





**Brighton & Hove
City Council**

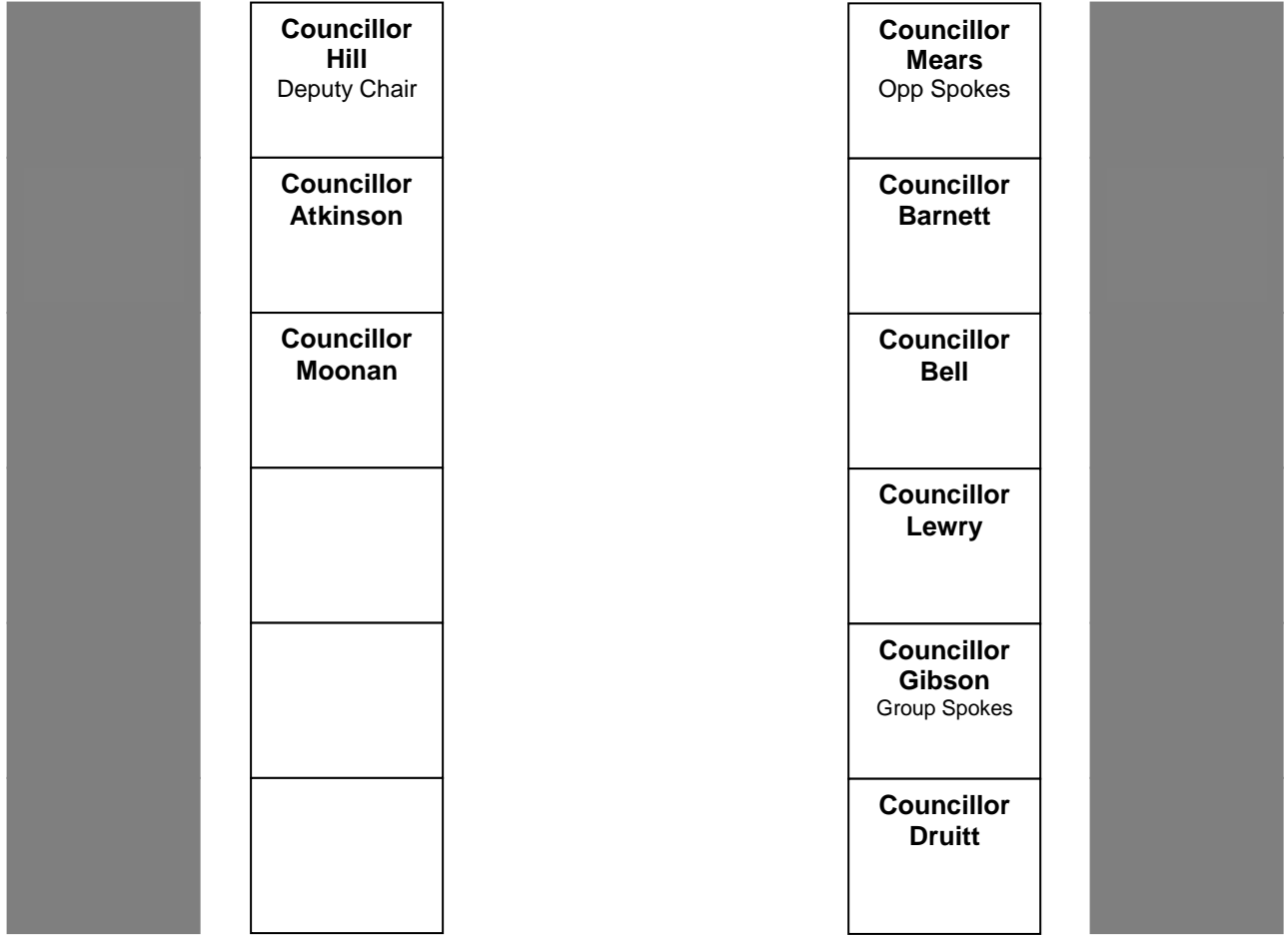
Housing & New Homes Committee

Title:	Housing & New Homes Committee
Date:	14 March 2018
Time:	4.00pm
Venue	Council Chamber, Hove Town Hall
Councillors:	Meadows (Chair), Hill (Deputy Chair), Mears (Opposition Spokesperson), Gibson (Group Spokesperson), Atkinson, Barnett, Bell, DrUITT, Lewry and Moonan
Contact:	Caroline De Marco Democratic Services Officer 01273 291063 caroline.demarco@brighton-hove.gov.uk

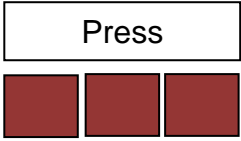
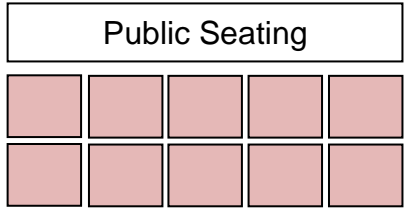
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Housing & New Homes Committee

Head of Housing	Executive Director Neighbourhoods, Communities and Housing	Councillor Meadows Chair	Lawyer	Democratic Services Officer
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Public Speaker/
Officer Speaking



AGENDA

PART ONE

Page

73 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.

74 MINUTES OF THE PREVIOUS MEETING

1 - 26

To consider the minutes of the meeting held on 17 January 2018 (copy attached).

75 CHAIRS COMMUNICATIONS

76 CALL OVER

HOUSING & NEW HOMES COMMITTEE

- (a) Items 79 to 85 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.

77 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 8 March 2018;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 8 March 2018.

78 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.

79 REQUEST TO PURCHASE A PIECE OF HRA LAND ON MILE OAK ROAD 27 - 48

Report of Executive Director for Neighbourhoods, Communities & Housing (copy attached).

Contact Officer: Scott Lunn Tel: 01273290282
Ward Affected: North Portslade

80 PURCHASE OF PROPERTIES WITH RESTRICTIVE COVENANT 49 - 56

Report of the Executive Director for Neighbourhoods, Communities & Housing (copy attached).

Contact Officer: Emma Kumar Tel: 01273 293297
Ward Affected: Queen's Park

81 YOUR ENERGY SUSSEX - ENERGY TARIFFS 57 - 70

Report of the Executive Director for Neighbourhoods, Communities &

HOUSING & NEW HOMES COMMITTEE

Housing (copy attached).

Contact Officer: Miles Davidson

Tel: 01273 293150

Ward Affected: All Wards

82 COMMUNITY LED HOUSING UPDATE 71 - 82

Report of the Executive Director for Neighbourhoods, Communities & Housing (copy attached).

Contact Officer: Diane Hughes

Tel: 01273 293159

Ward Affected: All Wards

83 OPTIONS FOR THE FUTURE DELIVERY OF HOUSING REPAIRS, PLANNED MAINTENANCE AND CAPITAL WORKS 83 - 90

Report of the Executive Director for Neighbourhoods, Communities & Housing (copy attached).

Contact Officer: Glyn Huelin, Sharon
Davies

Tel: 01273 293306, Tel:
01273 121295

Ward Affected: All Wards

84 THE PROCUREMENT OF LEGIONELLA ASSESSMENT AND CONTROL SERVICES FOR HOUSING STOCK 91 - 94

Report of the Executive Director for Neighbourhoods, Communities & Housing (copy attached).

Contact Officer: Miles Davidson

Tel: 01273 293150

Ward Affected: All Wards

85 HOUSING MANAGEMENT PERFORMANCE REPORT QUARTER 3 2017/18 95 - 118

Report of the Executive Director for Neighbourhoods, Communities & Housing (copy attached).

Contact Officer: Ododo Dafe

Tel: 01273 293201

Ward Affected: All Wards

86 ITEMS REFERRED FOR FULL COUNCIL

To consider items to be submitted to the 19 April 2018 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

HOUSING & NEW HOMES COMMITTEE

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.

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

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

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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, 6 March 2018

BRIGHTON & HOVE CITY COUNCIL**HOUSING & NEW HOMES COMMITTEE****4.00pm 17 JANUARY 2018****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

Present: Councillor Meadows (Chair), Councillor Hill (Deputy Chair), Gibson (Group Spokesperson), Atkinson, Barnett, Bell, Drutt, Lewry, Moonan and Wealls

PART ONE**61 PROCEDURAL BUSINESS****61a) Declarations of Substitutes**

61.1 Councillor Wealls substituted for Councillor Mears.

61b) Declarations of Interests

61.2 There were no declarations of interest.

61c) Exclusion of the Press and Public

61.3 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.

61.4 **RESOLVED** - That the press and public not be excluded from the meeting during consideration any items on the agenda.

62 MINUTES OF THE PREVIOUS MEETING

62.1 **RESOLVED** - That the minutes of the Housing and New Homes Committee meeting held on 15 November 2017 are agreed and signed as a correct record subject to the time the meeting ended being corrected to 10.25pm.

63 CHAIRS COMMUNICATIONS

- 63.1 The Chair stated the following:
“Firstly, May I wish you all very happy New year.

On a sadder note, late in 2017 we lost some dear friends and colleagues who I would like us to pay our respects to.

Anne Ewings was actively involved in Resident Involvement, passionate and popular, liked by staff and residents alike. Anne was one of the friends of Queens Park and involved in many local community activities and will be missed.

Becky Purnell was the manager of the Resident Involvement team for the last 6 years and had many years of working across the Tarn area of the city in community development. Becky’s kindness, inclusive approach and passion for tenant and community involvement will be sadly missed by staff and residents.

Neil Tideswell was a member of Tenant Disability network for some years and an active member of Resident Involvement at his association at Ingram Crescent and across the city.”

(At this point the Committee held a minute’s silence. Members also remembered former councillor Brian Pidgeon who had recently passed away).

Looking forward, we already have a busy schedule for 2018 and are starting off on a very positive note, with families starting to move into our new council homes at Kite Place and Brookmead, our new Extra Care Scheme. We have 57 new homes at Kite Place and 45 extra care flats at Brookmead.

We are looking to build on our success in providing new homes for the city with our Living Wage Joint Venture with Hyde Housing and we are looking forward to working together to start work on the three identified sites. In addition we are beginning work to look at how we may provide responsive repairs and capital works in the future. We will be working with tenants and leaseholders and ward councillors over the coming months to ensure their views are at the heart of the decisions we make, as to how we provide repairs and major works in the future.

With the agreement of this committee we have launched additional and selective licensing in wards in the city. There is much work to be done to launch the schemes and to ensure that standards of private sector housing in the city improve.

Looking back to 2017, we have seen consistent good performance within the housing service, with some really positive feedback from our customers. Housing Needs have come in the top 5 for compliments across the council for the second time in a row. Our performance in many areas was exceptional, including in collection of rent where we are one of the highest performing councils in the country. We need to work hard to help and support our tenants through further changes to the benefit system, including the

introduction of Universal Credit in the city. We need to ensure that tenants have access to information and support to enable them to navigate the system to continue to pay their rent.

As part of my back to the floor programme, I have been shadowing housing staff across the wide range of council housing services. I have spent time with our housing customer services team, and housing officers at the local housing offices; housing options staff and the private rented housing team. I was pleased to see the work that our staff were doing and hear of the ideas they had to continually improve the services tenants receive.

Looking forward, you will be aware of Brighton and Hove Independent Mediation service and some of the fantastic work they do to help resolve neighbour disputes which is a huge benefit to the council and the city.

BHIMS is a charity that offers a range of mediation and conflict resolution services to those who find themselves in conflict with their neighbours, work colleagues or family. BHIMS have been awarded a small grant to make a short film to promote the use of mediation which is something that we would want to support and also make use of. The housing service wants to encourage more people to take up mediation and conflict coaching and this film should raise awareness of the help on offer.

And finally, with the rising cost of fuel, we are constantly looking for new energy initiatives to help residents save on fuel bills. We have two agenda items on energy initiatives tonight and, as you will be aware the council is part of a partnership of Sussex local authorities, called Your Energy Sussex, which has set up an energy tariff scheme for residents across the county. Tonight you will be given an update and asked to support promotion of the Your Energy Sussex tariff scheme to local residents.”

64 CALL OVER

64.1 Items 67, 68, 69 and 71 were called for discussion.

65 PUBLIC INVOLVEMENT

Petitions

65.1 There were no petitions.

Questions

65.2 John Hadman asked the following question:

Night shelter at the Brighton Centre

“Given that the Council funded “outreach work” to identify rough sleepers who would benefit from the availability of this night shelter; that work has been ongoing for nearly a year to identify a site for this shelter; that six full time employees have been recruited; and 25 volunteers have been, or are being, trained could you provide figures for the numbers of people using the facility each night, the number of people refused access,

and the number of users transferred to the Brighton Centre from other places of accommodation?”

65.3 The Chair replied as follows:

“Thank you for your question. The Night Shelter has been a huge success. At present 30 people a night are being offered a place at the night shelter and attendance in numbers accommodated at the Nightshelter vary. No client referred has been refused a placement. No client has been accommodated at the Nightshelter from other accommodation and all placements have been made for clients sleeping rough in the city.

So far 6 people have been supported from the shelter into more permanent housing options and 2 have been supported to reconnect out of the city.

We have secured an extension at the Brighton Centre for an additional month and shelter will remain there until 11th March.”

65.4 Mr Hadman asked a supplementary question regarding the financing of the use of the Brighton Centre. He asked if the £135,000 rewarded by the Policy, Resources & Growth Committee was used for this purpose following his petition last year to open night shelters. The Chair confirmed that that money had been used for the night shelter. The Executive Director, Neighbourhoods, Communities & Housing reported that currently it looked as if the entire budget would be spent if not a small overspend of that budget. Therefore the council were not anticipating there being any underspend at all of the budget that was granted last year.

65.5 **RESOLVED-** That the Public question be noted.

65.6 David Thomas asked the following question on behalf of Barbara Roberts:

Legal action against B&HCC leaseholders on the Bristol Estate

“Within nine working days of the Chair of this committee saying “We can confirm that we are not attempting to win litigation at all costs“, the Council made an Application to the Property Tribunal naming 39 Respondents; a common tactic putting the maximum amount of pressure on residents over the Xmas and New Year period. Presumably the council officer who wrote the Chair’s response knew this.

There were errors in the Application. Was this due to action being rushed through just prior to the holiday period or poor and incorrect record keeping by the Council?

65.7 The Chair replied as follows:

“Thank you for your question. At the 15 November Committee meeting I said: “We can confirm that we are not attempting to win litigation at all costs and that instead after two years we would welcome the Tribunal’s findings on this issue based on their independent assessment of the issues.” That is still our position. The council made the

application to the Tribunal on 28 November. The timetable for leaseholders to respond to the application was set by the Tribunal, not by the council.

It would not be appropriate to comment further in a public forum now that the tribunal are dealing with this case.”

65.8 Mr Thomas asked the following supplementary question:

“I would like to understand how the answers we have been given and subsequent behaviour squares with the Council’s responsibilities regarding Duty of Candour, Duty of Care and honesty to this committee?”

65.9 The Executive Director of Neighbourhoods, Communities and Housing explained that the council by going to the independent Tribunal were giving the opportunity for the leaseholders to put their case forward and it would be considered in an independent manner. The council did not have any say over when the responses were to be given however the council did contact the tribunal and say it was happy and open for there to be an extension granted. The Executive Director understood that the leaseholders were currently in discussion or in communication with the leasehold tribunal. As the Chair had said it was not appropriate to have detailed discussion about this matter at this time. Going through the tribunal process would give the opportunity for the leaseholders and council both to put their case forward in front of the independent tribunal, who would be able to assist in the matter.

65.10 **RESOLVED-** That the Public question be noted.

65.11 David Croydon asked the following question:

“Those parts of the Mears Group contract that I have been allowed to see are, mostly, very good. In the light of further information being published regarding fraud, of 468 post inspections of work carried out by the subcontractor through Mears only 30 failed. However, when internal audit carried out 39 ‘door to door’ inspections, 8 of which had already been passed by Mears, 7 out of 8 of these failed for “significant overcharge”. Will the Committee support the call by Councillor Mears, made over a year ago, for an investigation into the Mears/B&HCC contract?”

65.12 The Chair replied as follows:

“Thank you for your question. This case from several years ago related to a single sub-contractor working on a small proportion of responsive repairs. The checks undertaken by our Housing team identified the overpayments being made to the sub-contractor.

At the time the council took steps to recover all the overpayments and associated costs owed to the council and improve the controls and inspection regime with our contractor and their sub-contractors.

The council also commissioned a review of the partnership to further identify improvements that would benefit the partnership, residents and stakeholders. The learning from this will be used to inform the programme for delivering housing repairs,

maintenance, improvements and capital works post April 2020; when the current contractual arrangements expire.

A report on the procurement programme will come to a forthcoming meeting of the Housing & New Homes Committee.”

65.13 Mr Croydon invited the councillors to come on a tour of Clarendon House with him and his surveyor to see some real buildings and listen to a different point of view from that of the council officers and Mears.

65.14 The Chair replied that she was sure all committee members would be perfectly agreeable to accept any invitations received.

65.15 **RESOLVED-** That the Public question be noted.

65.16 Barry Hughes asked the following question on behalf of Madeleine Sailani:

“Knightguard Security Ltd

“I have been made aware that a director of a company called Knightguard is being allowed to survey and, generally, condemn entrance doors across the city? Does the committee appreciate that any profit from the new doors fitted goes to the very same company?”

65.17 The Chair replied as follows:

“Thank you for your question. We have recently let a new laundry contract and following break-ins, and an attempted break-in at three launderette locations, we have had to review resident access arrangements at 7 sites in the city. We are already aware of the work that might be needed at these locations, and are seeking quotes from Knightguard.

There have been one or two locations where Knightguard, on visiting the location, was able to suggest alternative solutions that might be less costly, while providing a tenant focused response to the problem the Council is seeking to resolve.

Any decision to replace a door entry system or door would ultimately be made by the council not a contractor.”

65.18 Mr Hughes stated that the incidences of which he was aware did not relate to laundrettes. He asked if the committee really believed that this sort of relationship made sense? A gentleman from Knightguard turned up at a block of flats and without knowledge from the residents, condemned the door entry system. The residents were then confronted with a section 20 notice asking them to pay collectively several thousand pounds. The council ought to have some system whereby they could check the need for such radical work.

65.19 The Executive Director of Neighbourhoods, Communities & Housing replied that there had been no cases where a contractor had identified that works needed to be carried out and that these had been re-procured with that contractor without any council involvement. If anybody, (resident or contractor) suggests that there are any issues with

door entry systems they are inspected by council officers who make the decision as to whether the work needed to be carried out. Where the council have had Knightguard carrying out work, and they had identified works which could be carried out more cheaply, than that had been considered by the council. There had been no incidents where the council had not checked what has been said and had not carried out its own evaluation of what is needed before any works are procured or any section 20 notices are issued.

65.20 **RESOLVED-** That the Public question be noted.

65.21 Clare Hudson asked the following question:

Children in Bed and Breakfast Accommodation

“Confirmation was given at the last Committee meeting that no children have lived in bed and breakfast accommodation for more than six weeks.

Does this mean that these children have been moved to permanent accommodation within the six week period or on to other emergency or temporary accommodation?”

65.22 The Chair replied as follows:

“Thank you for your question. It is correct that no children or pregnant women have been in Bed & Breakfast type accommodation with shared facilities for longer than 6 weeks – as per statute. Such households are moved to other temporary accommodation that has self-contained facilities.

The Council also offers to assist households to move to private rented accommodation. With regards to young people who are unable to live at home, our approach is to absolutely avoid the use of bed and breakfast accommodation. However it would not be possible to provide a blanket ban as there have been a couple of occasions when we have had to do this due to the very specific circumstances that young people have found themselves in and the lack of alternatives. We would only ever do this in very exceptional circumstances.”

65.23 Ms Hudson asked if the Chair could explain why she, her wife and her one year old son were placed in an HMO in Eastbourne for 8 to 10 weeks in 2016.

65.24 The Chair replied that the Committee was unable to talk about specific cases at this meeting however, she was sure that the officers would talk to Ms Hudson at the break.

65.25 **RESOLVED-** That the Public question be noted.

65.26 Nichole Brennan asked the following question:

“In light of the figures provided by Dr Tim Worthley of the 17 homeless people (average age 46) who died in 2017 in Brighton and Hove I must question the adequacy of the Council’s implementation of SWEP.

The Executive Director for Neighbourhoods, Communities & Housing referred to the fact that “Government statute is three nights below zero” in order for SWEP to be triggered. Could the Committee clarify which statute?”

65.27 The Chair replied as follows:

“Thank you for your question. There is no statutory requirement for the council to provide a SWEP provision. This council, like most authorities, use the guidance issued by Homeless Link in partnership with the Department of Communities and Local Government which provides guidance to local authorities on their responsibilities and on best practice. The council have recently updated our policy on opening SWEP and I can reassure you it is in line with the Homeless Link Guidance.”

65.28 Ms Brennan asked the following supplementary question:

“Can you explain why when the count was on, that SWEP was not activated on five freezing nights?”

65.29 The Executive Director of Neighbourhoods, Communities & Housing explained that the SWEP was activated when there was either an amber warning or whether the temperature is zero or less for two consecutive nights. When that has happened then SWEP has been activated and has also been activated at further times. In the last two years the average SWEP numbers in the SWEP season has been 11. This year already SWEP had been activated 12 times. The council believe that it has activated SWEP on all the times when the guidance said that it should and in addition it had activated at further times.

65.30 **RESOLVED-** That the Public question be noted.

65.31 Kiah Garrett Gotch asked the following question:

Agenda Item 66(d): Council Owned Short Term Homelessness Accommodation

“This item is to be warmly welcomed. It is a pity that the “Supporting information” is not comprehensive and the proposals are lacking in detail. It is of the utmost importance that this policy is not treated in the same manner as the policy to have a Council run night shelter decision was treated a year ago.

Will the Committee ensure this initiative is kept out of the hands of property developers?

Will the Committee ensure community involvement and impose a tight time schedule to buy/build/refurbish appropriate accommodation?”

65.32 The Chair replied as follows:

“Thank you for your question. This item is subject to tonight’s committee decision as set out in item 66(d). Subject to the decision tonight, the council has a duty to consider all options and make their decision based on best consideration including value for money.

