.01 to £49.99	6.0% (690)
3	£50 to £99.99	4.1% (474)
4	£100 to £499.99	10.4% (1,195)
5	£500 to £999.99	2.2% (252)
6	£1000 or more	1.1% (123)
7	Total tenants	100% (11,505)

4.0.3 A table presenting information relating to the impact of the removal of the spare bedroom subsidy for under occupying households is attached as appendix 1.

4.1 Customer services and complaints

Performance indicator		Q1 2015/16	Target 2015/16	Status against target	Trend since last quarter	Housemark benchmark
1	Calls to Housing Customer Services answered	80% (11,307 of 14,203)	84%			89% (median, 2014/15)*
2	Stage 1 complaints upheld	31% (9 of 29)	36% or under			33% (upper quartile, 2013/14)
3	Stage 2 complaints upheld	0% (0 of 4)	6% or under			-

*The median figure is used for a fairer comparison, as the Housemark definition allows organisations to exclude calls abandoned in under 5 seconds, which we are not currently able to do using our telephony software.

4.1.1 As of quarter one, two indicators are on target (green) and one is near (amber).

The indicator near target is:

- **Calls to Housing Customer Services answered:**










This was a challenging quarter for the Housing Customer Services Team, which started taking phone calls for both Seniors Housing and the Neighbourhoods Team (who are often out on site). The team has also been taking phone payments since February 2015. This increased demand has taken some adjusting to, as the team are working to meet it using the same level of staffing as before. Although 2,896 calls were abandoned, only 377 (3%) were abandoned by the customer after waiting for more than 30 seconds. Furthermore, the team have managed to answer an average of 182 calls per working day. In order to improve performance, the team are looking at how it manages calls that take longer than they perhaps could, and what information is given to ensure customers have less need to make repeated calls.

4.1.2 In addition to the indicators above, the Housing Customer Services Team carry out customer satisfaction surveys every six months. Key results from the March 2015 survey are:

- 90% of respondents were satisfied with the overall service from the Housing Customer Service Team.
- 94% of respondents said they found it easy to access the Housing Customer Services Team.

The results for September 2015 will be provided in the quarter two 2015/16 report.

4.2 Empty home turnaround time and mutual exchanges

Performance Indicator (re-let time indicators are in calendar days)		Q1 2015/16	Target 2015/16	Status against target	Trend since last quarter	Benchmark (top quartile)
1a	Average re-let time, excluding time spent in major works	28 (134 lets)	21			22 (LAHS*, 2013/14)
1b	... as above for general needs properties	19 (103 lets)	18			-
1c	... as above for Seniors Housing properties	58 (31 lets)	45			-
2	Average re-let time, including time spent in works	53 (134 lets)	-	-		41 (Housemark, 2013/14)
3	Decisions on mutual exchange applications made within statutory timescale of 42 calendar days	100% (40 of 40)	100%			-

*Local Authority Housing Statistics, which are collected and published by central government.

4.2.1 As of quarter one, one indicator is on target (green), two are below target (red) and one is near target (amber). The indicators below target are:

- Average re-let time, excluding time spent in major works:**
Although the target was missed, performance has slightly improved since the last quarter, from 31 days to 28 days. The average re-let time continues to be considerably higher for Seniors Housing properties (58 days) than for general needs properties (19 days). However, a lot of work has been done to bring back long-term (6 weeks or more) Seniors Housing empty properties back into use, with the number falling from 23 at the end of March to 17 at the end of July. As these numbers fall the turnaround time should start to significantly improve over the course of the financial year.



























The target times Housing set for re-lets are ambitious, as they reflect the highest levels of performance among other local authorities. Performance is back on target as of July, at 20 days (14 for general needs and 38 for Seniors Housing) and is on course to remain so for the rest of quarter two.













- Seniors Housing average re-let time:**
Please see above commentary for 'Average re-let time excluding time spent in major works'.

The indicator near target is:

- General needs average re-let time:**
Please see commentary on previous page for 'Average re-let time excluding time spent in major works'.

