

## BRIGHTON & HOVE CITY COUNCIL

### HOUSING CABINET MEMBER MEETING

4.00pm 18 APRIL 2012

### COMMITTEE ROOM 1, HOVE TOWN HALL

#### MINUTES

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

**Also in attendance:** Councillor Peltzer Dunn (Opposition Spokesperson) and Farrow (Opposition Spokesperson)

#### PART ONE

#### 87. PROCEDURAL BUSINESS

##### 87(a) Declarations of Interests

87.1 There were none.

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

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

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

#### 88. MINUTES OF THE PREVIOUS MEETING

88.1 Councillor Peltzer Dunn referred to paragraph 78.6 and thanked the Head of Housing Strategy and Development and Private Sector Housing for providing the information on HMO additional licensing proposals along with other information requested at the meeting.

88.2 Councillor Peltzer Dunn referred to paragraph 78.8 in relation to Hanover & Elm Grove and Student housing. He asked if the 2011 noise complaint figures provided since the

meeting were greater than 2010. The Head of Housing Strategy and Development and Private Sector Housing said he would bring back this information.

- 88.3 **RESOLVED** – That the minutes of the Housing Cabinet Member Meeting held on 29 February 2012 be agreed and signed by the Cabinet Member.

## 89. CABINET MEMBER'S COMMUNICATIONS

### Ainsworth House

- 89.1 The Cabinet Member reported that on 19 April she would be turning the turf at the Ainsworth House site. This would be the start of the first council houses to be built in the city for 30 years.

## 90. ITEMS RESERVED FOR DISCUSSION

- 90.1 **RESOLVED** – That all items be reserved for discussion.

## 91. PETITIONS

### E-Petition – Better Homes Scheme – Unfair Assessments

- 91.1 The Cabinet Member considered an e-petition from Mr Nicholas Wood. The e-petition was signed by 33 people. Mr Wood was in attendance at the meeting and also submitted a paper petition with 10 signatures, in support of the e-petition. The e-petition read as follows.

““We the undersigned petition the council to urge Mears to re-think their policy regarding the Better Homes scheme and the rewarding of new bathrooms or kitchens.”

Myself and many council tenants are unhappy with the system for rewarding new kitchens or bathrooms in the 'Better Homes' scheme. We feel that instead of 'rewarding' council tenants who do not take care of their flats for whatever reason with a new kitchen or bathroom is wrong and that tenants who do look after their flats and take pride in their homes should be the ones being 'rewarded'. I am aware of tenants who have deliberately damaged their kitchens so as to receive new ones. Also the judgements from Mears employees who assessed the kitchens and bathrooms seem to start from an uneven playing field with some people with excellent kitchens being told they could have new ones and yet other people who have ill-fitted and damaged kitchens are being turned down. We the tenants want fairness with the assessments and fairness in receiving home improvements.”

- 91.2 Mr Wood informed the Cabinet Member that he should have titled his e-petition “Decent Homes Scheme” rather than “Better Homes Scheme”. Mr Wood explained his own circumstances and was concerned that he had failed to be accepted on the scheme, although his flat had not got a modern kitchen or bathroom. Mr Wood considered that the assessments were not carried out consistently or fairly, and stated that he knew people with better facilities that had been accepted onto the scheme. Mr Wood thought it would be better if assessments were carried out by an independent body rather than Mears Ltd. Meanwhile, he had received conflicting information from different council officers.

91.3 The Cabinet Member responded as follows:

“Thank you for coming to the meeting today and for presenting your petition. I have no doubt that both you and the other people who have signed this petition do look after your homes. I can therefore appreciate that you may feel unfairly penalised under the decent homes scheme, despite the relevant criteria and assessment being correctly applied.

I would also agree that we do not want to be in a position where a tenant who deliberately damages their kitchen or bathroom is subsequently rewarded by being provided with a new one. We are committed to ensuring that tenants are recharged for any repairs that are required following deliberate or malicious damage to a property.

In terms of your personal situation, I understand that a senior surveyor recently visited your home to hear and both your concerns and the wider concerns that you have raised through the petition, with regard to the delivery of the Brighton and Hove Standard and the Decent Homes programme.

As a result of your feedback we have made some improvement to our processes to ensure that we identify any indication of damage which a may have been included by the tenant. Where tenant damage is significant the surveyors have been instructed not to proceed with any replacement work until a further investigation has been carried out. The Partnership surveyors (Mears) highlight any suspected tenant damage or alterations and bring this to the attention of Council's Clerk of Works within the Housing Property & Investment team for further investigation.

I'm aware that you have also raised concern about the need for consistency when properties are being assessed to see whether they are eligible for a new kitchen or bathroom. To ensure that the Partnership surveyors (Mears) are assessing to the same standards, we have implemented the following measures:

- A senior surveyor regularly accompanies all surveyors on surveys to give on site training to ensure consistency
- All our surveying is now carried out by permanent surveying team members and Mears no longer use agency surveyors
- The council's Clerks of Works team carry out random spot checks on a percentage of surveys conducted

We are confident that these additional measures will enable us to reach a fair conclusion when the decision to install new kitchens and/or bathrooms is made.

Lastly, I am conscious that a number of concerns have been raised about the current way that the decent homes programme is delivered through the Brighton & Hove Standard. I have asked for a review of the approach that was agreed in 2009. This review will initially look at how the assessment of the Brighton & Hove standard is applied when tenants have had disabled adaptations to their property. However, following this, I asked officers to commence a wider review of the programme and to make recommendations for any improvements that can be made for 2013/14.”