The Committee remains committed to community engagement as required as part of the decision and policy process and will aim to deliver appropriate accommodation subject to the relevant governance, financial and legal requirements as efficiently as possible. The committee will be asking for a further report on this matter. The council was already building and refurbishing its own temporary accommodation and that should be put in the report with any other options.”

65.33 Ms Garrett Gotch stated that it was very worrying that the Chair had refused to listen or respond to other important questions on housing. She and others believed that the Chair was acting outside of the council's constitution in refusing questions on St Mungos, Discretionary Housing Payments, the council's statement on housing benefit and the implications of government reports in two key responsibilities of this committee. The refusal to explain the action taken was an affront to democracy transparency and accountability.

65.34 The Chair thanked Ms Garrett Gotch for her statement.

65.35 **RESOLVED-** That the Public question be noted.

65.36 Maria Garrett Gotch asked the following question:

Agenda Item 69: Housing First

"Housing First, introduced in Finland, **places homeless people in permanent housing** before they become afflicted by issues such as addiction and mental illness. It removes any initial complicated tests, and in essence trusts individuals to turn a corner independently, with support provided further down the line. A 2017 report by EU housing organisation Feantsa, named Finland as one of the only EU countries not in the midst of a homelessness crisis. The Centre of Social Justice recommended that the UK government consider the experimental approach. Does the Committee agree?"

"This report shows that of the 10 people going through the B&HCC "initiative" that as of January 2018

1. One person is in emergency accommodation
2. Two people are in temporary accommodation
3. The two people in Social housing were occupants prior to Housing First
4. Two people are "disengaging" from the project

My question is very simple; how can this initiative be described as having a "Housing First" approach and when will a Housing First Initiative be put in place run by professionals who know what they are doing?"

65.37 The Chair replied as follows:

"Thank you for your question. The Finnish Housing First model does not place people in permanent accommodation but places people into (largely) congregate supported housing with a personalised and psychologically informed model, and without fixed timeframes for move on.

This is in line with current Housing & Adult Social Care Commissioning on supported housing for single homeless and rough sleepers.

The Housing First contract Commissioned by B&HCC has a fidelity based support model ensuring clients continue to receive support even where they fall out of housing. This is in line with best practice guidelines.

It was not open to the provider or the Commissioners to offer permanent housing and alternative arrangements, including long term supported housing placements in self-

contained properties without move on expectations and long term temporary accommodation in leased properties were made available. Where a client no longer has capacity to receive support or chooses to disengage they are safely transitioned to alternative appropriate support models. The current provider is a recognised market leader in the field and is currently part of a wider research study to ensure that they continue to offer the best possible service within current accommodation restrictions. Over 70% of the original clients have maintained accommodation and are continuing to receive support”

65.38 Ms Garrett Gotch stated that the report showed that out of 10 people going through the B&HCC initiative that is part of January 2018. No 5. One person is in emergency accommodation. No 6. Two people are in temporary accommodation. No 7. Two people in social housing were occupants prior to Housing First and 8. Two people are disengaging from the project. How can this initiative be described as having a Housing First approach and when will the first Housing First initiative be put in place and run by professionals who know what they are doing?

65.39 The Chair replied that the committee would discuss the matters raised in the supplementary question under item 69 – Housing First.

65.40 **RESOLVED-** That the Public question be noted.

65.41 Keith Marston asked the following question:

Agenda Item 67: Housing Revenue Account Energy Strategy

“The Council is considering an up to date Energy Strategy. However, given this “will prioritise energy efficiency solutions with the aim of mitigating fuel poverty” it is strange that household income is excluded as this is directly related to the definition of “fuel poverty”.

Why is this not included in the strategy and will the Committee consider a review of the draft strategy by experts clearly beyond influence of interested parties from a business perspective and based upon an ecological and up-to-date technical analysis?”

65.42 The Chair replied as follows:

“Thank you for your question. This is our first HRA Energy Strategy, it aligns with our landlord function of maintaining, and where feasible, improving properties, this includes increasing energy efficiency. The strategy sits alongside and interacts with a number of relevant strategies, including the corporate Fuel Poverty & Affordable Warmth Strategy developed alongside colleagues in Public Health.

As your question highlights, Fuel Poverty is known to have a number of causes: low income, poor energy efficiency and high energy prices

The consequence of being fuel poor can result through differing degrees of any of these three causes. However it is generally recognised that improving the energy efficiency of homes can have the largest and most long-lasting impact on addressing fuel poverty.

As a landlord we have a primary responsibility for the energy efficiency performance of our buildings.

The strategy suggests a twofold approach; the first is Technical which is where our more challenging responsibility as a landlord lies. The second is Lifestyle, which as a council and social housing provider we are intent on supporting through energy saving advice and support services, including collaboration with financial inclusion and income-support services within both housing services and the wider council.

There is no exclusion of addressing household income; however it is worth recognising that the matter of financial inclusion and low income has a much wider scope than that of fuel poverty and the energy efficiency of buildings. These issues are also recognised in the Fuel Poverty and Affordable Warmth Strategy; the strategies will work alongside each other to address all causes of fuel poverty and its impacts.

In respect of the second part of the question, if approved, the progress of the strategy will include independent external expertise to support business planning and/or technical analysis where appropriate”

65.43 Mr Marston stated that his question was about the inclusion of household income, as the government’s own definition of fuel poverty was percentage of household income spent on energy bills. Therefore household income surely had to be included in the report.

65.44 The Chair replied that the council were including financial inclusion and income support services and they had a holistic approach around supporting residents with their income and with any expenditures. That hopefully would take care of some of the issues around lifestyle, helping with energy, saving advice and support.

65.45 **RESOLVED-** That the Public question be noted.

65.46 Councillor Barnett asked where the council were building property for temporary accommodation. The Chair replied that the council were refurbishing Stonehurst Court, an ex-sheltered housing unit, and reconvertng it back to ten two bedroom houses for temporary accommodation use. The Committee also agreed to turn the Oxford Street housing office into temporary accommodation. The council were also looking at other options through the buy back policy where the council was looking to purchase property lost to the council under Right to Buy, and using those properties for accommodation. There were other initiatives that the council were considering and a report would be would be submitted to a future committee.

Deputations

65.47 The Committee adjourned from 4.55 and returned at 5.15pm.

65.48 The Chair agreed to take the following late deputation which was presented by Ree Melody on behalf of Love Activists:

“We would like to know why the council has not adjusted or even expanded the Housing First model here in Brighton since the end of the pilot project which took place

during the end of 2014 through to February 2015? We know that the pilot was 70 % successful, giving permanent homes and adequate support alongside to 10 homeless people, 7 of which maintained their tenancies.

We are deeply concerned about the length of delay in expanding this model. We have kept a timeline of actions and inactions since the end of the pilot project here in Brighton as follows...

Ten months after we first heard about the housing first pilot here in Brighton, in January 2016, Love Activists included the proposal of expanding Housing First model within our 7 solution based proposals to end homelessness, knowing it to be a proven working model which has ended and significantly decreased the levels of homelessness in other parts of the world.

A few months later in April 2016, the committee agreed to bring forward a report on the pilot to enable the project to have the opportunity to move forward.

In November 2016, the report was supposed to be heard. Yet it was deferred several times until finally being heard in June 2017. Which meant that in the end it took 14 months to provide an inadequate report which meant things could not move forward whilst homeless human beings remain suffering and dying on our streets.

Yet there is already data out there which is even in the report itself about the models effectiveness. For example, it states that in 2003 and 2008, the New Economics Foundation estimated that a single homeless person, if they were homeless for one year, it would cost the UK public purse between £24,000 and £26,000 more than other citizens. Showing how economically this model can save money.

More importantly, Housing First can quickly help get people off the streets and provide permanent homes with support alongside. The data shows strong and consistent outcomes for tenancy sustainment of between 70-90%.

The recent evaluation of the 9 Housing First projects around the UK, found that a significant 74% of current service users had been successfully housed for one year or more by 5 of the Housing First services.

Since the introduction of the model in this country, it has only focused on helping the most entrenched homeless. Although it is a model which can help all types of homelessness as proven in Canada where they adjust it to suit all individuals whether old or young, no matter what their needs are. We can provide useful information and contracts directly to the homeless hub in Canada to assist in councils applying the same strategy here in the UK.

In the past we have been told that the council does not have any affordable properties to expand the model. Yet there has been many opportunities via new housing developments which we believe could have included making some of the properties available towards Housing First. It has also been a year since the council has voted unanimously to make use of the empty buildings which could also be used towards the model.

Too many preventable deaths have occurred on our streets whilst the council

massively delays on expanding this proven working model.

We want to know when and how the council will move forward by adjusting and expanding it and if they will truly make use of empty buildings to prevent more lives being taken by the harshness and the struggle of living on our streets which can be avoided by the Housing First solution.”

65.49 The Chair informed Ms Melody that she would receive a written response.

65.50 **RESOLVED**

(1) That the deputation be noted.

66 ISSUES RAISED BY MEMBERS

66.1 The Board considered the following Notice of Motion agreed at the Full Council meeting held on the 14th December 2017:

This Council resolves:

1. To request that a report be brought to Housing & New Homes Committee on the business case modelling for a “spend to save” purchase of emergency/temporary accommodation by the council and that this modeling:
 - (i) Estimates revenue savings on current expenditure of private provision;
 - (ii) Estimates the capital appreciation *and rental income* that would flow to the council through ownership of Emergency accommodation;
 - (iii) Explores the potential to offer greater support to residents of emergency accommodation from any savings achieved;
 - (iv) Should take into account and continue to build on the work already in progress on the feasibility of temporary housing options, in addition to the existing HRA purchasing policy;
2. That after consideration and approval of the report by the Housing & New Homes Committee any recommendations be referred to the Policy, Resources & Growth committee, such as recommendations on policy changes and delegated powers.

66.2 The Chair suggested that the report should include work already being carried out in remodelling temporary accommodation, such as Stoneham Court and the Oxford Street former housing office and properties lost under right to buy.

66.3 Councillor Gibson commented that the Notice of Motion had been supported by all parties. The scope of the motion did include emergency accommodation and built on the start that had already been made. There was a massive potential to using the rental income of council owned temporary and emergency accommodation rather than using the private sector.

66.4 **RESOLVED:**

(1) That the Notice of Motion be noted.

- (2) That it is noted and approved that a report be brought to the Housing & New Homes Committee as outlined in the Notice of Motion.

67 HOUSING REVENUE ACCOUNT ENERGY STRATEGY

67.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which attached the Housing Revenue Account (HRA) Energy Strategy for consideration. The strategy outlined the current energy efficiency performance of the stock and set out approaches for future improvement. The report was presented by the Home Energy Efficiency Project Manager.

67.2 Councillor Druitt proposed the following amendment which was seconded by Councillor Gibson as follows:

“To amend the recommendations and add the following as shown below in ***bold italics***:

2.1 That the Housing and New Homes Committee ***welcomes and*** approves the HRA Energy Strategy as Appendix 1.

2.2 That a progress report is brought to the Housing and New Homes Committee a year from now to update the committee on progress with the delivery of the Strategy.”

67.3 Councillor Druitt welcomed the report which he considered important and timely. He was pleased to see that Brighton & Hove compared well with other local authorities with regard to progress in alleviating fuel poverty and decarbonisation of the city’s energy supply.

67.4 In response to a number of questions from Councillor Druitt, the Home Energy Efficiency Project Manager responded as follows:

- Household income was very much part of the strategy. There was a twofold approach, firstly tackling the buildings technical issues and secondly supporting energy saving advice services, such as the SHINE project and the Sussex tariff.
- The reference to carbon emission reductions slipping, related to pressure at national level where the carbon budgets that are set in line with the Climate Change Act 2008 are set to be missed.
- The reference to digital services was flagging the potential risk that Smart Homes would be coming forward in the 2020’s and council tenants could potentially be disadvantaged by not having the digital services and Smart devices that other residents may have in the city. There would be a need to manage that risk so tenants could be supported in a digital age.
- With regard to the fuel poverty regulations, the suggestion that there should be a more ambitious target could be discussed in plans going forward. This was not something the strategy was excluding or setting at this stage.
- With regard to partnership working, BHESco (Brighton & Hove Energy Services Co-op) have been working with council officers on the SHINE project which was EU funded and officers would be looking to integrate with local energy companies and promote them where it was relevant.
- Renewables were very much part of the planning at strategic level.

- Grid capacity would be a factor where the council might implement further solar pv. This is a council wide issue. Colleagues working in the International & Sustainability Team had been in contact with UK Power Networks about the council's capacity.
- The Home Energy Efficiency Project Manager had no involvement in the Rampion Wind Farm.
- The Home Energy Efficiency Project Manager would provide a written response on the question relating to the Heat network studies undertaken on HRA property at Eastern Road (DA5) and Clarendon Road (DA6).
- The reference to the decarbonisation of the energy supply referred to the national government Clean Growth Strategy. In order to achieve the council's proportion of national targets in line with the Climate Change Act, it was recognised that most buildings would have to have their heating decarbonised which meant moving away from fossil fuel and combustion processes and moving towards heat networks and heat pumps, for example. It is a 2050 ambition in line with the national legislation.
- With regard to next steps, work would be carried out on further consultation and delivery plan. A procurement for consultancy support would be included in developing the delivery plan and reported to committee.

67.5 Councillor Bell asked if and when the strategy would be taken to the Area Panels. He expressed concern that some of the factors in the report would affect leaseholders, whose properties made up 20% of the housing stock. Councillor Bell asked if leaseholders had been consulted. The proposals could cost leaseholders a large sum of money and the council needed to engage with them to see if they were able to afford to implement the changes set out in the report. Councillor Bell asked if the move away from the use of plastic had been incorporated in the report. Officers advised that they were aware of the financial implications for leaseholders and they would be consulting with leaseholders and tenants. A version of the report was taken to the Area Panels and there was subsequently a further meeting with Area Panel members the previous week. Officers had not yet taken on the wider ecological implications of the use of plastics and this would be taken on board.

67.6 Councillor Atkinson asked for more information with regarding page 75 – renewable energy from heat pumps and page 76 – SHINE bid providing an energy advice service. Officers advised that heat pumps were a renewable energy source. They will take and extract heat from water, ground or air. It was possible that in the future a gas boiler would be replaced with a heat pump. The SHINE project was running in council housing up to 2020 based on EU funding. The project was offering financial inclusion advice to up to 250 tenants and leaseholders, as to how they could save energy and money in their homes. The council was also looking to recruit some volunteer energy champions and train those people in the tenant/leaseholder group so they could provide further advice. There was also a pilot to provide some smart controls with some new boilers.

67.7 Councillor Wealls commented that the strategy was a series of ideas rather than a plan of action. He felt there was a need for an action plan. He would support the Green amendment.

67.8 Councillor Hill considered that the strategy was a good start and in time would change into something more tangible. With regard to household income, Councillor Hill stated that there were many references to fuel poverty in the report. This was the HRA strategy so it did not cover all housing in the city. Page 75 referred to the HRA application for

further EU funding. She asked if officers knew the result of the application. Councillor Hill commented that the Area Panels had not seen the full strategy report and should be allowed to see it if that was requested. Officers responded by explaining that the EU funding bid was for a project called Solarise. This bid had been led by colleagues in the Sustainability International Team. It had been hoped that officers would have heard about the bid by the end of 2017 but the bid had to be resubmitted just after Christmas and a decision was expected in the next two months.

67.9 Councillor Gibson referred to the points about household income. Fuel poverty could be addressed by improving fuel efficiency and raising income. Page 47 of the report stated that "household income is under a separate remit and not in the scope of this strategy." It was important to recognise that a significant part of the equation was improving people's household incomes and addressing poverty. Councillor Gibson was positive about the strategy but agreed with Councillor Wealls that it needed to be more definite and focused. There was an opportunity for Brighton & Hove to be an exemplar in combating fuel poverty and decarbonising and localising energy supply.

67.10 The Chair asked the Home Energy Efficiency Project Manager to send any written responses to all members.

67.11 **RESOLVED:-**

- (1) That the Housing and New Homes Committee welcomes and approves the HRA Energy Strategy as set out in Appendix 1.
- (2) That a progress report is brought to the Housing & New Homes Committee a year from now to update the committee on progress with the delivery of the strategy.

68 YOUR ENERGY SUSSEX ENERGY TARIFF

68.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which provided an update on the Your Energy Sussex (YES) partnership, led by West Sussex County Council, which planned to establish a local energy tariff scheme to deliver a set of low cost, high value energy tariffs to residents and businesses across the Sussex area. YES was a local authority partnership open to 15 Sussex local authorities working with residents, businesses and other partners to promote energy saving and renewable energy. The council is an affiliate member of the partnership. Members were asked to support the promotion of the scheme to residents in the city through existing communications networks. The report was presented by the Housing Sustainability & Affordable Warmth Manager.

68.2 Councillor Wealls provided examples from his own energy company which demonstrated that there were cheaper tariffs available than those proposed by the report. He asked why the proposed scheme was considered a good deal.

68.3 The Housing Sustainability & Affordable Warmth Manager explained that there was no guarantee that the scheme would offer the cheapest tariff available. There had been some analysis carried out in November 2017 where there was a comparison with the big six energy suppliers. Robin Hood did have cheaper tariffs than those energy suppliers.

The data suggested that the majority of people who do not switch or very rarely switch would be more likely to have their energy supplied by the big six suppliers. In terms of promoting the scheme there would not be any guarantees that it would be the cheapest price and if people found that there was a cheaper tariff elsewhere the council would encourage them to take the cheapest tariff. The aim of the scheme was to promote switching. The council could not procure an energy partner that could guarantee being the cheapest energy supplier at any one time.

- 68.4 Councillor Wealls stressed that there was a huge difference in the prices of Robin Hood tariffs and the tariffs of his own energy company. He would find it difficult to support a recommendation that the council support Robin Hood Energy as a provider when there were tariffs in the market that were 20% to 25% cheaper.
- 68.5 Councillor Druitt expressed concern that there might be a conflict of interest in the council white labelling Robin Hood Energy. This particular deal which would have the council's name attached to it was not necessarily the best deal for residents. He asked if the council would be encouraging people to take up the Robin Hood tariff even if it was not the best deal for them. If that was the case that would contradict the fuel poverty alleviation ambitions of the council. He asked for clarity about whether the council stood to gain anything from people taking up the tariff. Meanwhile, the council's website stated that Carillion were the council's partner. Councillor Druitt assumed that Robin Hood Energy had replaced Carillion.
- 68.6 The Housing Sustainability & Affordable Warmth Manager explained that the council would not advise anyone to switch to the Your Energy Sussex tariff if there were cheaper tariffs available. Someone who received advice through the SHINE project would have the benefit of an advisor who would help to find the best deal for the individual, which might be the cheapest tariff or one of the cheaper tariffs for a longer period of time on a fixed deal. The proposed scheme was a more generalised offer that would be promoted on the basis of it being competitive and offering good customer service. Carillion were procured by West Sussex County Council a few years ago to deliver what was going to be a green deal offer across Sussex. This deal ground to a halt and did not happen. West Sussex had used them on individual projects such as building solar farms. They have had no involvement in the energy tariff scheme.
- 68.7 Councillor Moonan stated that it was a concern that there were many people in the city who did not have the wherewithal or the information to know that they could change their tariffs. This was something the council should address as part of bringing people out of fuel poverty. Councillor Moonan was pleased that the council would be looking at voids as people moving into a property could inherit the past provider. She was concerned that the Warm Homes Discount was not included and asked what impact that might have on residents. Another area of concern was that it appeared that any surpluses were placed in a pot which was shared out through a Partnership Board. Councillor Moonan asked about the representation of the Board. She was concerned that Brighton & Hove as a large unitary authority with a high level of deprivation would only get one vote on the Board.
- 68.8 The Housing Sustainability & Affordable Warmth Manager explained that the Warm Homes Discount was an obligation on energy supply companies over a certain size. Robin Hood Energy had not reached that level yet but they had made it clear that they

wanted to offer the Warm Homes Discount at some point in the future. Officers could update members if there was any progress. The council needed to be clear in any publicity that if people were eligible for the Warm Homes Discount they might get cheaper energy costs with a company that did offer the discount. Meanwhile, the council would have representatives on the panel considering the allocation of the Fuel Poverty Fund. There would be some flexibility about how the allocation would be made across the different authority areas and also some recognition of those areas that have the greatest uptake.

- 68.9 Councillor Bell concurred with comments made by Councillor Wealls and would not support the scheme. He noted that Housing Services were recommending Brighton & Hove Energy Services Co-operative and wanted to know why there appeared to be different schemes being promoted.
- 68.10 The Housing Sustainability & Affordable Warmth Manager explained that Brighton & Hove Energy Services Co-operative carried out a lot of work in the city, some of which had been funded by the council to run energy advice desks. They did not supply energy. There would not be a conflict in working with both organisations.
- 68.11 Councillor Hill noted the concerns expressed that at any given time these tariffs might not be the cheapest. However, there was an advantage in having a company that may not be cheapest at all times but over time had been seen to be consistent and good value. The scheme would not be recommended to someone if they could be paying less on a different tariff. One of the advantages of having the Robin Hood tariff was the void switching. She stressed it would be good to get residents off pre-payment meters. She concurred with Councillor Moonan with regard to the Warm Homes Discount. She welcomed the Fuel Poverty Fund but shared concern on how much money would come back to the city. Councillor Hill questioned the wording of recommendation 2.2 which appeared to suggest the council would support the promotion of this scheme whereas the officer had stated that the intention was for the council to communicate the benefits of the scheme alongside other schemes.
- 68.12 The Housing Sustainability & Affordable Warmth Manager explained that the Warm Homes Discount and voids, would be something that officers would consider in the voids process. He stressed that if a void is switched then the new tenant can switch to a new energy supplier the day after they move in. Officers would want to make them aware of the eligibility of the Warm Homes Discount and it was hoped it would eventually be offered through the scheme.
- 68.13 Councillor Druitt shared Councillor Weall's concern but acknowledged that Councillor Moonan and Councillor Hill had made valid arguments. He considered the idea to be very good as it would enable the council to encourage people to move away from the big six suppliers and off coin meters, increase people's awareness, and the majority of the time would most likely result in people being better off. However his concern was that some of the time vulnerable tenants would be misled by the fact that it had the council branding and would assume that the council was recommending it as the best deal. He proposed that that the committee defer a decision on the report to the next meeting in order for officers to carry out an analysis of the long term cost benefit of this tariff against the rest of the market.