4.3 Property & Investment

Performance Indicator		Q1 2015/16	Target 2015/16	Status against target	Trend since last quarter	Housemark benchmark (top quartile)
1	Emergency repairs completed in time	99.87% (2,392 of 2,395)	99%			99.8% (2013/14)
2	Routine repairs completed in time	99.98% (6,373 of 6,374)	99%			99.9% (2013/14)
3	Average time to complete routine repairs (calendar days)	10 days	14 days			-
4	Appointments kept by contractor as proportion of appointments made	96.96% (6,888 of 7,104)	97%			98% (2014/15)
5	Tenant satisfaction with repairs (respondents during the quarter who were very satisfied or fairly satisfied)	98.25% (2,586 of 2,632)	96%			94% (2014/15)
6	Responsive repairs passing post-inspection	95.90% (1,100 of 1,147)	97%			-
7	Repairs completed at first visit	93.41% (8,191 of 8,769)	92%			91.6% (2014/15)
8	Cancelled repair jobs	3.52% (319 of 9,062)	Under 5%			-
9	Dwellings meeting Decent Homes Standard	99.88% (11,649 of 11,662)	100%			100% (2014/15)
10	Energy efficiency rating of homes (SAP 2009)	64.53	64.4			70.4 (2014/15)
11	Planned works passing post-inspection	100% (241 of 241)	97%			-
12	Stock with a gas supply with up-to-date gas certificates	100% (10,227 of 10,227)	100%			100% (2014/15)
13	Empty properties passing post-inspection	99.35% (154 of 155)	98%			-

Performance Indicator		Q1 2015/16	Target 2015/16	Status against target	Trend since last quarter	Housemark benchmark (top quartile)
14	Lifts – average time taken (hours) to respond	1h 36m	2 hours			-
15	Lifts restored to service within 24 hours	97.89% (139 of 142)	95%			-
16	Lifts – average time to restore service when not within 24 hours	19 days (56 days, 3 lifts)	7 days			-
17	Repairs Helpdesk - calls answered	98% (18,031 of 18,492)	90%			-
18	Repairs Helpdesk - calls answered within 20 seconds	84% (15,087 of 18,031)	75%			-
19	Repairs Helpdesk - longest wait time	6m 6s	5 mins			-

4.3.1 As of quarter one, 14 indicators are on target (green), four are near target (amber) and one is below target (red). The indicator below target is:

- Lifts – average time to restore service when not within 24 hours:**
 A lift at Goldstone House in Hove took 48 calendar days to restore to service, due to the difficulties of sourcing multiple components needed during repairs. The other lift in Goldstone House stops at every floor and was in service during the whole period. This was an exceptional case and, as only two other lifts took more than 24 hours to restore to service in quarter one, this single breakdown has skewed the result to 19 days, which is well outside the target of 7 days. This result should recover significantly as the year progresses.

The indicators near target are:

- Appointments kept by contractor:**
 The target of 95% from previous years was increased to 97%, and performance in quarter one very narrowly missed the new target by 0.04%.
- Responsive repairs passing post-inspection:**
 Of the 1,147 responsive repairs that were post-inspected during quarter one, 47 failed: 26 required further works to complete the repair; 15 failed due to poor quality work; three were overclaimed (meaning less work was done than was stated on the repair order); two were failed by the supervisor because the expectations of the tenant were not fully met, although the technical requirements were; and one was failed due to a trip hazard (uneven concrete slabs at the front of the property). The number of post-

inspections has increased significantly this year, and all failures are recorded and discussed with operatives and sub-contractors at regular review meetings in order to continuously improve quality. The target of 95% from previous years was increased to 97%, and performance in quarter one missed the new target by 1.1%.

- Dwellings meeting Decent Homes Standard:**
 As of 30 June 2015, 13 properties failed the Decent Homes Standard. Of these: five properties have works scheduled for July or August to bring them up to standard; three properties are awaiting works because residents have either not responded to letters or have missed appointments; two properties are being assessed for required works; two properties missed the deadline because the tenant had a change of mind (one tenant now wants a bathroom instead of a kitchen, and the other tenant would like a level access shower); and one because the tenant cancelled the works (and which has since been granted a waiver).
- Repairs Helpdesk - longest wait time:**
 The longest wait time exceeded the five minute target on three days in April, one day in May, and no days in June. The average daily longest wait time during the quarter was 2 minutes 40 seconds, which is the best ever result for the Repairs Helpdesk.

4.3.2 Asbestos and Legionella safety compliance inspections













An update of the data in the table below will be provided in the 2015/16 end year performance report.