91.4 Councillor Farrow stressed that the policy was the responsibility of the council and not Mears Ltd. He considered that it was up to the council officers working with Mears to ensure that the policy was working properly. There was a need to investigate anomalies. Meanwhile, senior officers needed to ensure housing officers gave consistent information.

91.5 Councillor Peltzer Dunn stated that decisions should be based on fair wear & tear.

91.6 The Head of Housing and Social Inclusion reported that when Mears surveyed properties, it was based on information provided by council officers. A council clerk of works monitored the work. 60 properties were being re-surveyed as a result of concerns regarding inconsistencies.

91.7 **RESOLVED** – That the petition be noted.

## **92. PUBLIC QUESTIONS**

92.1 There were none.

## **93. DEPUTATIONS**

93.1 There were none.

## **94. LETTERS FROM COUNCILLORS**

94.1 There were none.

## **95. WRITTEN QUESTIONS FROM COUNCILLORS**

95.1 There were none.

## **96. NOTICES OF MOTIONS**

96.1 There were none.

## **97. MINUTES OF THE HOUSING MANAGEMENT CONSULTATIVE COMMITTEE**

97.1 The Cabinet Member considered the minutes of the Housing Management Consultative Committee meeting held on the 19 March 2012.

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

## **98. PROMOTING FINANCIAL INCLUSION AMONGST COUNCIL HOUSING RESIDENTS**

98.1 The Cabinet Member considered a report of the Head of Housing and Social Inclusion which outlined proposals for investment in services to promote financial inclusion amongst council housing residents. The report built upon the successful financial inclusion work undertaken by the Housing & Social Inclusion delivery unit and outlined proposals for delivering a step change in the availability of services which promoted financial inclusion amongst council housing residents.

- 98.2 The Head of Housing and Social Inclusion stated that the report had been well received at the Housing Management Consultative Committee held on 19 March.
- 98.3 Councillor Farrow referred to paragraph 4.4 of the report in relation to specialist debt and money advice. Although £80,000 was a substantial sum of money, he was concerned that there could be a need for more than 480 in depth specialist casework interventions. He urged the Cabinet Member and officers to see if resources could be found to enable more interventions if required.
- 98.4 The Head of Housing and Social Inclusion replied that the proposals could be reviewed in a year's time. The figure of 480 was based on a recognised formula. Councillor Farrow was not satisfied with this reply and felt that the situation needed to be constantly reviewed as people took up the service.
- 98.5 Councillor Peltzer Dunn considered that officers had taken a reasoned approach.
- 98.6 The Cabinet Member welcomed the report. She was concerned at the effects of benefit changes and considered that the proposals would support council tenants.
- 98.7 **RESOLVED** – Having considered the information and the reasons set out in the report, the Cabinet Member made the following decision:
- (1) That the commissioning of new services be approved, as outlined in the report, in order to promote financial inclusion amongst council housing residents using the Community Banking Partnership model.

## **99. EXTENDING PAYMENT OPTIONS FOR COUNCIL LEASEHOLDERS**

- 99.1 The Cabinet Member considered a report of the Head of Housing and Social Inclusion which set out the financial assistance that was currently available to leaseholders and recommended that the council extended the payment options available, for high cost works where there were payment difficulties.
- 99.2 The Leaseholder Manager stated that the report had been discussed at Housing Management Consultative Committee on 19 March and that the proposals were unanimously supported at the Leaseholder Action Group on 16 April.
- 99.3 Councillor Peltzer Dunn referred to paragraph 94.2 of the minutes of HMCC held on 19 March. This stated that loans would only be available to council leaseholders who were resident in their properties. He asked if it was possible to treat leaseholders differently with regard to this scheme.
- 99.4 The Leaseholder Manager replied that officers could target help to leaseholders who were in danger of losing their homes. The Senior Lawyer confirmed that there were various versions of Right to Buy leases in use throughout the city, some of which predated the creation of Brighton & Hove City Council. However, none of them included provisions relating to financial assistance. That was available under separate subordinate legislation. She offered to email a copy of a standard lease to Councillor Peltzer Dunn, but he did not consider it necessary.

- 99.5 Councillor Peltzer Dunn raised the issue of improvements to properties (as opposed to maintenance) such as over cladding. He asked if leaseholders were properly protected in this respect.
- 99.6 The Leasehold Manager replied that every leaseholder was protected in law in that costs must be reasonably incurred. Leaseholders could go to the Leasehold Valuation Tribunal if they considered the council were not properly protecting their interests. Meanwhile, disputes could be dealt via a three stage dispute procedure with the council. There had been around 60 disputes every year on service charges. Only two had gone to a tribunal. Around 95% were resolved at stage 1 or stage 2.
- 99.7 **RESOLVED** – Having considered the information and the reasons set out in the report, the Cabinet Member made the following decisions
- (1) That the following proposals for leaseholders in residence throughout the term of the loan or arrangement only, be agreed:
    - (a) Brighton & Hove City Council offers additional payment options in the form of equity loans, maturity loans and monthly repayment loans over 25 years to leaseholders who are in financial difficulty and struggling to pay high major works bills as outlined in the report.
    - (b) The council increases the interest-free repayment limit from 12 months to a sliding scale depending on the amount with a maximum of 5 years. (See table at 3.14 of the report).
    - (c) The specific criteria to be met when offering these additional loans will be agreed by the Head of Housing & Social Inclusion and the Chief Finance Officer in consultation with the Cabinet Member.

The meeting concluded at 4.53pm

Signed

Cabinet Member

Dated this

day of