68.14 Councillor Atkinson expressed concern at recommendation 2.2. where the wording suggested promotion of the scheme. He would prefer it to say it was raising awareness of the scheme.

68.15 The Chair agreed that the report be should be deferred and brought back to the next meeting with responses to the questions raised.

68.16 **RESOLVED:-**

(1) That the report be deferred and brought back to the next meeting with responses to the questions asked by members, to ensure that the committee have a robust and ethical report that can be supported to residents alongside other providers.

69 HOUSING FIRST

69.1 The Committee considered a report of the Executive Director, Health & Adult Social Care which was provided as a response to a request at the 14th June 2017 meeting for a follow up report outlining the effectiveness and progress with the Housing First approach to housing rough sleepers. The Committee had also agreed that a further report be undertaken to identify the potential savings across the council and other public service providers that are achievable from using additional properties from Housing First. It had been further agreed that this report was completed by January 2018, in order that any savings identified could inform the budget process of 2018/19. The report was presented by the Commissioning & Performance Manager.

69.2 Councillor Bell referred to the legal implications in paragraph 5.2 and asked for clarity as to which committee had responsibility for Housing First. The Senior Lawyer explained that major funding decisions would be considered by the Health & Wellbeing Board, however as the report considered homelessness which was clearly within the remit of Housing & New Homes Committee it was appropriate for members to receive reports on the agenda. The Health & Wellbeing Board was a service committee to the extent that it was able to make decisions.

69.3 Councillor Gibson raised the following questions/issues:

- What was the average time rough sleepers seeking accommodation had to wait on the streets, bearing in mind the government's goal of no second night out? The last figure Councillor Gibson had seen was about three months.
- Three things could help to reduce rough sleeping. i) That people out on the streets were given a greater priority for the limited housing that exists in hostels & supported housing. ii) That there is a greater supply of supported accommodation iii) That there is more move on accommodation at the end of the pathway homeless people travelled along, and more Housing First accommodation for those people that are described as revolving door homeless and never make it along the pathway.
- What types of accommodation might be suitable for housing people under a Housing First model as being operated at the moment in the city?

69.4 The Commissioning & Performance Manager responded as follows:

- It was difficult to answer the question about the average wait on the streets. People would wait a different length of time based on their priority and their needs. For example, if someone had a dog they tended to wait longer as there were not so many hostels that would take dogs. People who needed level access also waited longer as there was less suitable accommodation available. Some people waited three months and others waited significantly longer.
- All the suggestions made by Councillor Gibson would reduce rough sleeping.
- With regard to the type of types of accommodation which might be suitable for housing people under a Housing First Model, it had been found that some people found the Housing First fidelity model quite difficult. This model provided dispersed accommodation across a geographical area in the local communities. Some Housing First clients become lonely and did not make friends in those locations. Officers wanted to trial the congregate Housing First Model which had been used in Scandinavian countries. These were self contained units in a block or in a locality where people would be able to integrate and keep contact with other homeless people. However, there was still a need for self contained dispersed accommodation.

- 69.5 Councillor Moonan stated that Housing First played an important part in the range of homeless services. She agreed that all of the suggestions made by Councillor Gibson would address rough sleeping which was why all of those things were in the Rough Sleeping Strategy. The model worked well internationally and in the city and Councillor Moonan was pleased to see some of the life changing outcomes as set out in paragraphs 3.10 and 3.15 of the report. The model was working and was cost effective. There were challenges in the city in finding suitable accommodation whether it was dispersed or congregate. Both types were needed and this was something the council was working hard to achieve. Councillor Moonan agreed that it would be good to expand the Housing First model and hoped that there would be positive progress to report in due course.
- 69.6 Councillor Wealls referred to some of the questions asked by the public earlier on in the meeting and asked what was holding back progress in implementing Housing First more quickly. He asked if the problem was finding suitable sites rather than the financial model.
- 69.7 The Commissioning & Performance Manager responded by explaining that the commissioning budget included money spent on the Housing First model; however, there was no spare money. Therefore it was impossible to expand any of her services. The Chair stressed the Health & Wellbeing Board would need to consider whether they wanted to expand that model, as it was funded via the Board.
- 69.8 Councillor Bell welcomed the current report which had been requested by the committee, but did not think it was going far enough. Councillor Bell stated that he would like to see a further report showing where the problems were, who was blocking progress and how the council could improve the situation by providing more accommodation for people who needed it. He stressed that a further strategy report was required setting out decision making policies which could improve people's lives.
- 69.9 Councillor Gibson stressed that Housing First clearly worked and cost an average of £10,000 per person in terms of homeless support, yet a homeless person cost around £25,000 according to the New Economics Foundation report. This was a cost saving

for the public purse. Councillor Gibson set out the following amendment which was seconded by Councillor Druitt as follows:

“To insert new recommendations as shown below in ***bold italics***;

(1) ***2.2 That this report is referred to Health and Wellbeing Board, for consideration of successes achieved by Housing First in terms of wellbeing outcomes and overall cost-effectiveness, and to explore the identification of resources in collaboration with the CCG in order to be able to contribute to its expansion in 2018/19***

2.3 That this report is referred to Policy, Resource and Growth committee, and that the committee is requested to call for a further report to consider identifying the necessary budget to contribute to expansion of Housing First

2.4 That a future Housing and New Homes Committee receive further information indicating options to enable housing providers to make suitable properties available to expand provision of Housing first accommodation.”

69.10 The Committee voted on the amendment which was agreed unanimously. The Committee then voted on the substantive recommendation which was agreed unanimously along with the addition of 2.2 to 2.4 as set out above.

69.11 **RESOLVED:-**

- (1) That the contents of the report which is provided for information only, is noted.
- (2) That this report is referred to the Health and Wellbeing Board, for consideration of successes achieved by Housing First in terms of wellbeing outcomes and overall cost-effectiveness, and to explore the identification of resources in collaboration with the CCG in order to be able to contribute to its expansion in 2018/19.
- (3) That this report is referred to Policy, Resources & Growth Committee, and that the committee is requested to call for a further report to consider identifying the necessary budget to contribute to expansion of Housing First.
- (4) That a future Housing & New Homes Committee receive further information indicating options to enable housing providers to make suitable properties available to expand provision of Housing First accommodation.

70 EMERGENCY PLANNING AND RESILIENCE – PREVENTING AND RESPONDING TO EMERGENCIES

70.1 The Committee were presented with a report of the Executive Director, Neighbourhoods, Communities and Housing which stated that on 9th October 2017 a report on Emergency Planning and Resilience – Preventing and Responding to Emergencies was submitted to the Neighbourhoods Inclusion and Equalities Committee. It was agreed that because of the relevance to housing tenants that the committee report attached at Appendix 1 was presented to the Housing & New Homes Committee. An extract of the minutes of the Neighbourhood Inclusion and Equalities Committee was also attached at Appendix 1.

70.2 **RESOLVED:-**

- (1) That the Committee report on Emergency Planning and Resilience – Preventing and Responding to Emergencies, presented to Neighbourhoods Inclusion and Equalities Committee on 9th October 2017, be noted. This was attached at Appendix 1 to the report.

71 HOUSING REVENUE ACCOUNT BUDGET AND INVESTMENT PROGRAMME 2018/19 AND MEDIUM TERM FINANCIAL STRATEGY

- 71.1 The Committee considered a report of the Executive Director, Finance & Resources and the Executive Director, Neighbourhoods, Communities and Housing which presented the proposed Housing Revenue Account (HRA) revenue and capital budget for 2018/19 as required by the Local Government and Housing Act 1989. Members were required to consider the revenue budget proposals including savings and service pressures as well as changes to rents, fees and charges and also the capital programme. The report also set out the Medium Term Financial Strategy and 30 year financial forecast. The report was presented by the Deputy Chief Finance Officer and the Head of Housing Strategy, Property & Investment.
- 71.2 The Chair noted that three amendments had been received from the Green Group.
- 71.3 Councillor Gibson stated that the report showed a sound and comfortable future for the Housing Revenue Account under the current constraints. He raised questions/issues on the following:

- Capital buy back budget - What was the basis of cutting this important use of Right to Buys and borrowing to provide new housing?
- The assumption in the modelling was about CPI plus 1% which was over 3 years, whereas the government had said that CPI plus 1% was going to relate to caps on rent increases for 5 years.
- Projection to breach the borrowing cap by 2021 - the report stated that there would be reserves of 6.3m. Yet the amount the council proposed to breach the cap was even by 2022/23 only projected to be under a million. Was that excessively cautious when there was a housing crisis?
- No model had been carried out on the impacts of the high value voids issue.
- Clarification was requested on figures on the Estate Development Budget – Last year's budget including the top up from reserves had been cut. The likely spend this year was £407,000 and was likely to be cut to £348,000 next year. What consultation had taken place or was proposed over that particular cut?
- Proposal to fund the Children's Centres from the HRA – Councillor Gibson referred to the legal advice provided in the report which stated that "Whilst this expenditure (of £170,000) is not directly linked to the council's housing functions, it probably falls within the discretion afforded by the Circular...." Councillor Gibson wondered if there could be more clarification about the circular and in particular the thrust of the circular under the general principals which was saying that the HRA, from which the committee were being asked to fund Children's Centres, should be "primarily a landlord account containing income and expenditure arising from the housing authorities' landlord functions. There was a massive concern about funding Children's Centres out of the landlord account. Were Children's Centres a landlord function?"

- 71.4 Councillor Gibson stated that he was proposing three amendments. Amendment 1) would increase the capital programme expenditure and financing budget to £39,344m. Amendment 2) proposed a way of funding this additional expenditure. This amendment would increase temporary and emergency accommodation. Amendment 3) was requesting that Children's Centres should continue to be funded by the whole community via Council Tax.
- 71.5 The Head of Housing Strategy, Property & Investment stated that with regard to the buy back policy, members agreed to increase the budget for buy backs for the pilot scheme from £1m to £2m, from notionally four homes to eight homes and that was reflected in the budget.
- 71.6 Councillor Gibson replied that if the budget was continued at the same level it would be £4m for a period of a year enabling the buying back of 16 properties. Yet the budget shown in the report was £1m plus likely underspends.
- 71.7 The Executive Director, Neighbourhoods, Communities and Housing stated that the initial intention was to buy back a fewer number of properties, and an amendment doubled that figure. Concerns were raised as to whether the council would be able to spend that amount of money in time and it was agreed with finance colleagues that the additional money should be carried over to the following financial year in order to continue the programme.
- 71.8 The Deputy Chief Finance Officer responded as follows:
- With regard to questions about the long term projections in the medium term financial strategy, the CPI point was one of being generally prudent. Government policies could change so finance officers would always, when undertaking long term projections, build in an element of risk protection. This was considered a reasonable adjustment to make to take account of possible changes of government policy over that period.
 - Quite a large element of the reserves (£3m) had to be held by the HRA as lifetime cover against general risks. Over time many assumptions could change and fluctuate, such as the impact that welfare reform might have on rents and collection performance. There were many other general risks that might change the balance of reserves over time.
 - The amendments, although meeting the deadline, had come to the attention of officers at a late stage. A breach of the debt cap was already highlighted within the report and this amendment could potentially add to that issue. Although it appeared that there would be enough reserves to deal with the projected breach, officers needed more time to model and review the proposal in detail and understand what impact, if any, this might have on reserves. At this time amendments 1 and 2 would not therefore be safe. The Deputy Chief Finance Officer did not have enough information at this stage and he did not recommend that the committee consider those amendments today. However, all groups were able to put forward alternative budget proposals. He suggested that these amendments could come forward to the Policy, Resources & Growth Committee or to Budget Council subject to further consideration and checks by officers.
- 71.9 Councillor Gibson stated that he would follow finance officers advice and would like to give the officers time to prepare a response. He would withdraw amendments 1 & 2 and refer them to Policy, Resources & Growth Committee. He would not withdraw amendment 3 in relation to the funding of Children's Centres.

- 71.10 The Principal Accountant stated that with regard to question about the Estate Development Budget, new figures were available under the Targeted Budget Management (TBM) month 9 monitoring forecast. The estimated spend under EDB was in 2017/18 was now £350,000.
- 71.11 The Senior Lawyer referred to the question that asked whether children's centres were a landlord function and as such chargeable to the HRA. The Senior Lawyer stated that Councillor Gibson had picked up her reservations in the legal implications. She advised that it was not clear. Children's Centres were not an obvious landlord function and she could not say that it was definitely chargeable to the HRA. She thought that there was an element of discretion and if, as there appeared to be, there was an argument to be made that the particular service was targeted at HRA tenants then the council might be able to make an exception. She could not give any legal guarantees but the risk of a judicial review was considered fairly low in practice.
- 71.12 Councillor Bell referred to paragraph 5.2 on page 140 with regard to consultation. This stated that a letter had been sent to all Area Panel representatives and Chairs explaining the budget proposals. He had spoken to his East Area Chairman and his Ward representative and neither of them had received the letter. Councillor Bell requested that the letter be resent, and also sent to committee members. The Chair agreed to this request.
- 71.13 Councillor Hill referred to the amendment relating to the Children Centre contribution. She stressed that Budget Council in 2017 agreed that the HRA should contribute £250,000 to funding Youth Services and this had been supported by the Green councillors. There were some other areas where the HRA made a contribution to costs such as local newsletters. The HRA should be used in ways which best supported the tenants. The Committee had been told it was low risk. The General Fund was under pressure and council tax revenue only accounted for about 15% of the council's income. Councillor Hill wanted the contribution to remain. It was in the interest of council tenants and it was a good use of money.
- 71.14 Councillor Moonan supported the fact that the council had spent HRA money on youth services. The argument for that decision was that these youth services would be targeted at areas where there was a high proportion of council housing and it would benefit families, some of which were particularly vulnerable and in high need. The same argument applied to early year's provision, which could change vulnerable children's lives. All these services were at risk and the contribution was a small proportionate amount of money. In terms of the legal risk there were a significant number of local authorities around the country who were looking at using the HRA more creatively, due to the pressure that the General Fund was under. She commended the recommendation within the budget and would vote against the amendment.
- 71.15 Councillor Druitt seconded the third amendment which was proposed by Councillor Gibson and is as follows:

"To add recommendation 2.2 g and add brackets as shown below in ***bold italics***:

2.1 That Housing and New Homes Committee;

- a) recommends that Policy Resources and Growth Committee approves and recommends to full council the updated HRA revenue budget for 2018/19 as shown in appendix 2 **(as amended by 2.2 g)**

2.2 That Policy Resources and Growth Committee:

- a) Recommends that full council approves the updated HRA revenue budget for 2018/19 as shown in Appendix 2 (as amended by 2.2 g)*

(g) That the proposed £170k costs towards Children Centres continue to be funded by Council Tax through the General Fund Budget, with Appendix 2 amended to reflect this change

2.3 That the full Council:

- a) Approves the updated HRA revenue budget for 2018/19 as shown in Appendix 2 **(as amended by 2.2 g)**”

71.16 Councillor Druitt agreed that the Green councillors had supported the funding of Youth Services last year; however they were now questioning who should fund those services. Tenants were under a great deal of financial pressure and it was not right that they subsidised services that were available to the whole community. If the burden was spread across all council tax payers then everyone’s burden would be much lower. There was an opportunity this year to raise council tax by an extra 1%. It was not fair that tenants were being asked to pay twice, through their council tax and again through their rent for a service the whole community benefited from. This was not specifically a tenant service. The burden should fall across the wider community.

71.17 The Chair stressed that early years improved life chances for the most vulnerable young people in the city. She believed that this provision should remain in the budget.

71.18 The Committee had a short recess at this point to discuss the amendment.

71.19 Once the meeting reconvened, the Committee voted on the Green amendment set out in paragraph 71.15 above. There were two votes for the amendment, four votes against the amendment and three abstentions. The amendment was therefore not carried.

71.20 **RESOLVED:-**

(1) That the Housing & New Homes Committee:

- (a) recommends that Policy, Resources & Growth Committee approves and recommends to full Council the updated HRA revenue budget for 2018/19 as shown in Appendix 2;
- (b) recommends that Policy, Resources & Growth Committee approves and recommends to full Council the capital programme expenditure and financing budget of £36.344m for 2018/19 and notes the 3 year programme as set out in Appendix 4;

- (c) approves a rent reduction of 1% in line with government legislation as detailed in paragraph 3.13;
- (d) approves service charges and fees as detailed in Appendix 3;
- (e) notes the HRA forecast outturn for 2017/18 in Appendix 1 of a £0.425m underspend;
- (f) notes the Medium Term Financial Strategy and 30 year financial projections shown in Appendix 5;
- (g) notes the Integrated Service and Financial Plan (savings proposals) in Appendix 6.

Note: Councillor Wealls was not present during the discussion and decision on this item, having left the meeting after item 70.

72 ITEMS REFERRED FOR FULL COUNCIL

72.1 No items were referred for information to Full Council.

The meeting concluded at 7.40pm

Signed

Chair

Dated this

day of

Subject: Land sale	Request to purchase a piece of Housing Revenue Account land on Mile Oak Road, Portslade
Date of Meeting:	14 March 2018 - Housing & New Homes Committee 29 March 2018 - Policy, Resources & Growth Committee
Report of:	Larissa Reed Executive Director Neighbourhoods, Communities & Housing
Contact Officer: Name:	Scott Lunn
	Tel: 01273 290282
Email:	Scott.lunn@brighton-hove.gov.uk
Ward(s) affected:	Portslade North

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 A request has been made to purchase a piece Housing Revenue Account (HRA) land, adjacent to 336 Mile Oak Road, Portslade, BN41 2RA for the sum of £27,000 with an additional offer of £500 towards legal costs.
- 1.2 Restrictive covenants over the land would not allow the purchaser to develop the site for Housing. It is not viable for the council to develop this site for housing itself due to the cost of relocating the electrical substation. The remaining area would not be large enough to build a home on even if the electrical substation were removed.
- 1.3 The Housing & New Homes Committee and Policy, Resources & Growth Committee are required to consider the recommendations in this report as the value of the land exceeds £25,000 (which exceeds the Executive Director's delegated power).

2. RECOMMENDATIONS:

- 2.1 That Housing and New Homes Committee recommend to Policy, Resources and Growth Committee that the council sell the freehold interest of the subject land adjacent to 336 Mile Oak Road as detailed in the attached plan.
- 2.2 That the Housing and New Homes Committee recommend to Policy, Resources and Growth Committee that the capital receipt is used to support the HRA Capital Programme.
- 2.3 That the Policy, Resources and Growth Committee approves the disposal of the freehold of the land adjacent to 336 Mile Oak Road, as indicated in the attached plan, for £27,000.

- 2.4 That the Policy, Resources and Growth Committee agree that the capital receipt arising from the sale of the freehold of the land adjacent to 336 Mile Oak Road be used to support the HRA Capital Programme.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The HRA owns a small hard-standing and garage next to 336 Mile Oak Road held for the purposes of Part II of the Housing Act 1985.
- 3.2 Prior to 2015 the land was used for informal off-street parking by local residents which prompted the local residents to formally ask if they could purchase the plot for off-street parking.
- 3.3 We do not consider there is any development potential for additional council housing on this site owing to the constraint imposed by the electrical substation. The existing garage is empty and, owing to its condition, is not able to be let by the council and would require significant investment to bring back into service. There have been two rounds of marketing to realise best consideration for the site. In 2015 offers were invited from the open market. However the council could not proceed with the final bidder. In 2017 the site was re-marketed. The bidding process was restricted to the immediate neighbours, who could be argued to have a 'unique' interest in this piece of land. Should disposal be agreed, the council could then approve the highest bidder, subject to contract and maintain the existing restrictive covenants which do not allow development of the site beyond its current use.
- 3.4 An external valuation has been prepared in accordance with the Valuation Standards, Guidance Notes and Appendices contained in the RICS UK Valuation – Global Standards July 2017 – “The Red Book”. The conclusion from this report is that the £0.027m purchase price represents best consideration for the council.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Consideration has been given to alternative options outlined below both of which would result in a subsidy requirement from the HRA.
- 4.2 Option 1 is to repair the existing garage and rent out with decreased void loss alongside two additional parking bays. Over a 5 year period this would generate rental income of £0.004m. When compared to the expenditure of £0.013m to repair the garage and create the additional parking spaces it results in a £0.009m subsidy requirement. Over a 30 year period the rental income would total £0.024m, compared to expenditure of £0.046m. Therefore there would be a subsidy requirement of £0.022m.
- 4.3 Option 2 is to demolish the existing garage and convert the space into three parking bays. Over a 5 year period this would generate rental income of £0.002m. When compared to the expenditure of £0.017m to demolish the garage and create the parking spaces it results in a £0.015m subsidy requirement. Over a 30 year period the rental income would total £0.012m, compared to expenditure of £0.036m. Therefore there would be a subsidy requirement of £0.024m.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Both current and previous ward councillors have been consulted and indicate support for the disposal of this land. Consultation with neighbouring residents is detailed in the report.

6. CONCLUSION

- 6.1 This proposal provides the council with an opportunity to release an unviable asset and invest the capital receipt to meet key strategic priorities as outlined in our HRA Asset Management Strategy.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 This report proposes that the Housing Revenue Account (HRA) receives an estimated £0.027m as a capital receipt from the sale of land adjacent to 336 Mile Oak Road. There would also be an additional sum to contribute to the legal fees associated with the sale. The £0.027m receipt has been confirmed by external valuers as best consideration, after considering the number of restrictions at the site.
- 7.2 The receipt is above the £10,000 de-minimus level for the sale of land and as a result will be recorded as a capital receipt. The permitted use of capital receipts is for it to be ring-fenced for re-investment into the HRA Capital Investment Programme. Making use of the receipts in this manner will reduce the need for borrowing..
- 7.3 The financial test carried out indicates that both options would result in a net cost over thirty years ranging from £0.022m and £0.024m, whilst the estimated income, as mentioned in paragraphs 4.2 and 4.3 of the main report, does not match the level of capital receipt for either the 5 or 30 year period. The option to sell the freehold of the land therefore represents best value to the HRA.