Inspection type	Inspections carried out	Inspections which passed	Pass rate
Asbestos	566 (2014/15)	566 (2014/15)	100%
Legionella*	TBC (new KPI – due end 2015/16)	TBC (new KPI – due end 2015/16)	TBC

*The council's next Annual Statement of Compliance for the Control of Legionella is due in November 2015 and can be made available upon request.

4.4 Estates Service

Please note there are no comparable benchmark figures for the below indicators on Housemark.





Performance Indicator		Q1 2015/16	Target 2015/16	Status against target	Trend since last quarter
1	Cleaning quality inspection pass rate	99% (201 of 203)	98%		
2	Neighbourhood Response Team quality inspection pass rate (minor repairs and bulk waste)	100% (133 of 133)	99%		
3	Cleaning tasks completed	98% (13,222 of 13,543)	98%		
4	Bulk waste removed within 7 working days	97% (702 of 723)	98%		
5	Light replacements/repairs completed within 3 working days	99% (297 of 300)	99%		
6	Mobile warden jobs completed within 3 working days*	96% (1,230 of 1,277)	96%		
7	Incidents of drug paraphernalia collected and reported to the Police	48	-	-	-

*Includes 5 internal graffiti removal jobs, all of which were completed within 3 working days.

4.4.1 As of quarter one, five indicators are on target and one is near target. The indicator near target is:

- Bulk waste removed within 7 working days**
 Although the target was missed, performance has improved significantly since the previous quarter (from 91% to 97%). Performance had fallen in past months because the Neighbourhood Response Team had taken on a lot more jobs for tenants – such as paid for bulk collection/disposal – but these have now been restricted to less busy days and performance came back on target in May and remained on target in June.

4.5 Anti-social behaviour (ASB)

Performance Indicator		Q1 2015/16	Target 2015/16	Status against target	Trend since last quarter	Housemark benchmark*
1	Victim satisfaction with closed ASB cases (respondents who were very satisfied or fairly satisfied)	83% (5 of 6)	80%			90% (upper quartile, 2014/15)
2	ASB cases closed resulting in tenancy legal action (including eviction)	24% (5 of 21)	-	-	-	-
3	Tenants evicted due to ASB	0	-	-	-	-
4	Success rate of tenancy sustainment officer cases	97% (32 of 33)	95%			-

*The benchmarking data presented in this table covers 2014/15 but does not use our peer group. The data is sourced from 164 Housemark members who provided this data as part of a specialist ASB benchmarking exercise.

4.5.1 Reports of ASB incidents by type

ASB incident category		Q1 2015/16
1	Noise incidents	18% (97)
2	Harassment / threats incidents	22% (115)
3	Hate-related incidents	1% (5)
4	Vandalism incidents	6% (34)
5	Pets / animals incidents	10% (53)
6	Vehicles incidents	2% (11)
7	Drugs incidents	4% (20)
8	Alcohol related incidents	1% (8)
9	Domestic violence / abuse incidents	4% (23)
10	Other violence incidents	2% (13)
11	Rubbish incidents	9% (46)
12	Garden nuisance incidents	10% (54)
13	Communal areas / loitering incidents	9% (46)
14	Prostitution / Sex incidents	0% (1)
15	Other criminal behaviour incidents	2% (10)
16	Total ASB incidents	100% (536)

N.B. The method for collating ASB incident statistics has been revised to use the Housemark categories and their definitions, so that they can be provided with data. This excludes specific types of incidents that were reported in this section last year (bulk waste/fly-tipping and drugs paraphernalia dealt with only by the Estates Service team, which are now included in the Estates Service section of this report).

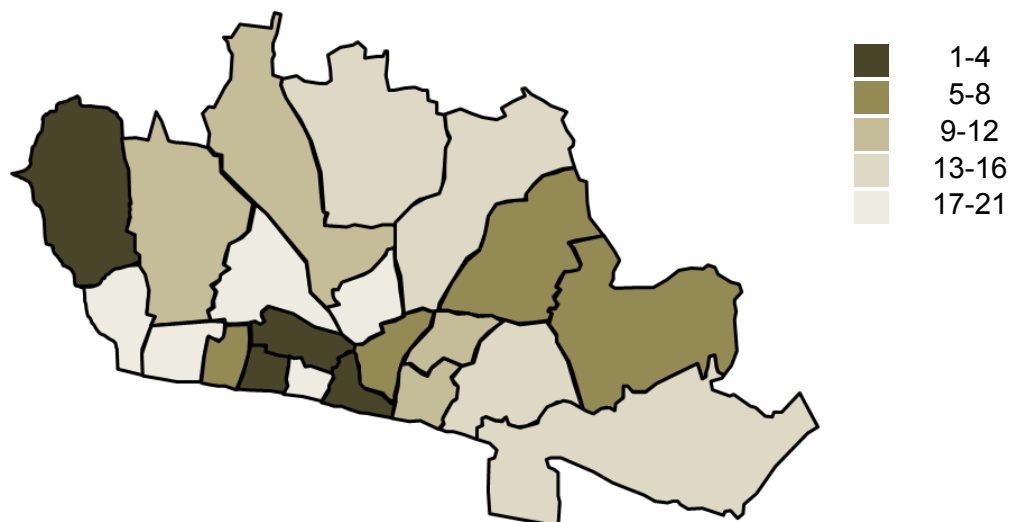
4.5.2 Reports of ASB incidents by ward during the quarter

Ward	Q1 2015/16 incidents	Incidents per 1,000 properties*
Brunswick & Adelaide	0	0
Central Hove	6	67
East Brighton	80	32
Goldsmid	24	51
Hangleton & Knoll	60	35
Hanover & Elm Grove	21	38
Hollingdean & Stanmer	48	31
Hove Park	0	0
Moulsecoomb & Bevendean	69	42
North Portslade	31	62
Patcham	20	34
Preston Park	2	16
Queen's Park	77	37
Regency	2	67
Rottingdean Coastal	1	34
South Portslade	11	26
St. Peter's & North Laine	24	46
Westbourne	6	41
Wish	10	20
Withdean	2	35
Woodingdean	25	51
Total	519	37

N.B. As a new methodology is being used, it is not yet possible to show trends since the previous quarter, but this information will be included in the quarter two 2015/16 report.

*Following a query at Area Panel, please note that this column provides the data shown on the map on the following page.

4.5.3 Map of reports of ASB incidents per 1,000 properties by ward (rank)



The map above shows the ranking of wards by their level of ASB relative to the size of their council housing stock. For example, the darkest shade represents the four wards with the highest rates of ASB during the quarter (ranking them 1 to 4) and the lightest shade represents the five wards with the lowest rates of ASB (ranking them from 17 to 21).

4.6 Tenancy Fraud

Performance Indicator		Q1 2015/16	Target 2015/16	Status against target	Trend since last quarter
1	Tenancy fraud cases investigated and closed	30	-	-	↑
2	Properties taken back due to tenancy fraud	8	-	-	↑

4.7 Seniors Housing

Performance Indicator		Q1 2015/16	Target 2015/16	Status against target	Trend since last quarter
1	Individual wellbeing calls made to residents	29,406	-	-	-
2	Residents living in schemes offering regular social activities	97% (845 of 869)	95%	G	↑
3	Residents living in schemes offering regular exercise classes	63% (548 of 869)	61%	G	↑
4	Schemes hosting events in collaboration with external organisations	91% (21 of 23)	91%	G	↔

5. COMMUNITY ENGAGEMENT AND CONSULTATION:

5.1 The performance measures in this report demonstrate whether Housing are delivering quality service and are for scrutiny by members, residents and the general public. This report was taken to the four Area Panels in July and August 2015 and the issues raised are as follows:

- At the East Area panel it was suggested that telephone answering performance by the Housing Customer Services Team may be affected by more calls being made later in the day. Officers responded that there may be prospect to adjust rotas to meet this demand.
- At the East Area Panel it was raised that there are currently no reports on Asbestos or Legionnaires' disease, which had been provided in the past. An update due to a rise of reports of Legionnaires' disease was requested, and it was agreed that a separate update would be provided regarding stock condition etc. and the Fire Health and Safety Board will look at feedback on Asbestos and Legionella. Following the meeting, it was requested that information about asbestos and Legionnaires' disease should be included in the Performance report itself, and therefore has been included in this final version of the report.
- At the Central Area Panel there were issues raised around estate inspections, namely that residents want to be contacted before an inspection and to meet the inspector; that estate inspection reports do not seem to get fully actioned; and that inspections seem to be missed or rushed and the associations believed they should allow more time. These comments were noted by the Head of Tenancy Services, who said she would look into them and report back upon investigation to panel attendees.
- At the West Area Panel it was pointed out that the map of ASB incidents by ward appears to show the incorrect data from the table ('Reports of ASB incidents by ward during the quarter' on the previous page). The report has been amended to clarify which column the map is displaying, which is the column with data for the number of ASB incidents per 1,000 properties, rather than the one with just the total number. The reason for doing so is to show the intensity of ASB, including in wards with a comparatively small council housing stock, as otherwise it would appear that the larger the stock in a ward, the more likely that residents generally are to experience ASB, which is not the case.
- At the West Area Panel it was asked whether the amount of rechargeable debt collected, and the total amount due, could be included in the report. This is usually provided in the report but the data was not available at the time it went to Area Panel, but has since been included.
- At the North Area panel there were some questions and considerable discussion on rent arrears. This regarded the impact of the removal of the spare bedroom subsidy; the closure of cash desks; the process of dealing with residents in rent arrears; and the potential impact of Universal Credit and how the council is planning for the changes.

6. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 6.1 The area of performance with the most significant financial impact is the ability to collect rents from tenants. For the first quarter 2015/16, the collection rate has increased by 0.18% compared to the year 2014/15 and is currently above the target set for the year which is good news. This continues to be closely monitored as the effects of welfare reform unfold so that appropriate action can be taken to minimise arrears. The level of rent arrears has a direct effect on how much is set aside for bad debts and therefore a direct impact on the resources available to spend on the management and maintenance of tenants' properties. The HRA 2015/16 budget for the contribution to the bad debt provision is monitored throughout the year and is currently forecast to break-even.

Finance Officer Consulted: Monica Brooks

Date: 27/8/15

6.2 Legal Implications:

There are no significant legal implications arising from this report.

Lawyer Consulted: Liz Woodley

Date: 25/08/15

Equalities Implications:

- 6.3 There are no equalities implications arising from this report.

Sustainability Implications:

- 6.4 The increase in the energy efficiency rating of homes reflects an improvement towards the council's sustainability commitments, among other objectives such as financial inclusion and reducing fuel poverty.

Crime & Disorder Implications:

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

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 or Citywide Implications:

- 6.8 There are no direct corporate or city wide implications arising from this report. However, two performance indicators featuring in this report ('dwellings meeting Decent Homes Standard' and 'energy efficiency rating of homes') are among those

used to measure success against the Corporate Plan principle of increasing equality.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix 1. Outline of under occupation arrears and related information
2. Appendix 2. Long-term empty properties

Background Documents:

1. None

Appendix 1. Outline of council under occupation arrears and related information

Item	Indicator	Baseline March 2013*	April 2015	May 2015	June 2015
1	Number of under occupying households affected by the charge	949	728	735	734
2	Percentage of under occupying households in arrears (numbers)	29% (277)	51% (372)	50% (365)	51% (374)
3	Percentage of all current tenants in arrears (numbers)	24% (2,791)	24% (2,794)	24% (2,721)	24% (2,734)
4	Average arrears per under occupying household in arrears	£303	£258	£263	£256
5	Total arrears of under occupying households	£84k	£96k	£96k	£96k
6	Percentage increase in arrears of under occupying households since 1 April 2013 (variance since baseline)	0% (£0k)	14% (£12k)	14% (£12k)	14% (£12k)
7	Percentage increase in arrears of all current tenants since 1 April 2013 (variance since baseline)	0% (£0k)	28% (£181k)	20% (£129)	18% (£117k)
8	Under occupier arrears as a percentage of total arrears	13%	12%	13%	13%
9	Cumulative number of under occupying households moved via mutual exchange since baseline	0	57	58	60
10	Cumulative number of under occupying households moved via a transfer since baseline	0	101	101	102

*Baseline = before the under occupation charge was introduced in April 2013.

N.B. The arrears figures include both rents and service charges.

Appendix 2. Long term empty properties

Of the 63 general needs and Seniors Housing properties that have, as of 30 June 2015, been empty for 6 weeks or more:

- 20 are ready to let (11 of which are Seniors Housing dwellings)
- 11 require or are undergoing major repairs/refurbishment
- 32 to be leased to Seaside Homes – next batch expected Sept 2015.