Finance Officer Consulted: Craig Garoghan

Date: 08/01/2018

Legal Implications:

- 7.4 With reference to the recommendation that the Council sells the freehold interest in land adjacent to 336 Mile Oak Road, the General Consent for the Disposal of Land held for the purposes of Part II of the Housing Act 1985 – 2013 permits a local authority to dispose of vacant land provided the sale price reflects its market value. "Vacant", in relation to land means land on which no dwelling-houses have been built or where dwelling-houses have been built, such dwelling-houses have been demolished or are no longer capable of human habitation and are due to be demolished.

Lawyer Consulted:

Name Joanne Dougnaglo

Date: 30/11/2017

Equalities Implications:

- 7.5 There are no equalities implications arising directly from this report. Our HRA Budget Investment Programme and Asset Management Strategy are subject to Equalities Impact Assessment.

Sustainability Implications:

- 7.6 There are no sustainability implications arising directly from this report.

Any Other Significant Implications:

- 7.7 These are outlined in the body of the report.

SUPPORTING DOCUMENTATION

Appendices:

- Plan of site is attached.
1.

Documents in Members' Rooms

There are no documents in Members room.

Background Documents

There are no background documents

Appendix 1

Crime & Disorder Implications:

- 1.1 There are no crime and disorder implications arising directly from this report.

Risk and Opportunity Management Implications:

- 1.2 These are outlined in the body of the report.

Public Health Implications:

- 1.3 There are no Public Health implications arising directly from this report. Our HRA Budget Investment Programme and Asset Management Strategy align to our overall Housing Strategy which has been subject to consultation with Public Health colleagues as well as other key stakeholders.

Corporate / Citywide Implications:

1.4 There are no Corporate or citywide implications arising directly from this report. Our HRA Budget Investment Programme and Asset Management Strategy align to our overall Housing Strategy approved by Council and Brighton & Hove Connected.

Mr Scott Lunn
Property and Investment
Brighton & Hove City Council
The Housing Centre
Unit 1 Fairway Trading Estate
Eastergate Road
Brighton
BN2 4QL

9 February 2018

Dear Scott,

Land adjacent to 336 Mile Oak Road, Portslade, BN41 2RA

Instructions

In accordance with your instructions we have inspected the above mentioned freehold land, owned by Brighton & Hove City Council ("the Council"), in order to advise you as to our opinion of Market Rental Value (IMRV) subject to full vacant possession based on the following investigations, limitations, and assumptions.

We have valued the property based on certain information provided. We have not been provided with any Report on Title. Further comments on specific information provided is detailed within.

A copy of your Purchase Order ref BHC0578550/0 confirming the instruction is attached, along with our Standard Valuation Assumptions & Bases of Valuation.

Purpose of valuation

We understand that our market rent valuation is required to assist the Council in considering alternative options to the sale of the land and garage.

This report has been prepared in accordance with the Valuation Standards, Guidance Notes and Appendices contained in the RICS UK Valuation - Global Standards July 2017 - "The Red Book". The firm may be considered to be an external valuer as defined in the RICS Valuation Standards and we have not had any previous material involvement with the land or a connected party, save for undertaking a marketing exercise to sell the land, including negotiating and agreeing sale terms with prospective purchasers.

The valuation has been undertaken by William Shipley BSc FRICS a partner and RICS Registered Valuer who has the knowledge, skills and understanding to undertake the valuation competently.

Inspection

The land has not been inspected for the purposes of this valuation as it is well known to us due to the marketing process undertaken over the past twelve months.

Location

The site is located towards the northern end of Portslade, East Sussex. The area of Mile Oak is predominately residential, consisting mainly of semi-detached dwellings dating back to the 1950s.

There is a small parade of shops, including a convenience store and takeaway, and a pub approximately 500m northwards.

There are no parking restrictions in this part of the city and there is free on-street parking available along Mile Oak Road. Several residents in the immediate area have private forecourts for parking, including the adjoining neighbours. Various bus services are available in the locality, providing connections across the city and beyond.

A plan of the site, outlined in red, is attached.

Description

The site comprises a small sloping plot of land, mainly surfaced in concrete with a small, derelict garage to the rear. The area is overgrown and generally in poor condition. The overall plot size is 74.4 sqm (801 sq ft).

The garage is of a pre-fabricated concrete build under what appears to be an asbestos roof and is visually in poor condition externally. The garage is located to the rear of the site in a small and narrow section. Whilst we have not had access to the garage, we believe the existing gross internal floorspace to be approximately 11 sqm (118 sqft). This is not suitable to accommodate a modern sized car.

The site is immediately adjacent to an electric sub-station (not included within the site) and is bounded by the residential properties and gardens at 334 and 336 Mile Oak Road.

Market Rent Valuation Commentary

Our market rent valuation has been undertaken on the basis of the existing land and dilapidated garage.

We have based our valuation upon comparable evidence with B&HCC's housing portfolio of garages and parking spaces.

The following evidence is available within Portslade:

Address	Description	Rent
Graham Avenue, Portslade, BN41 2WT	Car parking spaces	£4.73 per week
Graham Avenue, Portslade, BN41 2WT	Modern sized garages	£17.70 per week
Wickhurst Close, Portslade, BN41 2TG	Modern sized garages	£17.70 per week
Valley Road, Portslade, BN41 2TH	Modern sized garages	£17.70 per week

The above garages all comprise purpose-built facilities, capable of accommodating a modern sized vehicle or a standard storage requirement. The garage located on the subject site is not suitable for such a purpose and given its dilapidated nature may not be suitable for dry storage.

Freehold and leasehold garages are generally used for a variety of purposes besides parking and in particular are often utilised for storage. However, the garage on the land is dilapidated and may not

be wind and watertight, and so usable for very basis storage only. The remainder of the site is suitable for parking a motor vehicle.

Accordingly, in our opinion, and assuming the land is let as per its current condition, we would assess the market rent based upon a rate of £10 per week, plus vat, providing a market rent of £520 plus vat.

Market Rent

In our opinion, the Market Rental Value of the land and garage adjacent to 336 Mile Oak Road, Portslade is:

£520.00 per annum exclusive of VAT

(Five Hundred and Twenty Pounds exclusive of VAT)

This valuation has been carried out in accordance with our Standard Valuation Assumptions and Bases of Valuation.

Sale Price

A sale of the garage and land has been agreed with the adjoining owner of 336 Mile Oak Road for £27,500, following a marketing campaign. Based upon our market rent this reflects a gross yield of 1.89%. Unless any letting was short term only, allowing for early repossession, the investment yield would be considerably higher. At a yield of, say, 5% the capital value would equate to £10,400.

Accordingly, in our opinion the sale price agreed represents best consideration, and also a special purchaser premium.

Confidentiality and Disclosure

Our valuation is confidential to the addressees for the specific purpose to which the report refers and no responsibility is accepted to any third party for the whole or any part of its contents.

If our opinion of value is disclosed to persons other than the addressees of this report, the basis of valuation should be stated. Before the certificate or any part of it is reproduced, or referred to in any document, circular or statement, and before its contents or the contents of any part of it are disclosed verbally to a third party, our written approval as to the form and context of such publication or disclosure must first be obtained.

William Shipley

Colin Brades

Prepared by _____

Reviewed by _____

**William Shipley BSc FRICS
(RICS Registered Valuer)**

**Colin Brades DipVEM, MRICS
(RICS Registered Valuer)**

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For and on behalf of
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1.0 STANDARD VALUATION ASSUMPTIONS AND BASES OF VALUATION

All valuations and appraisals have been carried out in accordance with **The RICS UK Valuation – Global Standards July 2017) - "The Red Book"**. Compliance with The Red Book is mandatory for Chartered Surveyors in the interests of maintaining high standards of service and for the protection of clients.

Please note that our valuation may not be relied upon for the stated or any other purposes until such time as our fee account has been paid in full.

Unless agreed otherwise in writing, or stated otherwise in our Valuation Report, the following Standard Conditions of Engagement shall apply:

General Comment

All valuations are professional opinions on a stated basis, coupled with any appropriate assumptions or special assumptions. A valuation is not a fact, it is an estimate. The degree of subjectivity involved will inevitably vary from case to case, as will the degree of certainty, or probability, that the valuer's opinion of market value would exactly coincide with the price achieved were there an actual sale at the valuation date.

The purpose of the valuation does not alter the approach to the valuation.

Property values can change substantially, even over short periods of time, and so our opinion of value could differ significantly if the date of valuation was to change. If you wish to rely on our valuation as being valid on any other date you should consult us first.

1.1 Assumptions: In preparing the Valuation and Report, we have made the following general assumptions:

- i) We will exercise reasonable care and skill (but will not have an absolute obligation to you) to ensure that the property, identified by the property address in your instructions, is the property inspected by us and contained within our valuation report. If there is ambiguity as to the property address, or the extent of the property to be valued, this should be drawn to our attention in your instructions or immediately upon receipt of our report.
- ii) We rely upon information provided to us, by the sources listed, as to details of tenure and tenancies, planning consents and other relevant matters, as summarised in our

- report. We assume that this information is up-to-date, complete and correct and may be safely relied on.
- iii) That all information provided as to ownership (e.g. tenure, lease terms, tenant's improvements, development expenditure, etc.) is up to date, complete and correct. Also, that there are no encumbrances or unduly onerous or unusual easements, restrictions, outgoing or conditions, likely to have an adverse effect upon the value of the property, attaching to the relevant interest in the property of which we have not been made aware and that a good and marketable title to the relevant interest is held.
 - iv) Where we have read leases, no reliance should be placed on our interpretation of these documents without reference to solicitors, particularly where purchase or lending against the security of a property is involved. We assume that all covenants in any head leases have been complied with and that there are no disputes with the lessors or notices received from the lessors or lessees which would adversely affect the valuation. Information regarding tenure and tenancies must be checked by your legal advisers.
 - v) That, unless we have been informed otherwise, each property complies with all relevant Statutory Requirements (including, but not limited to, Fire Regulations, Bye-Laws, Disability Access, Asbestos, Radon Gas and Health and Safety at Work).
 - vi) That each property has been constructed, and is occupied, in accordance with valid Town Planning Consents and Building Regulations Approvals, and that it complies with any other relevant Statutory and Bye-Law requirements and that there are no outstanding Statutory or other notices in connection with the property or its current use.
 - vii) That, unless we have been notified otherwise, the presence of high alumina cement, calcium chloride additive, blue asbestos or any other deleterious, harmful or hazardous material has not been determined and our valuation assumes that these materials have not been used in the construction of any of the buildings or subsequently added.
 - viii) With regard to development properties, we have assumed, except where notified otherwise, that there are no leases, underleases, tenancies, licences or other agreements under which any person has or will have any right to possession, occupation or use of the property or any part thereof and that vacant possession for development is obtainable.

-
- 1.2 **Special assumptions:** Where special assumptions are necessary in order to adequately provide the valuation(s) required, these will have been agreed and confirmed in writing before the Report is issued. Special Assumptions may only be made if they can be regarded as realistic, relevant and valid, in connection with the particular circumstances of the valuation.
- 1.3 **Restricted information:** Where we have undertaken a Valuation on the basis of restricted information, the nature of the restriction and the impact upon the accuracy of the valuation has been referred to in our Report.
- 1.4 **Revaluations:** Revaluations without re-inspections are made only on the assumption that the client has confirmed that no material changes to the physical attributes of the property and the area in which it is situated have occurred. (For residential properties only: Unless otherwise agreed, we will not undertake revaluations without re-inspections if the property was inspected more than 12 months previously because the condition of such property can materially change significantly during this period of time, especially when let.)
- 1.5 **Structural condition:** No structural surveys have been carried out, nor have we tested any services or inspect roof voids, woodwork or any parts of the structures which are covered, unexposed or inaccessible, and, therefore, such parts are assumed to be in good repair and condition and the services are assumed to be in full working order. Any obvious defects or items of disrepair have been taken into account, but we are not be able to give any assurance that any property is free from defect.
- 1.6 **Plant and machinery:** Plant and machinery and trade fixtures and fittings have not been included in the valuation unless forming part of the structure or service installations and normally valued with the building.
- 1.7 **Site history investigations and surveys:** We recommend that a site history investigation and survey is undertaken although this is usually commissioned by lawyers. We have not carried out or commissioned a site investigation or geographical or geophysical survey unless requested to do so and, therefore, we are not able to give any opinion or assurance or guarantee that the ground has sufficient load bearing strength to support any of the existing constructions or any other constructions that may be erected in the future. We also cannot give any opinion or assurance or guarantee that there are no underground mineral, other workings, or archaeological remains beneath the site or in its vicinity nor that there is any fault or disability underground which could or might affect the property or any construction thereon or that there is no abnormal risk of flooding.
- 1.8 **Contamination:** We are not qualified to give specific advice on the nature or risk of contamination. If, during the course of our inspection and subsequent enquiries for

valuation purposes, or through our knowledge of the locality, we became aware of any matters which may indicate the likelihood or potential for contamination of the subject property, these are stated in our Report. If a Contamination Report is considered necessary, this should again be commissioned by lawyers as part of their due diligence process. Should it be established subsequently that contamination exists at the property or on any neighbouring land, or that the premises have been or are being put to a contaminative use, this might reduce the values set out in our Valuation Report and we must be notified immediately.

- 1.9 **Measurements:** All measurements have been carried out in accordance with the latest Code of Measuring Practice issued by the Royal Institution of Chartered Surveyors, unless stated otherwise in our Report.
- 1.10 **Planning/rating:** We have made informal oral enquiries of the relevant local planning and rating authorities together with publicly available electronic sources and we have taken into account the information received in the preparation of our Valuation Report. This verbal information is given to us and accepted by us on the basis that it should not be relied upon. Written enquiries can take several weeks for response and incur charges. No searches have been carried out and, therefore, unless we are specifically advised to the contrary, we have assumed that the property and its value are unaffected by any matters which would be revealed by a full Local Search. We recommend that formal written enquiries should be undertaken by your lawyers.
- 1.11 **Tenant covenant:** We have undertaken limited research into the strength of covenant offered by commercial tenants in order to form a view of the likely perception of their financial status from the standpoint of potential purchasers. We have assumed that their financial standing is satisfactory, unless our research indicated otherwise. Unless informed to the contrary, we have assumed in all cases that there are no significant arrears of payment and that all commercial tenants are capable of meeting their obligations under the terms of leases and agreements. You should be aware we have made no such checks on residential tenants.
- 1.12 **Taxation/costs of realisation:** No account has been taken of any liability for taxation, which may arise upon the disposal of the property, nor have we deducted the likely costs of such disposal. However, normal purchaser's costs are reflected in our valuations where necessary.
- 1.13 **Development properties:** For properties in course of development, we have reflected the stage reached in construction and the costs remaining to be spent at the date of valuation. We have had regard to the contractual liabilities of the parties involved in the development and any cost estimates that have been prepared by the professional advisors to the project. For recently completed developments, we have

taken no account of any retentions, nor have we made allowance for any outstanding development costs, fees, or other expenditure for which there may be a liability.

- 1.14 **Build Cost Information:** Where our instruction requires us to have regard to build cost information, for example in the valuation of properties with development potential, we strongly recommend that we are supplied with build cost and other relevant information prepared by a suitably qualified construction cost professional, such as a quantity surveyor. We do not hold ourselves out to have expertise in assessing build costs and any property valuation advice provided by us will be stated to have been arrived at in reliance upon the build cost information supplied to us by you or your advisors. In the absence of any build cost information supplied to us, we may have regard to published build cost information. There are severe limitations on the accuracy of build costs applied by this approach and professional advice on the build costs should be sought by you. The reliance which can be placed upon our advice in these circumstances is severely restricted. If specialist build cost advice is subsequently obtained, we recommend that we are instructed to review our advice.
- 1.15 **Valuation date:** The date of our valuation is specified in the Valuation Report.
- 1.16 **Comparables:** Information quoted in our reports is often based upon our verbal enquiries and electronically available information and its accuracy cannot be assured. However, such information is only referred to where we have reason to believe its general accuracy, or where it is in accordance with our expectation. We have not inspected comparable properties.
- 1.17 **Publication:** Prior consent in writing is required for any reproduction or public reference to the valuation or Report.
- 1.18 **Reliance on the report:** The Valuation Report has been provided only for the purpose agreed with the instructing Client and is for the sole use of that Client. As such, it is confidential to the Client and his professional advisors to whom we accept responsibility that the Report has been prepared with the skill, care and diligence that can reasonably be expected of a competent Valuer. We accept no responsibility whatsoever to other parties that subsequently rely on this report, for the whole or any part of its contents.
- 1.19 **Loan security:** Where instructed to comment on the suitability of property as a loan security, we are only able to comment on any inherent property risk. Determination of the degree and adequacy of capital and income cover for loans is the responsibility of the lender having regard to the terms of the loan.
- 1.20 **Complaints procedure:** In accordance with the requirements of the RICS, a copy of our complaints procedure is available on request.

1.21 **Valuation Bases:** Valuations and appraisals are carried out on a basis appropriate to the purpose for which they are intended and in accordance with the relevant definitions, commentary and assumptions contained in The Red Book. The basis of valuation will have been agreed in the letter covering the specific terms for the instruction.

1.22 The definitions of the various valuation bases are reproduced below as follows:

1. Market Value (MV)

Market Value is defined as:

The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.

2. Market Rent (MR):

Market Rent is defined as:

The estimated amount for which a property would be leased on the valuation date between a willing lessor and a willing lessee on appropriate lease terms in an arm's length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.

3. Fair Value

There are three recognised definitions of Fair Value and the valuer needs to be make explicit which definition is being adopted.

For valuations for inclusion in financial statements prepared in accordance with UK GAAP, the Fair Value definition applicable under FRS 102 (UK GAAP) is :-

'The amount for which an asset could be exchanged, a liability settled, or an equity instrument granted could be exchanged, between knowledgeable, willing parties in an arm's length transaction.'

In our view, the adoption of the required Fair Value basis does not result in any material difference in the values now reported from the previously used definition of Market Value.

For valuations prepared in accordance with IFRS, the definition adopted by the International Accounting Standards Board in IFRS 13 is:

The price that would be received to sell an asset, or paid to transfer a liability, in an orderly transaction between market participants at the measurement date.

This definition is also considered by RICS for most practical purposes to be the same as the Market Value.

The definition adopted by the IVSC in IVS Framework paragraph 38 is:

The estimated price for the transfer of an asset or liability between identified knowledgeable and willing parties that reflects the respective interests of those parties.

This definition is not the same as Market Value. For more information, valuers should refer to IVS Framework paragraphs 38-42.

4. Investment Value

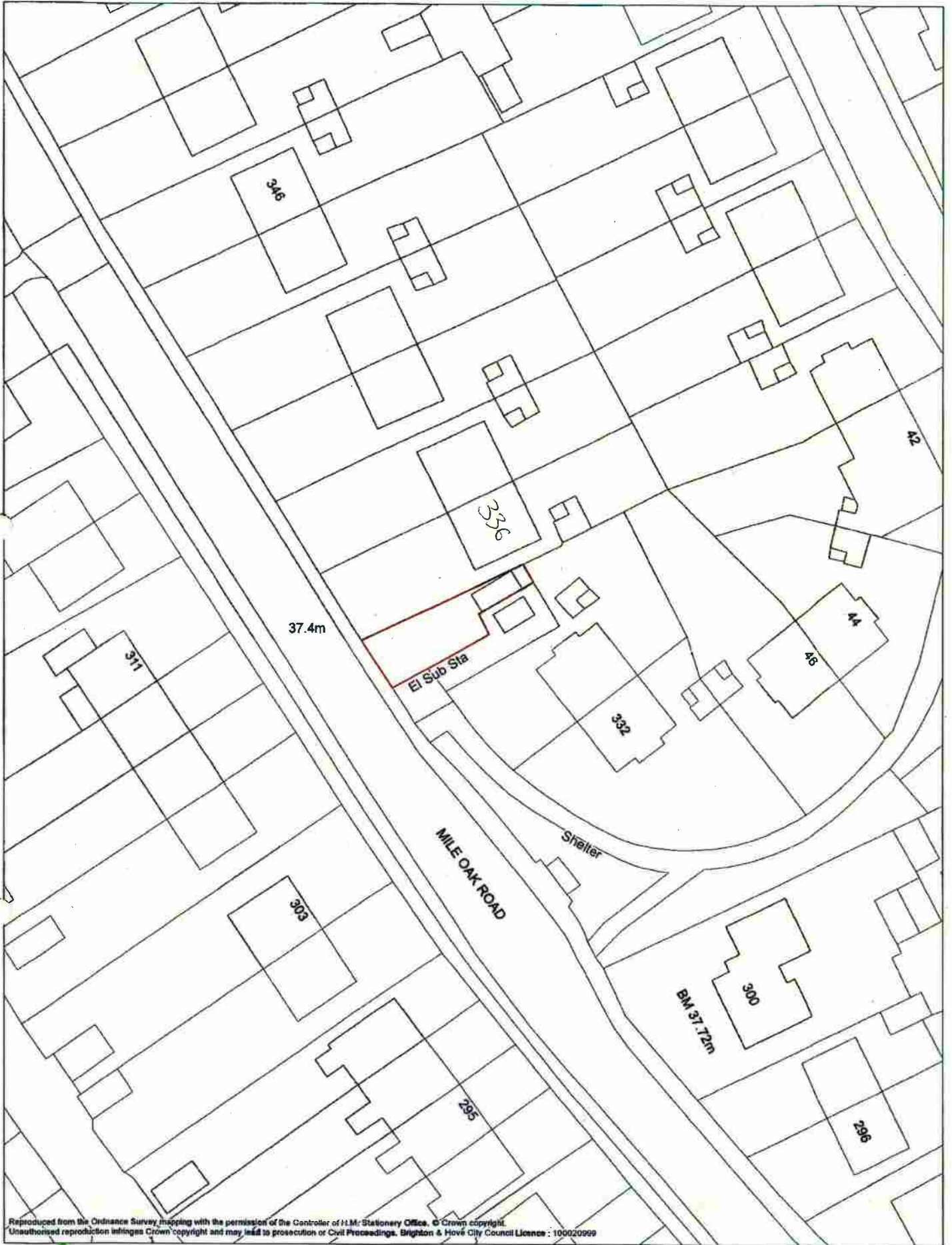
Investment Value (or Worth) is defined as:

Investment Value is the value of an asset to the owner or a prospective owner for individual investment or operational objectives.

5. Projected Market Value (PMV) of Residential Property only

Projected Market Value is designed to provide residential mortgage lenders with a simple numeric indication of the valuer's opinion of short-term market trends and is defined as:

The estimated amount for which an asset is expected to exchange at a date, after the valuation date and specified by the valuer, between a willing buyer and a willing seller, in an arm's length transaction after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.



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Land Adjacent 336 Mile Oak Road

Scale 1:500



P



Subject:	Purchase of properties with restrictive covenant		
Date of Meeting:	14 March 2018 Housing & New Homes Committee 29 March 2018 Policy, Resources & Growth Committee		
Report of:	Executive Director Neighbourhoods, Communities and Housing		
Contact Officer:	Name:	Emma Kumar	Tel: 01273 293297
	Email:	emma.kumar@brighton-hove.gov.uk	
Ward(s) affected:	Queens Park		

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

- 1.1 At Housing & New Homes Committee on 15 March 2017 it was agreed to explore the possibility of purchasing and refurbishing two properties where a restrictive covenant was in place. The covenant provided an opportunity for the council as it lowered the purchase value of the properties.
- 1.2 Further it was agreed that if a viable scheme (for the purchase and refurbishment of the properties) was identified then a further report would be brought to Housing & New Homes Committee for consideration before seeking budget approval at Policy, Resources & Growth Committee.
- 1.3 Since March 2017 viability modelling of the proposal has been undertaken and negotiations have been ongoing with a final purchase price now being agreed with Orbit Housing Association (the Registered Provider (RP)) as vendor.

2. RECOMMENDATIONS

That Housing & New Homes Committee recommend to Policy, Resources & Growth Committee that:

- 2.1 The council purchase and refurbish the two properties at in Queens Park ward, Brighton to provide 15 units of accommodation for future use by the council as temporary accommodation.
- 2.2 A budget of £2.040m for the purchase and refurbishment of these two properties is approved, which includes a purchase price of £1.200m.

3. CONTEXT / BACKGROUND INFORMATION

- 3.1 The properties comprising 15 units of accommodation are in a cul-de-sac of terraced properties situated in the Queens Park area of the city. The properties are formed of

- Property 1: A large former villa currently converted as 12 flats (9 x 1 bed and 3 x studio) and a ground floor office room. It has a large garden area that wraps around both buildings at the rear and runs along behind the other properties in the row. The 'front' area of this garden is quite large, contained by a possibly historic flint wall.
 - Property 2: This is a smaller building, in poor condition internally and currently forming three self contained flats (1 x 1 bed and 2 x studios).
- 3.2 These properties were sold to local RP partner Orbit in 1999 on the basis that the accommodation within the buildings should be used as 15 flats let on affordable rents. This is the restrictive covenant referred to in this report. Orbit refurbished the buildings after purchase and they were used for supported housing accommodation until 2015.
- 3.3 At that time they decided that a further upgrade of the buildings was needed but was not financially viable and approached the council to seek removal of the restrictive covenant to enable it to sell the buildings on the open market in order to maximise the sale price based on an unfettered open market value.
- 3.4 Orbit has accepted that the properties could only be sold on this basis if the council is prepared to release the covenant, and that it would be reasonable for the council to seek payment in compensation for so doing. Orbit has therefore agreed to the alternative option put forward by the council, namely that the council itself purchases the properties.

Valuation and negotiation of price

- 3.5 A valuation by an independent valuer was commissioned jointly by BHCC and Orbit dated 08 July 2016 which included valuations based on the social housing covenant remaining and the value if sold at open market value. This highlighted the opportunity presented by the covenant being in place and formed the basis of the original committee report. Following the committee decision the valuer was appointed to negotiate on the council's behalf. The valuation undertaken in July 2016 gave an open market value of £2.330m and a value with the social housing covenant of £0.418m.
- 3.6 Orbit's position is that it would not consider a valuation based on social housing value, only one based upon unfettered market value. This reflected the fact that, although the council's current and foreseeable intention is to retain the buildings for affordable rent purposes, there is a possibility that at some point in the future, the council could seek to sell the buildings on the open market without use restrictions. Orbit also took legal advice which suggested that an application could be made to the Courts to have the user covenant modified or released in its entirety. These matters informed the negotiation.
- 3.7 BHCC surveyors have provided an estimate of works costs needed to bring the properties back into use based on refurbishing the existing 15 units (10 x one bed and 5 x studio). This estimate of works cost was later increased to reflect additional works for fireproofing and a recent uplift of 4% was also proposed to reflect build cost increases. Any potential for additional units will be explored after purchase.

- 3.8 The proposed scheme was not viable using social rent levels so modelling based on affordable rent levels and a revised affordable rent valuation of £0.978m was applied and an initial offer of £0.950m was made which was rejected by Orbit.
- 3.9 Orbit has stated their sale price based on both an unfettered market basis and a lower price including a requirement that they would then receive a share of the increase in a future sales value. Depending on future market movement and the basis of sale, this could be a significant sum of money.
- 3.10 The valuer considers that the price of £1.200m to sell the freehold unfettered is an acceptable price as the council will be acquiring an unfettered freehold and have complete freedom as to how it wishes to use the properties.
- 3.11 If purchased the accommodation would be used for temporary accommodation held within the HRA.
This purchase provides an opportunity to accelerate delivery of council provided temporary accommodation through the development and acquisition of suitable settled high quality temporary accommodation in the city to:
- Enable the council to meet its statutory homelessness obligations, meeting the needs of vulnerable households to whom we owe a housing duty;
 - Support Housing General Fund budget pressures and the council's temporary accommodation reduction plan;
 - Reduce the use of / replace more expensive emergency and / or other temporary accommodation.
- 3.12 Whilst the properties are proposed to be used for temporary accommodation continued use of the building as Supported Housing was discussed. Supported housing needs are now reviewed and assessed through the council's Strategic Accommodation Board before commissioning decisions are made.

4. ANALYSIS & CONSIDERATION OF ANY OPTIONS

	Option	Benefits	Risks
Option 1 (preferred option)	Purchase the two properties providing 15 units of accommodation	Increase supply of council-owned affordable housing Pressing housing needs are met Takes advantage of the opportunity presented by the covenant providing a good value purchase that meets a housing need	The projected building costs increase
Option 2	The council agrees to remove the covenant and receive compensation	Compensation payable to the council for releasing the covenant Monies to be used for the provision of alternative affordable housing elsewhere in the city	Not taking advantage of opportunities to improve the supply of affordable housing Not meeting housing needs identified in the city Loss of affordable housing provision in the city

Option 3	Seek an alternative registered provider to purchase the properties with council nominations	<p>No capital outlay for the council</p> <p>Keeps accommodation as affordable housing</p> <p>Council nominations to the accommodation therefore meeting housing need</p>	<p>Would require the landowner, Orbit to agree to this option.</p> <p>Not taking advantage of opportunities to provide council owned temporary accommodation</p> <p>No interest due to risks around borrowing to provide homes for rent, small scale of the scheme and recent experience of RPs disposing of miscellaneous properties as part of their asset reviews</p>
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4.1 The following table provides details of the estimated cost and funding requirement for the purchase of 15 units as well as the surplus generated over a 60 year period. The 60 year viability model was used for this proposal; with standard assumptions being made about management, maintenance, repairs and voids costs to ensure that future associated costs associated to the property are accounted for.

	Tilbury Place For HRA - owned TA use
No. of units	15
Rent option	LHA
	£'m
Total cost (Purchase and works)	2.040
Funded by:	
HRA Borrowing	(2.040)
Cost per unit	0.136
NPV of 60 year cash flows [Subsidy /(Surplus)]	(0.118)

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Estate Regeneration Members Board considered this report on 26 February 2018.
- 5.2 Should the purchase proceed we will engage with local residents with regard to major works or any planning permissions needed.

6. CONCLUSION

- 6.1 The covenant included in this transfer document offers an opportunity to provide

much needed affordable housing in the city. The purchase by the council of additional affordable homes will help meet the council's strategic objectives to increase housing supply as set out in the council's Housing Strategy.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

The financial viability modelling sets out to show whether a given scheme can pay for itself by using the new rental stream only (net of service charges and management and maintenance costs) over 60 years. If the rental stream is insufficient to meet the costs, then a subsidy is required by the HRA. For this proposal the modelling shows a surplus.

Refurbishment costs within the model are based on the estimates provided by BHCC surveyors from late 2016. An increase of 4% for build cost inflation has since been added to the costs, to account for the potential increase in costs over that period of time. .

Rental income of £135 per week has been used in the model, this being the amount that can be claimed in Housing Benefit for a temporary accommodation unit.

There is cross-party support to develop council owned temporary accommodation. The temporary accommodation budget is a critical budget and the council developing its own accommodation could reduce pressure on this budget. It is calculated that the delivery of these 15 units could reduce costs by up to £2,250 a week (up to £117,000 a year).

Right to Buy receipts cannot be utilised for the purchase of these buildings due to restrictions being placed on the use of receipts. Pooling guidance stipulates that where the units are already being used as social / affordable housing receipts cannot be used to fund any of the purchase cost or refurbishment works. It is proposed that HRA Borrowing will be used to fund the purchase and works cost for this proposal. The viability modelling indicates that this loan can be financed by the rental income stream.

Option 2 in section 4 of the main report is for the release of the covenant and payment of compensation to the council. This was assessed as providing a one off payment of £1.000m. If this option was to be pursued this receipt could be used to contribute to funding additional housing across the city. However considering the rising cost of housing across the city it would still require significant investment from the HRA to purchase 15 properties.

Finance Officer Consulted: Monica Brooks

Date: 02/03/18

Legal Implications:

With reference to the recommendation at 2.1, section 120 of the Local Government Act 1972 [the 'Act'] enables a local authority to acquire by agreement any land for the purposes of its functions. Once acquired the

intention is to use the property for temporary accommodation which satisfies the requirement of the Act.

Lawyer Consulted: Name Joanne Dougnaglo

Date: 21/02/18

Equalities Implications:

A purchase would support delivery of the city's Housing Strategy and an increase in housing supply will extend opportunities to accommodate households on the Housing Register who are on housing need including vulnerable groups.

Sustainability Implications:

Improvement and full occupancy of these homes would increase housing supply and improve the condition of the city's housing stock and the local neighbourhood thereby improving sustainability. Purchased properties will be required to meet the Brighton & Hove Standard and seek to be energy efficient, minimise carbon emissions and reduce water usage.

Any Other Significant Implications:

Public Health

Poor housing conditions impact negatively on health. Improvements to housing quality and neighbourhoods will have a positive health impact on residents.

Crime & Disorder Implications:

Improvement and full occupancy of these homes would reduce their vulnerability to anti-social behaviour.

Risk and Opportunity Management Implications:

This purchase will increase affordable housing within the city and the council's overall housing stock.

Corporate / Citywide Implications:

Retaining the properties as affordable housing is in line with stated aims in the Housing Strategy.

SUPPORTING DOCUMENTATION

Appendices

None

Documents in the members' room

None

Background documents

None

Subject:	Your Energy Sussex Energy Tariffs		
Date of Meeting:	14 March 2018		
Report of:	Executive Director Neighbourhoods, Communities & Housing		
Contact Officer:	Name:	Miles Davidson	Tel: 01273 293150
	Email:	Miles.davidson@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The report provides a further update on the Your Energy Sussex (YES) partnership, led by West Sussex County Council (WSCC), local energy tariff scheme delivering a set of competitively priced high value energy tariffs to residents and businesses across the Sussex area. YES is a local authority partnership open to 15 Sussex local authorities working with residents, businesses and other partners to promote energy saving and renewable energy. The council is an Affiliate member of the partnership.
- 1.2 The YES tariff scheme was launched to WSCC internal staff groups in December 2017 and to the public on the 13 February 2018.

2. RECOMMENDATIONS:

That the Housing and New Homes Committee:-

- 2.1 note the appointment of Robin Hood Energy (RHE) by WSCC as the energy supplier for the YES energy tariff scheme
- 2.2 supports the communication of the benefits of switching energy suppliers and the availability of the YES scheme to residents in the city through existing networks open to us.
- 2.3 note the opportunity to develop a voids service for both Housing Revenue Account (HRA) properties and leased properties used for temporary accommodation.
- 2.4 note the opportunity to participate in the Your Energy Sussex Fuel Poverty Fund, that will use income generated from the scheme to fund fuel poverty and energy efficiency projects across the partnership (draft principles at appendix 1.)

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 A 2017 survey and report from Ofgem showed that 75% of people had not switched energy supplier in the previous 12 months and that households on

average standard variable tariffs could save up to £300 per year if they switched energy deals. A 7,000-strong retail consumer survey run by the Competition and Markets Authority ([Energy Market Investigation report 2016](#)) showed that the following broad groups are less likely to engage with the energy market:

- low incomes – i.e. below £18,000;
- low levels of academic qualifications;
- live in rented homes;
- over 65.

- 3.2 Evidence also suggests a higher degree of energy market disengagement among pre-payment customers, particularly when compared to direct debit customers. One of the reasons for this is because many pre-payment customers match one or more of the broad demographic characteristics outlined above.
- 3.3 The Your Energy Sussex Energy Tariffs, will offer a range of competitive, council-backed electricity and gas tariffs to residents with a focus on good customer service, fairness and transparency. The tariffs will not be the cheapest in the market but are aimed to be consistently competitive with less variation in cost compared to many other suppliers. They will be provided by Robin Hood Energy, the not-for-profit energy company set up by Nottingham City Council, under a 'White Label' arrangement. They will be branded as Your Energy Sussex tariffs. Robin Hood Energy has similar, successful, arrangements with a number of other local authorities across the country.
- 3.4 The contract is between WSCC and Robin Hood Energy and is for 5 years. The Council has no contractual obligations; partners agree to work together in the spirit of trust and partnership to achieve shared objectives from the scheme, including strategically addressing fuel poverty across Sussex. An officer from the Council is invited to attend the tariff partnership board which provides a level of governance for the scheme, there is no formal governance role proposed for councillors from partner authorities, other than WSCC, however regular updates will be provided as required. The Council can choose to what extent it supports the scheme throughout the contract period, and could decide to no longer support the scheme through its communications at any point. Reduced support would likely impact on uptake in Brighton & Hove and accordingly payments into the Fuel Poverty Fund for investment locally.
- 3.5 This scheme is one of a number of options available to the residents of Brighton & Hove. Residents supported through council funded or backed programmes such as the SHINE or Warmth for Wellbeing projects receive specific, personalised advice on the best tariffs available to them, from a qualified and experienced adviser. Residents would not be advised to switch to the YES energy tariffs if there was a better deal available to them elsewhere.
- 3.6 The overall aim will be to communicate information and options to empower people to switch, including information about the YES scheme. The intention is to use local authority channels to engage residents who would otherwise not engage with the energy market – if people are getting better deals elsewhere already or as a result of our communications then we would see this as a success.

3.7 From the outset Your Energy Sussex will offer the following tariffs to Sussex residents:

- standard variable tariff (SVT)
- fixed tariff
- prepayment tariff

The YES partnership will work with Robin Hood Energy during the course of the contract to develop a green (renewable electricity) tariff and a tariff for businesses.

3.8 The table in appendix 2 shows the competitiveness of the Robin Hood Energy tariffs being used by Your Energy Sussex when compared with the 'Big 6' energy suppliers for the period November 2017 to February 2018. People who don't regularly switch are more likely to be with one of the big 6 energy suppliers. Residents who regularly engage in the energy market are not the target for the YES energy tariff scheme. As the table also shows, energy prices fluctuate regularly.

3.9 The contract between WSCC and Robin Hood Energy has specific Key Performance Indicators (KPIs) that will guide tariff prices. The offer from Your Energy Sussex will be consistently competitive with no substantial 'variable premium'. The relevant contract KPI's are included in Appendix 2.

3.10 A significant benefit with the YES tariff scheme is that we can have more confidence at the end of a fixed term deal that the resident will be reminded that the deal is coming to an end and will be given information about other tariff options both in writing (as required by regulations) but also by telephone. If the resident still defaults onto a variable tariff the YES tariff would remain competitive as governed by the contract KPIs.

3.11 The YES scheme will have a high level of customer service, the current score for Robin Hood Energy on Trustpilot is 8.1 out of 10 which compares favourably to other energy companies, in particular the 'Big 6' energy companies.

3.12 As an update to the previous report to committee Robin Hood Energy's board have approved voluntary participation in the Warm Homes Discount (WHD) scheme for the next period, assuming government extends the scheme as expected. The current WHD scheme offers a £140 reduction to certain groups of customer, for example, on pension credit.

3.13 **Further benefits of the YES tariff scheme**

HRA Voids Tariff Switching Service

The scheme could also offer a void switching service. The service will deal with all aspects relating to the resetting of meters, debt management and supplier transfer when a landlords property becomes void. Accounts will be switched to the Sussex Tariff during the void period so that new tenants may benefit from the competitive rates. They will have the option to immediately switch to an alternative supplier at no cost.

Fuel Poverty Fund

The council does not benefit financially if a resident switches, working with a not for profit energy supply company allows for any surplus revenue generated by the tariff to be used to create a 'Fuel Poverty Fund'. This will focus on reducing fuel poverty in local authority areas where communication of the scheme has been supported, reflected in uptake in that area. It is not expected that the project will generate sufficient revenue to create a meaningful Fuel Poverty Fund for Year 1. More details on the fund can be found in Appendix 1.

No exit fees

Residents signing up for a 12-month fixed energy tariff will have nothing to pay if they change their mind.

Customer service

Clear customer service standards are written into the contract between WSCC and Robin Hood Energy and will be monitored by the tariff governance board, which includes officer representatives from partner local authorities.

Clear and helpful communication

Tariff information will be clearly explained on all customer communication. Customers will also be reminded by letter that their fixed-term deal is coming to an end and, unlike many energy companies, Robin Hood Energy will make a follow-up call, an approach that is proven to ensure that 75% of customers remain on a value-for-money fixed tariff.

Local generation and Power Purchase Agreements

The Sussex Tariff has the potential to provide a market for locally generated energy and offer competitively priced power purchase agreements to the YES local authorities and other partners providing a greater return on investment for existing and future projects.

Smart meters and Smart grid technology

It also provides an opportunity, by working with the energy supply partner, to roll out a programme of Smart metering, specifically targeting pre-payment customers initially, and providing a platform for smarter grid infrastructure in the future. If a void service were to proceed all pre-payment meters in void properties that are switched will have a smart pre-payment meter installed.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 A number of alternative local energy options were considered by Your Energy Sussex, including a partnership with a community-led scheme, collective switching or setting up a fully-licensed energy supply company. A White Label arrangement, whereby an existing, fully licenced energy company provides regulatory compliance and use of all back office functions and systems at no cost

to the councils involved, presented the best option for Sussex as a whole. Benefits include:

- A quicker and significantly cheaper route to market than other options;
- Clear evidence of council-led white label energy schemes working well in Peterborough, Liverpool, Cheshire East, Islington and Leeds;
- Using council endorsement and branding to overcome consumers' lack of trust in energy companies, encourages residents to engage in the energy market;
- Partner councils will be able to influence the tariffs offered by the energy provider;
- A council-backed partnership will be able to negotiate power purchase agreements with the energy supplier and potentially sell the renewable energy they generate – as well as providing a market for community energy groups;
- Residents will be able to switch supplier at whatever time of year, unlike in collective switching schemes;

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 No specific consultation or engagement has been carried out in Brighton & Hove at this stage; however this would form a key strand of the scheme as it develops.

6 CONCLUSION

- 6.1 The scheme provides an opportunity for the council to provide backing to an energy switching scheme that has the potential to benefit many of the city's residents who do not regularly switch energy suppliers. Even where residents choose to switch to an alternative supplier to the Your Energy Sussex tariff scheme, due to the communications and engagement created through the YES scheme they will still be benefitting from the savings possible from regular switching.
- 6.2 The potential to develop a void scheme could give the council the opportunity to start all new tenancies on a competitive tariff with an energy company that provides excellent customer service and goes above and beyond many of its competitors to ensure that those tenants stay on the best tariff for them.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 No direct financial contribution is required. Commitment will be of staff time and existing promotional methods and resources.

Finance Officer Consulted: Name Michael Bentley Date: 28/02/18

Legal Implications:

- 7.2 As the council committee with overall responsibility for the Council's housing functions, including standards of housing in the area, it is appropriate for the Housing and New Homes Committee to receive this report outlining measures to

introduce a low cost, high value energy tariff for residents. As the report is mainly for noting, there are no significant legal implications to draw to members' attention. The legal implications of the proposal for a void service for the Housing Revenue Account and leased temporary accommodation will be assessed if or when such a scheme comes to fruition.

Lawyer Consulted:

Name Liz Woodley

Date: 02/03/18

Equalities Implications:

7.3 Equalities impacts have been considered through the service design and will be monitored through the ongoing contract management relationship with the energy supplier.

7.4 The option of switching energy suppliers is limited for some tenants and leaseholders in HRA properties as they are served by communal heating supplies, approximately 1300 properties, however dependent on the energy source many of these residents may be able to benefit from switching supplier for their electricity. Residents on communal heating systems or in receipt of a communal electricity supply (46 properties) pay for their use through their service charge. Communal supplies are sourced through the council's corporate contract, residents benefit from the competitive price negotiated through this route. Our average gas price in 2017 was 2.03 pence per Kwh, which includes all levies and standing charges. The average domestic delivered price in the South East was 3.71 pence per kWh and an additional average standing charge of £86.37. This is a difference of around 45% before taking into account the standing charges.

The average delivered electricity price in 2017 was 12.91 pence per Kwh, including all levies and standing charges. The average domestic overall delivered price in the South East was 14.6 pence per kWh and an additional average standing charge of £74.02. This is a difference of around 11.5% before taking into account the additional standing charge. The savings to tenants and leaseholders on communal systems supplied through the corporate contract are reflected in a 37% reduction in HRA heating charges over the last 5 years.

Sustainability Implications:

7.5 The proposed scheme has the potential to support the development of renewable energy schemes in the area which have the potential to reduce carbon emissions for the city.

Any Other Significant Implications:

7.6 Public Health Implications:

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 and encouraging residents to pay less for their energy can contribute to tackling cold homes.