General needs and Seniors Housing long term empty properties (6 weeks or more)		
Calendar days empty as at 30/06/15	Ward	Status
45	East Brighton	Ready to let – 2 bedroom flat
45	East Brighton	Ready to let following major repairs – 2 bed flat
45	East Brighton	To be leased to Seaside Homes
59	East Brighton	Ready to let – 2 bedroom flat
66	East Brighton	Ready to let – 2 bedroom flat
87	East Brighton	Ready to let – studio sheltered flat
94	East Brighton	To be leased to Seaside Homes
136	East Brighton	To be leased to Seaside Homes
136	East Brighton	To be leased to Seaside Homes
157	East Brighton	To be leased to Seaside Homes
185	East Brighton	To be leased to Seaside Homes
185	East Brighton	To be leased to Seaside Homes
206	East Brighton	To be leased to Seaside Homes
220	East Brighton	To be leased to Seaside Homes
297	East Brighton	To be leased to Seaside Homes
325	East Brighton	To be leased to Seaside Homes
332	East Brighton	To be leased to Seaside Homes
367	East Brighton	To be leased to Seaside Homes
402	East Brighton	To be leased to Seaside Homes

General needs and Seniors Housing long term empty properties (6 weeks or more)		
Calendar days empty as at 30/06/15	Ward	Status
891	East Brighton	This 1 bed bungalow has been undergoing extensive major works, including to the adjoining property. Although the expected works were completed, unexpected further works have also arisen, including to the drainage. Works are currently at the pricing stage as the scope of works has been agreed with Mears.
87	Goldsmid	To be leased to Seaside Homes
122	Goldsmid	Ready to let – studio flat
73	Hangleton and Knoll	To be leased to Seaside Homes
500	Hangleton and Knoll	With BHCC for extension and refurbishment (est. completion end of August 2015) – 3 bed house.
45	Hanover and Elm Grove	To be leased to Seaside Homes
171	Hanover and Elm Grove	Requires major works – studio sheltered flat
276	Hanover and Elm Grove	Requires major works – studio sheltered flat
290	Hanover and Elm Grove	Requires major works – studio sheltered flat
388	Hanover and Elm Grove	Requires major works – studio sheltered flat
402	Hanover and Elm Grove	Requires major works – studio sheltered flat
45	Hollingdean and Stanmer	Ready to let – studio flat
45	Hollingdean and Stanmer	To be leased to Seaside Homes
66	Hollingdean and Stanmer	To be leased to Seaside Homes
304	Hollingdean and Stanmer	To be leased to Seaside Homes
45	Moulsecoomb and Bevendean	With BHCC for refurbishment – 3 bed house
66	Moulsecoomb and Bevendean	With BHCC for refurbishment – 3 bed house
136	Moulsecoomb and Bevendean	Ready to let – studio sheltered flat
150	Moulsecoomb and Bevendean	Ready to let – studio sheltered flat
633	Moulsecoomb and Bevendean	Ready to let – studio sheltered flat
80	North Portslade	Ready to let – studio sheltered flat
234	North Portslade	Ready to let – studio sheltered flat

General needs and Seniors Housing long term empty properties (6 weeks or more)		
Calendar days empty as at 30/06/15	Ward	Status
80	Patcham	Ready to let – studio sheltered flat
290	Patcham	Ready to let – studio sheltered flat
45	Queen's Park	To be leased to Seaside Homes
52	Queen's Park	Ready to let – 2 bedroom flat
66	Queen's Park	To be leased to Seaside Homes
66	Queen's Park	To be leased to Seaside Homes
73	Queen's Park	Ready to let – studio sheltered flat
87	Queen's Park	To be leased to Seaside Homes
115	Queen's Park	To be leased to Seaside Homes
136	Queen's Park	To be leased to Seaside Homes
213	Queen's Park	To be leased to Seaside Homes
227	Queen's Park	To be leased to Seaside Homes
248	Queen's Park	To be leased to Seaside Homes
304	Queen's Park	To be leased to Seaside Homes
381	Queen's Park	To be leased to Seaside Homes
66	South Portslade	With BHCC for refurbishment – 3 bed house
143	South Portslade	Requires major works – studio sheltered flat
45	Wish	Ready to let – 1 bedroom flat
52	Wish	To be leased to Seaside Homes
100	Wish	Ready to let – 1 bed sheltered flat
255	Wish	Ready to let – 1 bed sheltered flat
178	Woodingdean	Ready to let following major repairs – 3 bed house
Total of 63 dwellings		

Document is Restricted

Document is Restricted

Document is Restricted