7.7 Corporate / Citywide Implications:

This opportunity has the potential to help us achieve the city priorities of; improving health & wellbeing and environmental sustainability.

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1 - Fuel Poverty Fund Principles
Appendix – Tariff cost comparison

Appendix 1: YES Fuel Poverty Fund Principles

Background

Your Energy Sussex is offering competitive, high-customer service tariffs to all residents of Sussex through a White Labelling arrangement with Robin Hood Energy.

The tariff will generate income which will be ring-fenced for energy projects within Sussex. This revenue will be received by the Contracting Authority (West Sussex County Council). This document sets out the principles for the use of this revenue for all partners.

Revenue Projections

YES will receive £0.625 per meter per month in arrears. The total revenue is therefore dependent on customer numbers. Example levels of revenue generated by the tariff are given in Table 1.

Number of meters	Approx market share (%)	Annual income
5 000	0.37	£37 500
10 000	0.75	£75 000
15 000	1.12	£112 500
20 000	1.49	£150 000
25 000	1.87	£187 500

As an upper estimate, a 3% market share across of the **whole** of Sussex (approx 40 000 meters) would give £301 500 yearly.

Revenue Usage principles

All revenue will be ring-fenced by WSCC for use by all partners of the tariff. It will **not** be a requirement to be either an affiliate or a strategic YES partner.

Where unspecified, all figures used will be the latest version available on 1 January of that year unless otherwise stated (i.e. 2018 revenue calculations shall be based on figures as at 1 January 2018).

The revenue will be apportioned as below, in order of preference:

1. Cost Recovery

West Sussex County Council will recover their yearly costs relating to contract management and consultancy services required for the ongoing delivery of the project. This shall be reflective of the salary plus on-costs of 1xFTE project manager, plus any consultancy services used in the previous year.

The remaining revenue shall form the 'YES Fuel Poverty Fund'.

YES Fuel Poverty Fund

A Supporting Partner Group shall be formed from partner authorities. Each partner will have one vote on the management of the YES Fuel Poverty Fund.

Supporting Partners will decide on any 'Group Projects' that are to be delivered using the fund. In general, it should be expected that Group Projects will to reduce fuel poverty across significant parts of Sussex, however in certain circumstances Supporting Partners may find it appropriate to focus on certain geographic areas (e.g. off-gas).

Examples of expenditure decided at a group level include:

- marketing activities
- tariff reductions
- a 'Sussex Warm Homes' discount (or other subsidy)
- support for energy efficiency/renewable energy measures (e.g. HHCRO top-up funding)
- additional staff
- support/commissioning of community groups/faith organisations etc to act on the partnership's behalf etc.

Any money left over after Group Projects will be made available to other organisations through Open Funding rounds.

2. Open Funding

Twice yearly (or at the discretion of Supporting Partners) Supporting Partners will announce an Open Funding round. This will be administered on behalf of the group by West Sussex County Council.

All public, third and community sector organisations will be able to bid for Open Funding, limited to a maximum of £20 000 or 50% of the total fund per organisation, whichever is greater.

A bid template will be completed by each bidder and evaluated by Supporting Partners. Scoring criteria shall be set prior to each application round, but it is expected that in order to reward areas with higher uptake of the tariff there will be some points awarded on this basis.

It is expected that each project should be **additional** to what would have already occurred should the grant not have been award. No repayment will be required unless otherwise stipulated by the group upon award. Projects should expect to provide updates and be prepared to track the benefits realised.

3. Residual Funds

The Residual Funds leftover after the above steps have been accounted for shall be rolled over into the following year's Fund.

Project Funding

Projects to be funded will demonstrably support energy and fuel poverty ambitions in Sussex.

It is expected that funded projects will achieve one or more of the outcomes identified in the Sussex Tariff tender documentation in at least one local authority area within Sussex. For clarity, these outcomes are:

- reduction in the number of householders in or at risk of fuel poverty;
- increase in households able to heat their house adequately
- help in meeting local carbon reduction and renewable energy targets;
- increased investment in local generation;
- the latest Smart metering technology for customers in advance of the national roll out by 2020;
- access to energy consumption and demographic data in order to identify and support further projects;
- increased effectiveness of targeting fuel poor households

Governance

A Chair shall be appointed by majority vote at the start of every calendar year. This should not be the YES project manager except in exceptional circumstances.

The release of YES Fuel Poverty Fund monies will be managed by the YES project manager, however as a shared fund it is expected that individual projects should be developed, championed and coordinated by willing Supporting Partners and not necessarily WSCC.

Every Supporting Partner shall have one vote and proxies will not be accepted without prior notification to the YES project manager. For the purposes of councils with joint officer structures, these shall be considered as one vote (i.e. Adur & Worthing councils are entitled to one vote between them).

In any tied vote or dispute, the Chair of this board will make the final decision.

Frequency of Review

It is expected that the Supporting Partners will meet quarterly to review progress and decide on any YES Fuel Poverty Fund projects. Every other meeting will include a financial update, with payments being processed afterwards. Project outcomes and benefits will be reported to and monitored by the project group on a yearly basis.

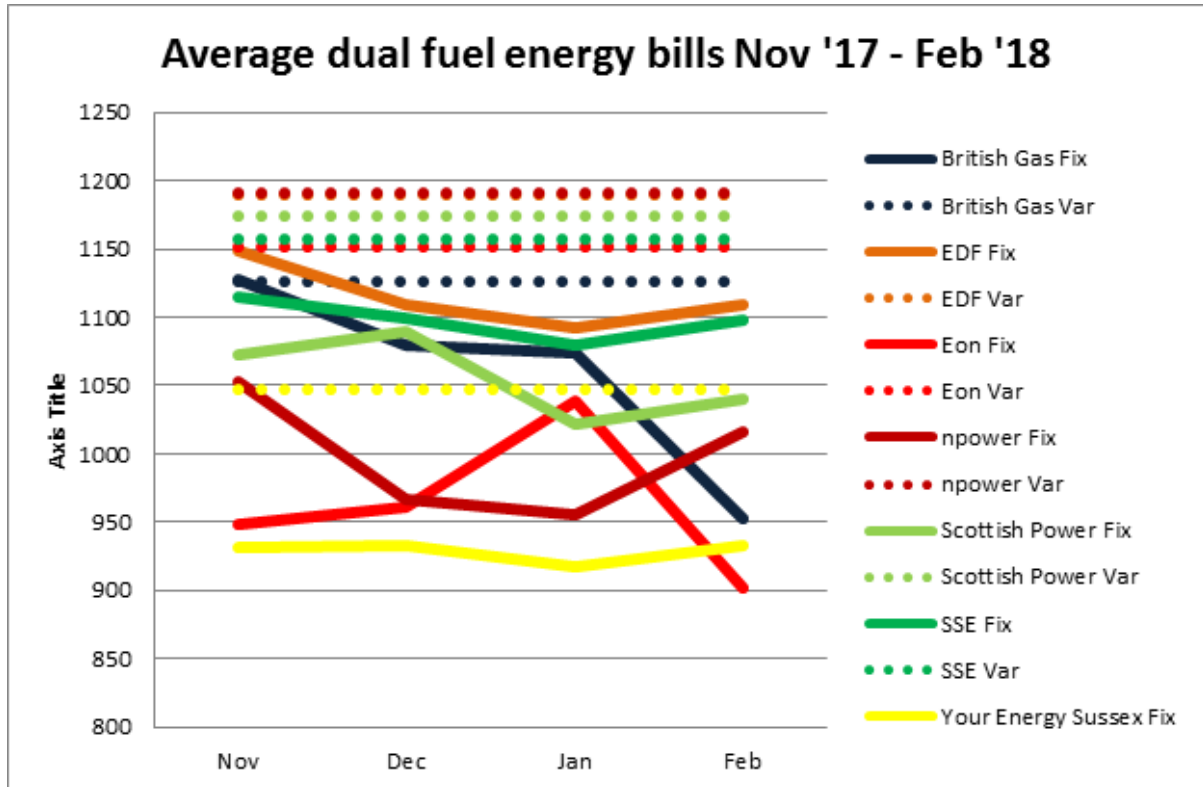
Supporting Partners may agree an amendment to these Fund Principles should at least four partners and a minimum of 75% of attendees at any meeting propose doing so.

Next Steps

It is proposed that the Sussex Tariff Project Board confirms the adoption of these principles for the management of the revenue resulting from the Your Energy Sussex domestic offer.

Appendix 2

Tariff comparison



Contract Key Performance Indicators

KPI 1: Tariff Competitiveness	Prepayment competitiveness	Tariff ranking using uswitch.com for a dual fuel, low consumption user with a PPM meter	By Energy Partner	Cheapest 20%
	Fixed competitiveness	Tariff ranking using uswitch.com for a dual fuel, low consumption user on a credit meter, for a minimum of 12 months	By Energy Partner	Cheapest 40%
	Variable competitiveness	Tariff ranking using uswitch.com for a dual fuel, low consumption user on a credit meter, variable tariff	By Energy Partner	Cheapest 20%

Subject:	Community led housing update		
Date of Meeting:	14 March 2018		
Report of:	Executive Director Neighbourhoods, Communities & Housing		
Contact Officer:	Name:	Diane Hughes	Tel: 01273 293159
	Email:	Diane.Hughes@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 Brighton & Hove has a well established and active community housing sector and a history of supporting innovative community housing schemes. The city's Housing Strategy, Fairness Commission Report and City Plan recognise and confirm the council's commitment to community led housing in the city highlighting its importance in helping to meet a key priority of improving housing supply in the city.
- 1.2 Increasing affordable housing supply in the city is being achieved in a number of ways. These include:
- Through planning policy and delivery of affordable housing by registered providers
 - New Homes for Neighbourhoods programme delivering 500 new council homes for letting to local households in greatest housing need
 - Joint Venture delivering 1,000 new homes for lower income households – shared ownership and living wage rent
 - Increasing settled temporary accommodation in the city for households BHCC has a statutory duty to find accommodation for
 - Supporting community led housing to deliver housing in the city.

This delivery is within the context of high demand and housing needs and limited opportunities for new development within the city's boundaries.

- 1.3 The Fairness Commission recommended seven actions for the council 'to address the affordability of housing, and an integrated supply of housing'. One of these actions was 1(f) '*Offer council-owned and other publicly owned land, including sites on the city fringes, brown field sites, to housing co-operatives, self-build groups and community land trusts to develop affordable social housing with the guarantee it will go to local people. Set up a revolving fund by 2018 and an advice hub to support the work of housing co-operatives, self-build groups, community land trusts and energy co-ops*'.

- 1.4 The Housing Strategy in delivering the priority aim of improving housing supply identified four actions for the community housing sector. These were:
- Promote the concept of community housing
 - Explore the viability of Community Land Trust and wider community housing development options when land is available with a focus on maximising the social value of new developments where appropriate
 - Explore the use of commercial properties for co-operatives where compatible with City Plan policies
 - Share information on development opportunities with the Community Housing Network
- 1.5 In Section SA4 Urban Fringe of City Plan Part 1 it states *‘further consideration and an assessment of potential housing sites will be undertaken to inform allocations made in Part 2 of the City Plan with a particular emphasis on delivering housing to meet local needs’*. As part of this process, the city council will consider how best to ensure that opportunities for Community Land Trusts, community led development, right to build and housing co-operatives are brought forward/safeguarded in order to maximise housing opportunities that meet local housing needs. This will be taken forward through the City Plan Part 2’
- 1.6 This report provides an update on activity in delivering community led housing in the city and progress against the recommendations agreed at Housing & New Homes Committee on 25 September 2017, attached at appendix 1.

2. RECOMMENDATIONS:

That Housing & New Homes Committee:

- 2.1 Note the progress to date with supporting community led housing in the city and the future plans.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Brighton & Hove City Council (BHCC) has a long history of working with housing co-operatives and community led housing is represented on the city’s Strategic Housing Partnership. In 2012 the council supported local housing co-ops and community groups in their successful bid under the communities’ element of the Government Empty Homes Programme 2012-15 which provided funding enabling the purchase of two houses for local co-operatives. A local co-op manages a pre built scheme of 11 BHCC properties with their lease about to be renewed for a further 20 years. The council has a nominations agreement and new tenants are sought through the housing register.
- 3.2 A current example of new build is Bunker Co-op who will start a self build housing scheme on a piece of council land which has been leased to them through a BHCC pilot project. Two family homes will be built for rent, which will be let within affordable rent levels to applicants including those from the housing register and to which the council will be able to nominate future tenants. This is in keeping with the commitments in the council’s Housing Strategy 2015 to

support community housing development. It also supports Housing Recommendation 1 (f) of the Fairness Commission Report.

- 3.3 A Housing Commission set up in 2017 by the Co-operative Councils Innovation Network (CCIN) looked at how local authorities can support co-operative and community-led solutions to the housing crisis. BHCC provided case study examples for this work and presented at the launch of the commission's report on 24 January 2018.

Community led housing programme

- 3.4 In December 2016 the Government announced a new Community Housing Fund to help councils that had the least affordable homes or the highest density of second homes. The Community Housing Fund aims to put local groups in the driving seat, help build capacity and support local projects, now and into the future. The council received a grant of £464,540 which was subsequently awarded by the council in October 2017 to Brighton & Hove Community Land Trust working in partnership with Co-operative Housing in Brighton & Hove (CHIBAH) and Mutual Aid in Sussex (MAIS) to deliver a community led housing programme.
- 3.5 The programme aims to support local people who want to start their own community led housing projects including co-operatives, cohousing and self build. They will do this through:
- Setting up a hub and the programme to support this work
 - Raising awareness, engaging communities and organisations ensuring that its reach goes to the wider community beyond those already involved
 - Finding and realising the potential of sites and/or properties
 - Providing community led housing project and group support.

The council is represented on both the steering group and an assessment panel for awarding grants to groups.

- 3.6 The programme's formal launch was on the 21 February 2018. Over 200 people attended the launch which had speakers from the council, Bunker co-operative and C20 future planners an organisation involved in community led housing nationally. The event also included the opportunity for people involved in community-led housing groups to share their experiences and learn from each other.
- 3.7 The Ministry of Housing, Communities & Local Government are due to announce shortly arrangements for the second year of funding. This will provide further opportunities for capital and revenue funding with an element of the funding also to go towards developing an advisory network that supports community groups to bring forward projects. Applications can be made from community groups, registered providers and any other appropriate organisations. Once further guidance is provided we will work with the community led housing programme to review opportunities for bids to further the work they are doing.

- 3.8 Community led housing can involve building new homes (on council or privately owned land), returning empty homes to use and buying or managing existing homes. Each of these opportunities exists within Brighton & Hove and is being actively explored by the programme. To help facilitate this the council has arranged for the programme team to meet with the chair of the city's Affordable Housing Development Partnership to link them to land agents in the city and to run basic viability of smaller S106 sites (affordable housing on new developments as required through planning policy) where affordable housing would usually be provided through a Registered Provider. Furthermore empty property owners in the city will be targeted specifically promoting community led housing as an option for their property and inviting direct contact with the programme.
- 3.9 City Plan Part Two (Development Management and Site Allocations) is currently being prepared and will include proposed site allocations for some of the council owned and privately owned urban fringe sites. Subject to approval by the council's Tourism, Development and Culture Committee in June 2018, there will be a public consultation exercise running for six weeks this Summer.
- 3.10 A pathway is under development for council owned sites to ensure there is clear route for considering when land or building opportunities may be considered for community led housing. This pathway will initially be considered by the Estate Regeneration Members Board with further discussion with the community led housing programme team thereafter. This pathway will offer context, transparency and mutual understanding of the circumstances under which community housing development may be considered, including: our priorities around delivery of the New Homes for Neighbourhoods programme; the potential disposal route (lease or sale of freehold) ; conditions attached to the disposal, including best consideration, nominations rights and development of sites to an appropriate density. Any schemes coming forward would then be subject to consideration by Estate Regeneration Members Board, Housing & New Homes Committee and Policy, Resources & Growth Committee.

Financial resources available to community led housing schemes

- 3.11 Community led groups can bring in significant resources not accessible to other housing providers through commercial and social lenders, charitable funds, crowdfunding, and, in self build schemes, their members own labour and expertise. Opportunities for funding may also be available from the MHCLG Community Housing Fund or through the Shared Ownership and Affordable Housing Programme if schemes meet the criteria.
- 3.12 Subject to business case, the council has the potential to support organisations that help further council priorities, including providing loans.
- 3.13 Aside from State Aid requirements, the council would want to be satisfied that it is lending to bona-fide projects/organisations and that the council's investment will be returned. Full due diligence must be undertaken to include finance and legal teams to ensure there is a sound business case, the company is financially viable and the legal terms of the loan are sound.

- 3.14 However, it is not permitted to on-lend to any organisation at sub-market rates (and therefore cannot on-lend at PWLB rates). It cannot influence local markets conditions and competition by using public sector borrowing and thus any loans the council provides would need to be at an interest rate which reflects:
- the rate that the borrower could obtain from another market lender (where known);
 - the risk of the project/borrower;
 - the collateral available against the loan.
- 3.15 The additional social value created in the delivery of something that has a wider community or public benefit has the potential to be recognised through the disposal of land at affordable rented housing value and through payment via an annual ground rent, in lieu of a capital payment at the start of the lease.

4. ANALYSIS & CONSIDERATION OF ANY OPTIONS

- 4.1 This report provides an update on community led housing activity in the city and confirms the council's commitment to supporting community led housing in the city. The pathway that is being developed for council owned sites as mentioned in paragraph 3.10 will outline the circumstances when development can be considered and the options available for each site.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Raising awareness and engaging with communities is a key aim of the community led housing programme. The programme aims to connect local people who want to start their own housing projects and raise awareness and build knowledge about housing with local people, the council and others who work in housing.

6. CONCLUSION

- 6.1 The Community Housing Fund has provided additional resources to further enhance community led housing city in the city, supporting groups of people to come together and organise, or build, their own affordable homes.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Financial Implications:

There are no immediate financial implications for the council itself as the first stage of the community led housing programme is fully funded by an allocation of the government's Community Housing Fund as set out in paragraphs 3.4 – 3.7 of this report. Future potential funding parameters are set out in paragraphs 3.11 to 3.15.

Finance Officer Consulted: Jessica Laing

Date: 28/02 2018

7.2 Legal Implications:

There are no immediate legal implications arising from this report which is for noting. Legal advice may be required as individual schemes are brought forward.

Lawyer Consulted: Liz Woodley Date: 03/03/2018

7.3 Equalities Implications:

Community led housing allows local people to take control of their housing and creates alternatives to the limited choices that may be available in the local housing market. Community led housing offers a range of tenures benefiting a range of people and communities including older or vulnerable people. An increase in housing supply may also extend opportunities to accommodate households on the Housing Register who are on housing need including vulnerable groups.

7.4 Sustainability Implications:

Community led housing provides a housing option that enables people to remain in their local area and ensure neighbourhood services remain sustainable. Community led housing developments can benefit from being innovative with environmentally sustainable design.

Any Other Significant Implications:

7.5 Public Health Implications:

Community led housing creates and demonstrates alternative ways of living which can have a positive impact on wellbeing, Furthermore improvements to neighbourhoods will have a positive health impact on residents.

7.6 Crime & Disorder Implications:

Community housing can create opportunities to make use of empty buildings and vacant land which may otherwise become subject to anti social behaviour.

7.7 Risk and Opportunity Management Implications:

Community led housing provides another option for increasing housing supply in the city and providing permanently affordable housing.

7.8 Corporate / Citywide Implications:

Every new home built 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

**Appendix 1 Recommendations from Housing & New Homes Committee 25
September 2017**

Documents in Members' Rooms None

Background Documents None

BRIGHTON & HOVE CITY COUNCIL
HOUSING & NEW HOMES COMMITTEE

4.30pm 25 SEPTEMBER 2017

**COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE,
BN3 3BQ**

DECISION LIST

Part One

75 LIVING WAGE JOINT VENTURE BUSINESS PLAN

Contact Officer: Sam Smith, Martin Reid *Tel:* 01273 291383, *Tel:* 01273 293321

Ward Affected: All Wards

Housing & New Homes Committee:

- (1) Note the progress with the legal documentation required to implement the Living Wage Joint Venture; and
- (2) Note that following a successful DCLG funding award of £464,539, the capacity of Brighton and Hove Community Land Trust to deliver truly affordable housing for local people in perpetuity will be greatly enhanced. It is further enhanced by the prospect of subsequent DCLG funding towards specific schemes;
- (3) Note that in the current housing strategy the council seeks to:
 - Explore the viability of Community Land Trust and wider community housing development options when land is available with a focus on maximising the social value of new developments where appropriate.
 - Explore the use of commercial properties for co-operatives where compatible with City Plan policies.
 - Share information on development opportunities with the Community Housing Network.
- (4) Note that on the urban fringe the city plan commits to:

“further consideration and a more detailed assessment of potential housing sites will be undertaken to inform allocations made in Part 2 of the City Plan with a particular emphasis on delivering housing to meet local needs. As part of this process, the City Council will consider how best to ensure that opportunities for community land trusts, community-led development, right to build, and housing co-operatives are brought forward/ safeguarded in order to maximise housing opportunities that meet local housing needs”

- (5) Note that Brighton and Hove Fairness Commission recommends that BHCC:

“Offer council-owned and other publicly owned land, including sites on the city fringes, brown field sites, to housing co-operatives, self-build groups and community land trusts to develop affordable social housing with the guarantee it will go to local people. Set up a revolving fund by 2018 and an advice hub to support the work of housing co-operatives, self-build groups, community land trusts and energy co-ops.”

- (6) That Housing & New Homes committee re-affirm its commitment to community-led housing and self-build housing;
- (7) That a report be provided within 6 months to a future Housing & New Homes Committee outlining the progress with, and setting out future plans for work with community housing providers to achieve the goals noted in 2.3, 2.4 and 2.5 above;
- (8) That the above report examine ways of support the council can offer in recognising the social value contribution of community land trusts and community-led housing providers, including offering re-lending BHCC PWLB loans at PWLB/ sub market rates to community-led housing providers in the context of providing urban fringe sites for not for profit providers;
- (9) That the above report should provide an update on the identification of sites for community-led housing and plans to ensure that urban fringe opportunities are fully explored with providers including consideration of sites 21a and 21c in Coldean- ensuring that the joint venture development of site 21 facilitates access and does not limit the prospects for development of site 21a as community led housing.
- (10) That, building on the successful pilot working with Bunker Co-op, exploration of scope for development of sites such as the Dunster Close garage site in Hollingdean be progressed further enhancing the capacity of cooperative partners.
- (11) Recommends the report to Policy, Resources & Growth Committee as set out at paragraphs 2.12 to 2.21.

Policy, Resources & Growth Committee:

- (12) Agree the Business Plan in Part 2 of the report and delegate authority to the Executive Director Economy, Environment and Culture to take all steps necessary to enable and facilitate the implementation of the Business Plan;
- (13) Agree that the joint venture should seek, within the constraints of the agreed business plan, to maximise the use of photo voltaic and other energy saving measures and that plans to achieve this should be reported to Housing & New Homes committee
- (14) Authorise the disposal of Former Belgrave Site Day (South Portslade Industrial Estate), Clarendon Place, Portslade (as shown in Appendix 1) by way of long leasehold and that delegated authority be given to the Executive Director Economy, Environment and Culture, Assistant Director of Property & Design and Executive Lead Officer Strategy, Governance & Law to agree terms and execute all legal documentation necessary to dispose of the site to the LWJV;
- (15) Authorise the disposal of Land north of Varley Halls, Coldean Lane, Brighton (as shown in Appendix 2) by way of long leasehold and that delegated authority be given to the Executive Director Economy, Environment and Culture, Assistant Director of Property & Design and Executive Lead Officer Strategy, Governance & Law to agree terms and execute all legal documentation necessary to dispose of the site to the LWJV;
- (16) Authorise the disposal of Land north west of Whitehawk, Brighton (as shown in Appendix 3) by way of long leasehold and that delegated authority be given to the Executive Director Economy, Environment and Culture, Assistant Director of Property & Design and Executive Lead Officer Strategy, Governance & Law to agree terms and execute all legal documentation necessary to dispose of the site to the LWJV;
- (17) Note the value for the disposals will accord with the valuations for each of the sites assessed by Savills and set out in Part 2 of the report;
- (18) Agree the capital receipts from the disposal of these sites are used for the council's investment into the Living Wage Joint Venture;
- (19) Approve the inclusion of loans to the Living Wage Joint Venture within the Councils Capital Investment Programme in line with agreed drawdowns approved by the Living Wage Joint Venture

Board;

- (20) Agree the appointment of the council's representatives on the Board of the Limited Liability Partnership (LLP) and the Design & Build subsidiary company; and
- (21) Agree that a review be undertaken by the board into the model levels of maintenance costs after year 10 in the business model, with the outcome of this review to be reported to Housing & New Homes committee.

NB The above decisions will be implemented after close of business on 2nd October 2017 unless they are called in.

Subject:	Options programme for the future delivery of housing repairs, planned maintenance and capital works		
Date of Meeting:	14th March 2018 – Housing & New Homes Committee 29 th March 2018 – Policy, Resources & Growth Committee		
Report of:	Executive Director for Neighbourhoods, Communities & Housing		
Contact Officer:	Name:	Glyn Huelin Sharon Davies	Tel: 01273 293306 01273 291295
	Email:	glyn.huelin@brighton-hove.gov.uk sharon.davies@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report is intended to update members on the commencement of an options programme in relation to the future delivery of repairs, maintenance, improvements and capital works for the council's housing stock.
- 1.2 Brighton & Hove City Council (Housing) operates a ten year partnering contract with Mears Limited under which the following services and works are provided for the council's housing stock:
 - Responsive repairs and empty properties maintenance
 - Planned maintenance and improvement programmes
 - Major capital works projects
- 1.3 This contract expires on 31st March 2020 and therefore the options for the future delivery of the services and works that are currently covered under this contract now need to be assessed.
- 1.4 The spend under the current contract is approximately £28.00m per annum.

2. RECOMMENDATIONS:

- 2.1 That committee notes the commencement of an options programme in relation to the future delivery of repairs, planned maintenance and capital works for the council's housing stock, as detailed in the body of this report.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The council entered into a ten year partnering contract with Mears Limited in March 2010. The contract covers the majority of repairs, planned maintenance and capital works undertaken to the council owned housing stock.
- 3.2 The expiry of the current contract provides an opportunity to deliver substantial change in relation to these services and works for our residents, stakeholders and the council as a whole.
- 3.3 At this stage decisions have not been made about how the services and works will be delivered following the expiry of the contract. Over the coming months officers will work with residents and members to shape options for the future delivery of these important services. Proposals will then move forward through the council's governance process including Housing Area Panels and the appropriate committees.
- 3.4 The options programme will be managed by a programme board led by the Executive Director for Neighbourhoods, Community and Housing. Regular update reporting will be delivered to the Procurement Advisory Board (with Housing lead members in attendance).
- 3.5 Reports will be presented to committees in line with the table at paragraph 3.7. Regular briefing will be delivered to members and other stakeholders alongside the progression of the options programme.
- 3.6 Specialist consultants have been engaged to deliver an initial options and market research report for consideration by the programme board. This will provide an indication of the options available for the delivery of the services and works and the associated risks and opportunities.
- 3.7 The indicative timetable below indicates the high level process for this programme and committee reporting to Housing and New Homes Committee and Policy, Resources and Growth Committee. Consultation with the Housing Area Panels is also integral to this process:

Date	Actions
February 2018	Initial briefing to Area Panels
March 2018	Initial report to Housing & New Homes Committee
April 2018	Start of resident engagement activities
April – August 2018	Continued development of procurement/other options strategy and specification with residents, members and officers.
June – October 2018	Approval of preferred options, delivery scope and any authority to tender required through Housing & New Homes Committee and Policy, Resources and

	Growth Committee
November 2018 – May 2019	Tender process and evaluation
June – July 2019	Award reports through committees and contract award
July 2019 – April 2020	Mobilisation phase
April 2020	Programme complete

- 3.8 Alongside committee reporting, members, residents and staff will receive regular updates on key decisions and progress.
- 3.9 The programme board will develop a communication plan that uses a range of methods to provide information for residents. This may include briefings to Area Panels, updates in “Homing In”, mail-outs and social media updates.
- 3.10 In addition, officers anticipate there will be a number of workshop sessions with members, residents and staff to develop options proposals.
- 3.11 In order for the council to effectively deliver and implement an effective future solution it is essential that the programme board collects residents’ views and feedback on the options for the service moving forward. The programme board proposes to engage with a wide range of residents (both tenants and leaseholders) to inform this process. This will be supported by a member of the programme team and will include a number of workshops for residents, surveys, consultation and work with existing resident groups. Officers anticipate providing a number of ways for residents to share their experience of the current service and what they would like to see in the future.
- 3.12 Alongside resident engagement in the programme the council will undertake any required statutory consultation with leaseholders.
- 3.13 The following high level risks are of note for the options programme. A detailed risk management plan and register will be maintained throughout the programme.
- Other large procurement activity for various Housing ICT systems taking place during programme period and the ICT solutions could have an impact on cost and delivery models
 - National economic, environmental, health and safety and political agenda to have impact on delivery of social housing
 - Potential cost increases as a result of changing delivery models and economic changes since the previous procurement exercise
- 3.14 For context it is worth noting that as well as its partnering contract with Mears Limited, the council also directly operates a number of separate contracts for delivery of works and services to the council’s social housing stock as set out below:

- K&T Heating – Gas servicing, maintenance, repairs, installations to communal and domestic properties.
- Liftec – Lifts, stair lifts and mobility hoists. Repairs, maintenance, servicing and installation
- Knightguard – Door entry systems and CCTV. Repairs and installation.
- Hertel – Legionella checks and monitoring through risk assessment.
- Allied – Fire alarms. Repair, maintain, service and installation.
- Abbamechatronics – Warden call in older persons accommodation. Repair, maintain, service and installation.
- SCCI – Digital communal aerials. Repair, maintain, service and installation.
- ONYX – Ventilation. Repair, maintain, service and installation.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 No alternative options to the establishment of the options programme are available. The provision of repairs and maintenance to council owned housing stock is a core landlord responsibility under housing legislation.
- 4.2 All options for the future delivery of the services and works established as within the scope of this programme will be considered. The options will be presented in a future report to committee as set out in paragraph 3.7.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Initial engagement with residents has been through the Housing Area Panels. This item was considered at the following meetings:

- 20th February – West Area Panel
- 21st February – Central Area Panel
- 26th February – East Area Panel
- 1st March – North Area Panel (meeting cancelled due to weather)

- 5.2 In addition officers have provided initial information on the programme to residents at the Home Service Improvement Group meeting on the 6th March 2018.

- 5.3 Feedback from Area Panels has included:

- General questions about process and procurement
- Importance of ensuring the council is delivering value for money
- The programme should consider who has responsibility for diagnosing repairs
- Request to share resident engagement process
- Engagement with ward councillors at key times
- Acknowledgement that there is a local election within the timeline of this programme.
- The council should consider how to incentivise repairs rather than replacing individual components. An example was given of where a tap was replaced

rather than repaired. It was noted that this was a balance and that sometimes replacement is better value for money.

- Committee papers should be shared with residents as well as members.
- The programme should consider the use of a price per property model for responsive repairs.
- Invitation to attend the next tenants City Conference in September 2018 to update on the programme.
- Engage with residents from early stages of programme and build resident understanding

5.4 As set out in paragraph 3.11 the programme will be supported by broad engagement of residents (both tenants and leaseholders) across the city.

6. CONCLUSION

6.1 The programme will cover the options for future delivery of a significant proportion of the council's investment in its housing stock. Future reports to committee will enable members to make decisions on the options and delivery strategy for 2020 onwards.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The Housing Revenue Account (HRA) budget for 2017/18 includes £0.150m for the preparation of the future delivery of housing repairs, planned maintenance and capital works once the current contract with Mears Limited ends in March 2020. The proposed HRA budget for 2018/19 includes a further 0.100m for this purpose

Finance Officer Consulted: Monica Brooks

Date: 19/02/18

Legal Implications:

7.2 There are no direct legal implications arising out of this report which sets out a recommendation for noting.

Lawyer Consulted: Isabella Sidoli

Date: 19/02/18

Equalities Implications:

7.3 An equalities impact assessment has not been carried out for this programme at this stage. Assessments are in place for any work carried out under the current contract arrangements. It is anticipated that a similar process will be appropriate here.

7.4 It is possible that options identified as a result of this programme will involve transfer of staff from the existing contractor.

Sustainability Implications:

- 7.5 The work carried out under the existing contract arrangements in this area contribute significantly to the council owned stocks energy performance. Future arrangements will need to assess any potential providers ability to deliver services in a sustainable and energy efficient manner in line with the council's HRA energy strategy.

Any Other Significant Implications:

- 7.6 Risk and opportunity management implications

These are set out in brief in the body of the report (paragraph 3.13). A detailed risk management plan and register will be maintained throughout the programme.

- 7.7 Corporate/Citywide implications:

There are a number of Corporate, Citywide and Housing strategies that are relevant to this programme.

Key priorities within these strategies which will need to be taken into account as part of the options programme set out in this report are detailed below:

The Housing Strategy

This strategy details the vision and priorities for the housing service across the council.

- Priority 2 - Improving Housing Quality
Continue to improve council housing sustainability standards.

The Housing Asset Management Strategy

This strategy details how we ensure that we align our assets with the current and future needs of residents.

- Priority 1 – Investing in Homes and Neighbourhoods
Commitment to a high quality and affordable Repairs and Maintenance Service
Ensuring health and safety for residents, visitors and staff
Commitment to improving energy efficiency, health and wellbeing
Adapting homes to help enable residents to continue to enjoy them
Achieving value for money and social value
Reviewing assets to ensure long term viability

The HRA Energy Strategy

This strategy details our commitment to improving energy efficiency, health and wellbeing for residents and staff.

SUPPORTING DOCUMENTATION

Appendices

None

Documents in Members' Rooms

None

Background Documents

None

Subject:	The procurement of Legionella Assessment and Control Services for housing stock		
Date of Meeting:	14 March 2018		
Report of:	Executive Director for Neighbourhoods, Communities and Housing		
Contact Officer:	Name:	Miles Davidson	Tel: 01273 293453
	Email:	miles.davidson@brighton-hove.gov.uk	
Wards affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 Approval and authorisation is sought from Housing and New Homes Committee regarding the recommendations in section 2 in order for the continuity of legionella assessment and control services within the Council's social housing stock to take place, ensuring hot and cold water is safe for domestic use. This involves the management of communal water systems in council housing, including inspecting and testing water systems for legionella and managing risk and treatment for remedial works.

2. RECOMMENDATIONS:

That the Committee:

- 2.1 Delegates authority to the Executive Director for Neighbourhoods, Communities and Housing to:
- (i) Procure and award a contract for the provision of legionella assessment and control services within housing stock for a term of three years; and
 - (ii) Approve an extension(s) to the contract referred to in 2.1(i) above for a period of up to two years following the initial three year term, subject to satisfactory performance by the provider.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 As a Landlord, the Council has a legal responsibility under the Health and Safety Executive's (HSE's) Approved Code of Practice and Guidance on Legionnaire's Disease (ACOP) L8 to cover the water services for legionella in social residential housing stock. Following a Risk Assessment, it is essential that there is good management of any communal water systems under the Landlord's direct control or responsibility.
- 3.2 Currently approximately 10% of housing stock is risk assessed each year; the current contractor collects and records information on handheld PDAs. These are 'personal digital assistants', which is a term for a small mobile handheld

computers which store and retrieve information. This information is then stored on a web portal. This level of risk assessment is in line with the ACOP L8 HSG 274 guidance that states that similar properties may be reasonably assumed to have similar risks and performance patterns and therefore may be assessed in groups.

- 3.3 The Housing Services Property and Investment Team Building Service Engineer has responsibility for Legionella Management for the Housing Services. Progress and performance is currently monitored through monthly contract meetings and by reviewing the contractor's web portal. An annual report is presented to Corporate Estate Regeneration Board and Housing & New Homes Committee and this level of reporting and monitoring will continue under the new contract.
- 3.4 A Planned Preventative Maintenance programme is in place for all sheltered housing and all high rise housing blocks these include six monthly cold water storage tank inspections, which include a water sample being taken and analysed. There are 62 sites in total which covers all priority 1 (seniors housing) and priority 2 (general housing needs) properties. The existing practices will be carried over into the new contract as will the existing key performance indicator's that monitor monthly quality and health and safety checks and delivery of programmed works.
- 3.5 The current contract with Hertel (UK) Limited (commonly known as HSL) ends on 30th September 2018 and no extension option exists. The average annual value of this contract is £150,000-250,000, totalling £750,000-1,250,000 across the total potential five year contract (if extended). This service must therefore be procured in accordance with the provisions of the Public Contracts Regulations 2015.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Collaboration with the Orbis partners has been considered and rejected. The Council are unable to utilise their existing contracts and the Surrey County Council contract does not fulfil the Council's requirement as it is for risk assessments only whereas the Council also requires control and prevention.
- 4.2 The Council does not currently have the resource to undertake this service in-house.
- 4.3 Six frameworks were found to be accessible to the Council and therefore a stand alone tender was deemed an unnecessary use of resource. Officers plan to procure this service under an existing framework and analysis of the most appropriate frameworks to call-off is underway.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The Community Engagement Framework and Standards have not been used as they are not relevant to this procurement.
- 5.2 Leaseholder consultation is not applicable as the cost per leaseholder is below the £100 per annum threshold.

6. CONCLUSION

- 6.1 The recommendations should be approved in order to comply with the Council's legal obligations as a Landlord and ensure the safety of the tenants and leaseholders in regards to water consumption.
- 6.2 It is proposed that Procurement will support the contract manager officer with this procurement to ensure that the Public Contracts Regulations 2015 are adhered to and a value for money contract is achieved.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The average annual value of this contract is currently £250,000 and this will continue to be met from within existing HRA budget resources.

Finance Officer Consulted: Monica Brooks

Date: 20/02/18

Legal Implications:

- 7.2.1 As a Landlord, the Council has a legal responsibility under the Health and Safety Executive's (HSE's) Approved Code of Practice and Guidance on Legionnaire's Disease (ACOP) L8 to cover the water services for legionella in social residential housing stock.
- 7.2.2 The Council has a duty to secure continuous improvement in the way in which its functions are exercised having regard to a combination of 'economy, efficiency and effectiveness' (known as the duty of best value).
- 7.2.3 In accordance with Part 4 of the Council's Constitution, the Housing and New Homes Committee is the appropriate decision-making body in respect of the recommendations set out in paragraph 2 above. In addition, in order to comply with CSO 3.1, authority to enter into contracts in excess of £500,000 must be obtained by the relevant committee. The contract will also need to be sealed by the council.
- 7.2.4 The Council's Legal officers will advise on the use of framework agreements and the call off contract during the procurement process to ensure that they comply with all relevant public procurement legislation as well as the Council's Contract Standing Orders (CSOs).

Lawyer Consulted:

Wendy McRae-Smith

Date: 27/02/18

Equalities Implications:

- 7.2 An Equality Impact Assessment has not been carried out as it is anticipated that an award under an existing framework will take place. Under all the frameworks the supplier must comply with the Equality Act 2010 on the basis that the supplier is providing services and exercising public functions under that Act.

7.3 The transfer of staff does not apply, neither from the Council nor the existing supplier.

Sustainability Implications:

7.4 None.

Any Other Significant Implications:

7.5 If this service is not provided there is a public health issue and reputation implication as the consequences of not complying with ACOP L8 are serious. Heavy fines and even imprisonment can be imposed and the Council may also be prosecuted should there be an exposure to risk, without necessarily anyone becoming ill.

SUPPORTING DOCUMENTATION

Appendices:

None.

Documents in Members' Rooms

None.

Background Documents

None.

HOUSING & NEW HOMES COMMITTEE	Agenda Item 85 Brighton & Hove City Council
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Subject:	Housing Management Performance Report Quarter 3 2017/18		
Date of Meeting:	14 March 2018		
Report of:	Executive Director Neighbourhoods Communities & 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 The housing management performance report covers Quarter 3 of the financial year 2017/18. The report is attached as Appendix 1. In many of our performance indicators, we remain one of the highest performing councils in the country. Notable performance information from the report includes:

- **Rent collection and current arrears** – 98.79% of rent collected.
- **Customer services and complaints** – Housing customer services answered 97% of calls and 82% of complaints were responded to within 10 working days.
- **Empty home turnaround time** – 131 homes re-let in an average of 19 days (excluding time spent in major works).
- **Repairs and maintenance** – 97% of appointments were kept and the repairs helpdesk answered 96% of calls.
- **Estates service** – 99% of mobile warden jobs were completed within 3 working days and 99% of cleaning tasks were completed.
- **Anti-social behaviour** – 81% of people surveyed were satisfied with way anti-social behaviour complaint was dealt with.
- **Tenancy management** – 31 people helped to keep their tenancies which were at risk and two properties returned to stock due to housing fraud.
- **Seniors housing** – 96% of residents have been visited at home within the last year.

2. RECOMMENDATIONS:

2.1 That the Housing & New Homes Committee notes and comments upon the report

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.

4. COMMUNITY ENGAGEMENT AND CONSULTATION:

- 4.1 A draft version of this report went to Central, East and West Area Panels in February 2018. As a result of feedback at Central Area Panel, the commentary for "Lifts – average time taken to respond" has been amended to clarify that the response time for lift breakdowns involving trapped passengers is one hour. Following from a query at the West Area Panel, additional information has been provided in section 3.6 about properties that have been empty the longest. At the time of writing the North Area Panel has been postponed with a new date still to be confirmed, so any changes requested at this meeting will be applied to the Quarter 4 and end year 2017/18 report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The area of performance with the most significant financial impact is the ability to collect rents from tenants. The report shows that during the third quarter 2017/18, the collection rate has decreased by 0.2% when compared with quarter 2. Although this is a significant drop in the collection rate, the rate is still above the target level set, and still one of the highest collection rates in the country. Closer analysis of this position indicates that this increase in arrears (over and above what might be expected after the Christmas period - which last year was 0.05%) is mainly due to the effects of tenants transferring from Housing Benefit to Universal Credit. The income management team is undertaking targeted work with tenants who are transferring to Universal Credit, and the 2018/19 HRA budget allows for a further 3 full time equivalent (FTE) posts in this team for this purpose. The team is closely monitoring performance and the effect of Universal Credit on rent arrears.

Finance Officer Consulted: Monica Brooks

Date: 16/02/18

Legal Implications:

- 5.2 As the council committee with responsibility for discharging the Council's functions as a housing landlord, it is appropriate for the Housing and New Homes Committee to receive a report on Housing Management's performance. There are no significant legal implications to draw to Members' attention.

Lawyer Consulted: Liz Woodley

Date: 08/02/18

Equalities Implications:

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

Sustainability Implications:

- 5.4 There are no direct sustainability implications arising from this report.

Crime & Disorder Implications:

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

Risk and Opportunity Management Implications:

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

Public Health Implications:

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

Corporate or Citywide Implications:

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







SUPPORTING DOCUMENTATION

Appendices:

1. Appendix 1. Housing Management Performance Report Quarter 3, 2017/18.

Housing Management Performance Report Quarter 3 2017/18

This housing management performance report covers Quarter 3 of the financial year 2017/18. It uses 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.

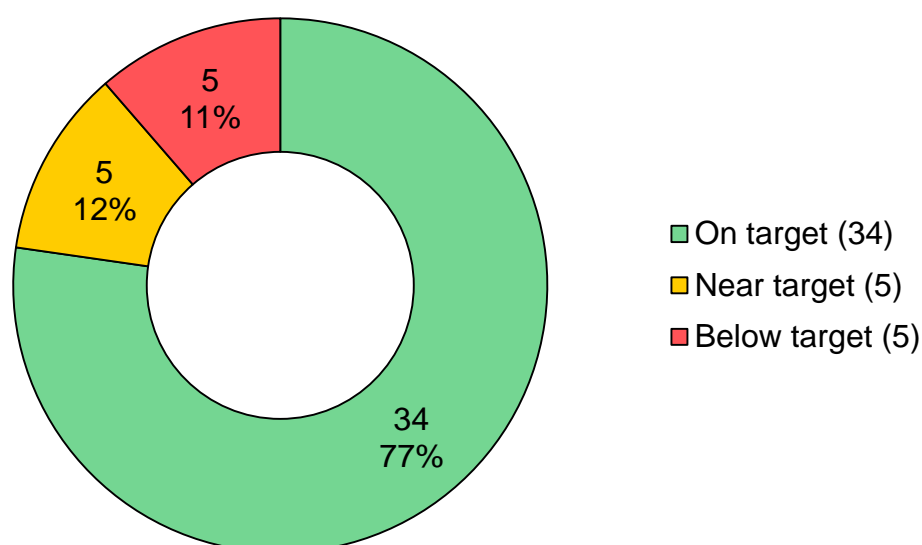
Status		Trend	
	Performance is below target (red)		Poorer than previous reporting period
	Performance is close to achieving target, but in need of improvement (amber)		Same as previous reporting period
	Performance is on or above target (green)		Improvement on previous reporting period

A total of 44 performance indicators are measured against a target:

- 34 are on target (last quarter, 31 of them were on target and 3 were near target)
- 5 are near target (2 were on target, 2 were near target and 1 was below target)
- 5 are below target (1 was on target and 4 were below target).

Comments on performance are given for indicators which are near or below target.


Status of performance indicators



The icons used in this report are sourced from www.flaticon.com and designed by 'Freepik.'

1. Rent collection and current arrears


The rent collection rate is among the highest in the country (despite increasing since Quarter 2) and the eviction rate remains among the lowest, when compared with benchmarking data from Housemark.

	Rent collection and current arrears indicators	Target 2017/18	Q2 2017/18	Q3 2017/18	Status against target	Trend since last quarter
1.1	Rent collected as proportion of rent due for the year	98.40%	98.97% (£50.0m of £50.5m)	98.79% (£49.9m of £50.5m)	Ⓞ	↓
1.2	Total current tenant arrears	For info	£527k	£628k	-	-
1.3	Tenants served a Notice of Seeking Possession	For info	132	135	-	-
1.4	Tenants evicted because of rent arrears*	20	1	2	-	-
1.5	Rent loss due to empty dwellings	Under 1%	0.75% (£378k of £50.3m)	0.75% (£376k of £50.3m)	Ⓞ	↔
1.6	Former tenant arrears collected during the year*	25%	14.17% (£76k of £538k)	20.95% (£118k of £563k)	-	-
1.7	Rechargeable debt collected during the year*	20%	6.97% (£9k of £123k)	9.70% (£12k of £124k)	-	-


*These Indicators are accumulative throughout the year and their targets are set for the year end. Therefore, the status and trend symbols will be applied in the Quarter 4 report, once performance for the year is known.

DWP Welfare reform information		Q2 2017/18	Q3 2017/18
1.8	Universal Credit – affected tenants	82 (0.7% of all tenants)	239 (2.1% of all tenants)
1.9	Universal Credit – arrears of affected tenants	£30k (6% of total arrears)	£86k (14% of total arrears)
1.10	Removal of the Spare Room Subsidy – affected tenants (under occupiers)	631 (6%)	605 (5%)
1.11	Under occupiers – arrears of affected tenants	£49k (9%)	£48k (8%)
1.12	Benefit Cap – affected tenants	47 (0.4%)	43 (0.4%)
1.13	Benefit Cap – arrears of affected tenants	£7.4k (1%)	£12k (2%)












1.14 Area breakdown of rent collected

 Rent collection area	Q2 2017/18	Q3 2017/18	Trend since last quarter
North (includes Seniors housing)	99.19% (£14.2m of £14.3m)	99.06% (£14.2m of £14.4m)	↓
West	98.93% (£10.3m of £10.4m)	98.73% (£10.2m of £10.4m)	↓
Central	98.76% (£9.0m of £9.1m)	98.51% (£9.0m of £9.1m)	↓
East	98.93% (£16.5m of £16.7m)	98.73% (£16.5m of £16.7m)	↓
All areas	98.97% (£50.0m of £50.5m)	98.79% (£49.9m of £50.5m)	↓

1.15 Tenants in arrears by amount

 Amount of arrears	Q2 2017/18	Q3 2017/18
No arrears	81% (9,253)	81% (9,217)
Any arrears	19% (2,113)	19% (2,167)
... £0.01 to £99.99	8.4% (952)	7.9% (900)
... £100 to £499.99	7.9% (901)	8.1% (917)
... £500 and above	2.3% (260)	3.1% (350)
Total tenants	11,366	11,384

2. Customer services and complaints

	Customer services and complaints indicators	Target 2017/18	Q2 2017/18	Q3 2017/18	Status against target	Trend since last quarter
2.1	Calls answered by Housing Customer Services Team (HCST)	90%	95% (8,661 of 9,146)	97% (8,068 of 8,317)		
2.2	Customers satisfied with HCST	87%	79% (222 of 282)	Due Q4	-	-
2.3	Customers who found HCST easy to contact	89%	83% (234 of 282)	Due Q4	-	-
2.4	Stage one complaints responded to within 10 working days	80%	85% (83 of 98)	82% (74 of 90)		
2.5	Stage one complaints upheld	For info	43% (42 of 98)	37% (33 of 90)	-	-
2.6	Stage one complaints escalated to stage two	10%	10% (10 of 98)	13% (12 of 90)		
2.7	Stage two complaints upheld	17% or under	0% (0 of 10)	17% (2 of 12)		
2.8	Housing Ombudsman Complaints upheld*	18% or under	0% (0 of 5)	13% (1 of 8)		

*Year to date indicator.










How we are using this information to improve services – Customer services and complaints

Two indicators are near target:

Stage one complaints escalated to stage two – target 10%

Performance here is slightly off target (by 3% points) and to improve it services have been focusing on providing more informative and considered responses at Stage 1 (in order to prevent escalation to Stage 2). Although the quality of Stage 1 responses are generally good and have been improving this was offset during Quarter 3 by there being more complaints than usual relating to complex repairs and maintenance issues, which are likelier to need to be escalated to Stage 2 to in order to resolve them.

3. Empty home turnaround time and mutual exchanges

	Empty home turnaround time and mutual exchange indicators	Target 2017/18	Q2 2017/18	Q3 2017/18	Status against target	Trend since last quarter
3.1	Average re-let time, excluding time spent in major works (calendar days)	21	23 (140 lets)	19 (131 lets)		
3.2	... as above for general needs properties	21	17 (116 lets)	15 (111 lets)		
3.3	... as above for Seniors Housing properties	30	52 (24 lets)	42 (20 lets)		
3.4	Average re-let time, including time spent in major works (calendar days)	For info	54 (140 lets, 78 major)	34 (131 lets, 67 major)	-	-
3.5	Decisions on mutual exchange applications made within 42 calendar days (statutory timescale)	100%	100% (37 of 37)	100% (35 of 35)		

How we are using this information to improve services – Empty home turnaround time and mutual exchanges

One indicator is below target:

Average re-let time for Seniors housing properties, excluding time spent in major works – target 30 calendar days

Performance was 42 days during Quarter 2 and missed the target, although the average re-let time improved compared to the previous quarter's performance of 52 days. Seniors housing properties are usually more difficult to let than general needs ones. This is generally because there are fewer people on the waiting list who are eligible for Seniors housing (eg because they've not been assessed for it or don't have the assessed mobility need for the property) and because some are relatively unpopular because they are small in size – conversion works have taken place at several schemes to create larger properties.

3.6. Long term empty dwellings by ward (empty six weeks or more as of 1 January 2018)

Ward name (excludes those with no long term empty properties)	No. dwellings	Average days empty	Range of days empty	Comment
Goldsmid	1	85	85-85	1 house ready to let
Hangleton and Knoll	2	344	330-358	1 house undergoing major works (completion of refurbishment expected in April and garden will be split into two creating a separate plot of land for a proposed new build) and 1 house due to undergo an extension (completion expected in July).
Hanover and Elm Grove	11	547	43-904	1 house ready to let; 1 house undergoing major works (completion due in March); 9 decommissioned senior studios (Stonehurst Court -- redevelopment works ending March).
Hollingdean and Stanmer	2	89	50-127	1 flat ready to let, 1 seniors studio undergoing major works
Moulsecoomb and Bevendean	2	789	778-799	1 house is ready to let following an extension and 1 house to undergo major works (completion of refurbishment expected in April and garden will be split into two creating a separate plot of land for a proposed new build).
North Portslade	2	75	71-78	2 seniors flats ready to let
Patcham	3	139	43-316	2 seniors studios ready to let; 1 house due to undergo an extension (completion expected in July).
Preston Park	2	89	50-127	1 flat ready to let; 1 flat undergoing major works
South Portslade	1	806	806-806	1 house undergoing major works (currently being refurbished and future proofed for wheelchair access. Works are due to be completed by April).
Wish	1	43	43-43	1 seniors studio flat ready to let
Total	27	376*	43-904	Of the 27 properties, 10 are ready to let (37%); 2 are extensions (7%) 6 are major works (22%); 9 are due to be decommissioned (33%)

*Excluding Stonehurst Court the average is 255 days. The overall average of 376 days in Quarter 3 is higher than in Quarter 2 (315 days).

Additional information about long term empty dwellings by ward

Further information has been requested by members about properties which have been empty for the longest times.

These properties are part of the extensions programme, which is a long-term commitment to improve the quality of the housing stock, improve turnover of homes, and assist families who require major adaptations to allow them to remain in their homes.

The empty period for each of these properties includes lead in time whilst designs are undertaken and options are considered for the properties as well as construction time whilst extension and refurbishment works are being undertaken. It is acknowledged that improvements are needed with the overall time taken to deliver these extensions, particularly around lead in times. A review will be undertaken in 2018 to deliver an improvement in this performance.

House in Hangleton and Knoll empty for 330 days

Refurbishment works are starting in March 2018 and completion is expected in April 2018. The refurbishment has had long lead in times through the design and scoping process.

House in Hangleton and Knoll empty for 358 days

This house is due to undergo an extension from two to three bedrooms. Works will start in April 2018 and completion is expected in July 2018. Again there has been a long lead in period through design and scoping. This property is being considered for a local family who live on the Knoll estate, and

requires an additional bedroom and adapted bathroom for a disabled member of the family.

House in Moulsecomb and Bevendean empty for 778 days

This house has now been let (February) following an extension from three to four bedrooms. The construction works started in September 2017 and ended in January 2018.

House in Moulsecomb and Bevendean empty for 799 days

Refurbishment works started in February 2018 and completion is expected in April 2018. There was a long lead in time as the scope of the project changed through the design process. The original proposal was to extend the property to five bedrooms, however as demand for this size accommodation had reduced it was decided to simply carry out the necessary refurbishment.


House in Patcham empty 316 days


















This house is due to undergo an extension from two to three bedrooms. Works will start in April 2018 and completion is expected in July 2018.










House in Portslade empty 806 days

This house is being refurbished including future proofing works for wheelchair access. Works started in January 2018 and are due for completion in April 2018. A number of different options for the property have been considered to match housing demand.

4. Repairs and maintenance

 Repairs and maintenance indicators		Target 2017/18	Q2 2017/18	Q3 2017/18	Status against target	Trend since last quarter
4.1	Emergency repairs completed in time	99%	99.8% (2,761 of 2,767)	99.9% (3,071 of 3,075)	ⓐ	↑
4.2	Routine repairs completed in time	99%	99.6% (6,714 of 6,741)	99.9% (7,332 of 7,343)	ⓐ	↑
4.3	Complex repairs completed in time	For info	99.3% (133 of 134)	100% (148 of 148)	-	↑
4.4	Average time to complete routine repairs (calendar days)	15 days	13 days	10 days	ⓐ	↑
4.5	Appointments kept by contractor as proportion of appointments made	97%	96.1% (11,429 of 11,889)	97.0% (9,405 of 9,695)	ⓐ	↑
4.6	Tenants satisfied with repairs	96%	98.5% (965 of 980)	96.8% (881 of 910)	ⓐ	↓
4.7	Responsive repairs passing post-inspection	97%	94.7% (570 of 602)	96.8% (884 of 913)	ⓐ	↑
4.8	Repairs completed at first visit	92%	85.9% (8,170 of 9,508)	88.7% (9,244 of 10,418)	Ⓡ	↑

 Repairs and maintenance indicators		Target 2017/18	Q2 2017/18	Q3 2017/18	Status against target	Trend since last quarter
4.9	Dwellings meeting Decent Homes Standard	100%	100% (11,475 of 11,475)	100% (11,456 of 11,456)		
4.10	Energy efficiency rating of homes (out of 100)	65.6	66.3	66.4		
4.11	Planned works passing post-inspection	97%	99.7% (298 of 299)	100% (295 of 295)		
4.12	Stock with a gas supply with up-to-date gas certificates	100%	100% (10,032 of 10,032)	100% (10,032 of 10,032)		
4.13	Empty properties passing post-inspection	98%	99.2% (123 of 124)	100% (169 of 169)		
4.14	Lifts – average time taken (hours) to respond	2 hours	3h 6m	2h 24m		
4.15	Lifts restored to service within 24 hours	95%	97.8% (131 of 134)	91.7% (121 of 132)		
4.16	Lifts – average time to restore service when not within 24 hours	7 days	6 days (24 days, 4 lifts)	13 Days (145 days, 11 lifts)		

 Repairs and maintenance indicators		Target 2017/18	Q2 2017/18	Q3 2017/18	Status against target	Trend since last quarter
4.17	Repairs Helpdesk – calls answered	90%	97% (18,602 of 19,149)	96% (18,898 of 19,767)		
4.18	Repairs Helpdesk – calls answered within 20 seconds	75%	79% (14,643 of 18,602)	75% (14,218 of 18,898)		
4.19	Repairs Helpdesk – longest wait time	5 mins	8m 56s	13m 17s		
4.20	Estate Development Budget main bids – quality checks	90%	100% (24 of 24)	100% (36 of 36)		
4.21	Estate Development Budget main bids – completions (year to date)	For info	70% (60 of 86)	83% (71 of 86)	-	-
4.22	Estate Development Budget main bids – average duration of work	For info	10 days	18 days	-	-

How we are using this information to improve services – Repairs and maintenance

Six indicators are below or near target:

Responsive repairs passing post-inspection – target 97%

Performance has improved since the last quarter, from 94.7% to 96.8%, and is now just 0.2% below target. A total of 913 jobs were inspected and 29 failed their quality checks, of which 18 were because of poor quality work, 6 required corrections to either the volume of labour or materials used (Schedule Of Rates codes) and 5 needed extra work to finish the job. To improve performance, joint inspections (by staff from the council and Mears) were introduced from November 2017 in order to support joint learning about the quality of work expected.

Repairs completed at first visit – target 92%

More repairs were completed at first visit during Quarter 3 (88.7%) compared to Quarter 2 (85.9%) and this improvement has happened in response to work with the contractor to improve job specification and van stocks. This work will continue to be reviewed to assist in ensuring materials are available to complete more jobs at first visit.

Lifts – average time taken to respond – target 2 hours

The Quarter 2 response time of 2 hours and 24 minutes was slightly off target although of the 131 reported breakdowns there were 3 which involved passenger trap-ins and all of these were responded to within the target time of one hour.

Lifts restored to service within 24 hours – 95%

Performance at 91.7% was below target during Quarter 3, down from 97.8% during Quarter 2. Of the 132 lifts restored to service, 121 were done within 24 hours and 11 took longer. More detail is provided about the latter in the commentary for the 'average time to restore service when not within 24 hours' indicator.














Lifts – average time to restore service when not within 24 hours – target 7 days

During Quarter 3 there were 11 lifts not restored to service within 24 hours and these took an average of 13 days to restore. Performance was adversely affected by difficulties in obtaining parts for a non-standard lift at a medium rise block of flats in Goldsmid ward. This lift took 63 days to restore with several attempts by our lift contractor, Liftech, to rectify the fault and escalation to the lift manufacturer. The residents were still able to use the lift for some of the time with the help of an engineer who manually operated it. Residents and ward councillors were also kept up to date and the council's lift engineer was regularly on site to communicate with residents.










Repairs Helpdesk – longest wait time – target 5 minutes

Overall call volumes were up by 3% on the previous quarter and during Quarter 3 there were 11 days in total where the longest wait time was over the 5 minute target. The longest wait time of 13 minutes and 17 seconds happened on 15 November due to telecommunication issues in the Brighton area with local systems going down. The second longest wait time of 12 minutes and 6 seconds was because of a very high volume of calls generated by a water supply issue affecting the BN2 area on 30 October. The average wait time during the quarter was 29 seconds.

5. Estates Service

	Estates Service indicators	Target 2017/18	Q2 2017/18	Q3 2017/18	Status against target	Trend since last quarter
5.1	Cleaning quality inspection pass rate	99%	100% (169 of 169)	100% (134 of 134)		
5.2	Estates Response Team quality inspection pass rate	99%	100% (173 of 173)	100% (190 of 190)		
5.3	Cleaning tasks completed	99%	98% (13,436 of 13,649)	99% (13,450 of 13,632)		
5.4	Bulk waste removed within 7 working days	92%	99.8% (1,190 of 1,192)	97% (966 of 996)		
5.5	Light replacements/ repairs completed within 3 working days	99%	100% (269 of 269)	99.8% (466 of 467)		
5.6	Mobile warden jobs completed within 3 working days	96%	99% (1,183 of 1,196)	99% (1,185 of 1,199)		
5.7	Incidents of drug paraphernalia collected	For info	38	47	-	-

6. Anti-social behaviour (ASB) and tenancy management

 ASB and tenancy management indicators	Target 2017/18	Q2 2017/18	Q3 2017/18	Status against target	Trend since last quarter
6.1 Victim satisfaction with way ASB complaint dealt with*	92%	82% (14 of 17)	81% (25 of 31)		
6.2 Tenants evicted due to ASB*	For info	3	4	-	-
6.3 Closure orders obtained*	For info	4	4	-	-
6.4 ASB cases closed without need for legal action	For info	89% (49 of 55)	92% (66 of 72)	-	-
6.5 Tenancy fraud – properties returned to stock*	For info	10	12	-	-
6.6 Closed Tenancy Sustainment Officer cases where tenancy sustained*	98%	100% (70 of 70)	99% (101 of 102)		
6.7 Tenancy visit to general needs tenants within last 5 years	90%	95% (9,618 of 10,171)	95% (9,618 of 10,171)		
6.8 Estate inspections completed*	95%	99% (126 of 127)	99% (196 of 197)		

*Year to date indicators.

How we are using this information to improve services – Anti-social behaviour (ASB) and tenancy management


One indicator is below target:

Victim satisfaction with the way their ASB complaint was dealt with during the year to date ('very satisfied' and 'fairly satisfied') – target 92%

Performance at 81% is below target, with 25 people satisfied out of a total of 31 who were surveyed over the phone after their ASB case was closed. Six respondents were either neutral or dissatisfied with the way their case was dealt with, which was primarily because they were unhappy with the outcomes of their cases, whereas they were generally more positive about the case officers. The target was set at a very high level following an end of year result of 90.5% in the last financial year putting the council as the leading social landlord within our benchmarking group. The threshold for the upper quartile within our benchmarking group is 82% so 81% is still a high result but not high enough to be on target. As a result of survey feedback, the Housing Officers team will be increasing the level of support and communication with victims of ASB. Further to this a corporate business improvement review has been commenced to review the handling of ASB cases across tenures with a view to improving efficiency and the customer experience.


6.9 ASB incidents / cases by type

This table presents incidents that relate to or create an ASB case where the reporter or alleged perpetrator is a council resident such as a tenant or leaseholder.










 Type of ASB incident / case	Q2 2017/18	Q3 2017/18	Change between quarters
Harassment / threats	47% 95	40% 65	-30
Noise	11% 23	16% 26	+3
Drugs	11% 23	7% 11	-12
Other criminal behaviour	7% 15	12% 19	+4
Domestic violence / abuse	6% 12	12% 19	+5
Other violence	4% 9	1% 2	-5
Pets / animals	6% 13	6% 9	-4
Vandalism	0% 0	0% 0	0
Hate-related	2% 5	6% 9	+4
Alcohol related	4% 9	2% 3	-6
Prostitution / Sex	0% 0	0% 0	0
Total	100% 204	100% 163	-41

6.10 ASB incidents / cases by ward

This table presents incidents that relate to or create an ASB case where the complainant or alleged perpetrator is a council resident such as a tenant or leaseholder.

 Ward name	Q2 2017/18	Q3 2017/18	Change between quarters
Brunswick and Adelaide	0	0	0
Central Hove	3	2	-1
East Brighton	35	39	+4
Goldsmid	11	4	-7
Hangleton and Knoll	24	12	-12
Hanover and Elm Grove	8	7	-1
Hollingdean and Stanmer	26	13	-13
Hove Park	0	0	0
Moulsecoomb and Bevendean	25	11	-14
North Portslade	9	14	+5
Patcham	5	8	+3
Preston Park	0	2	+2
Queen's Park	33	35	+2
Regency	0	0	0
Rottingdean Coastal	0	0	0
South Portslade	6	3	-3
St. Peter's and North Laine	8	3	-5
Westbourne	1	5	+4
Wish	4	1	-3
Withdean	0	1	+1
Woodingdean	6	3	-3
Total	204	163	-41

7. Seniors housing

 Seniors Housing indicators		Target 2017/18	Q2 2017/18	Q3 2017/18	Status against target	Trend since last quarter
7.1	Residents who have had a tenancy visit within the last 12 months	98%	96% (836 of 869)	96% (836 of 868)		
7.2	Residents living in schemes offering regular social activities	95%	100% (869 of 869)	100% (868 of 868)		
7.3	Residents living in schemes offering regular health and wellbeing activities	65%	80% (695 of 869)	82% (708 of 868)		
7.4	Schemes hosting events in collaboration with external organisations	90%	100% (22 of 22)	95% (21 of 22)		

How we are using this information to improve services – Seniors housing

One indicator is near target:

Seniors housing residents who have had a tenancy visit within the last 12 months – target 98%

Performance was 96% at the end of Quarter 3 and has stayed the same since the previous quarter. Of 868 Seniors housing residents, 31 have not had a tenancy visit within the past year. Although there were 9 residents who hadn't yet been visited by that time, the other 22 had either declined a visit or were unavailable (eg because they were in hospital or respite care).

