

BRIGHTON & HOVE CITY COUNCIL**HOUSING & NEW HOMES COMMITTEE****4.00pm 14 MARCH 2018****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

Present: Councillor Meadows (Chair); Councillor Hill (Deputy Chair), Mears (Opposition Spokesperson), Gibson (Group Spokesperson), Atkinson, Bell, Druitt, Lewry, Moonan and Wares

PART ONE**73 PROCEDURAL BUSINESS****73a) Declarations of Substitutes**

73.1 Councillor Wares substituted for Councillor Barnett.

73b) Declarations of Interests

73.2 Councillor Atkinson declared an interest in Item 79, as he had been supporting and advising a resident involved in this item. He would not vote or take an active part in the item, but would remain in the Council Chamber.

73c) Exclusion of the Press and Public

73.3 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.

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

74 MINUTES OF THE PREVIOUS MEETING

74.1 Councillor Bell referred to paragraph 71.12 on page 24. The budget consultation letter had not yet been resent to all Area Panel representatives, Ward Councillors and Committee members as requested. The Chair asked officers to ensure that the letter

was resent. Councillor Gibson referred to paragraph 66.2, page 13, and *Stoneham Court* should be corrected to read *Stonehurst Court*.

- 74.2 **RESOLVED** - That the minutes of the Housing and New Homes Committee meeting held on 17 January 2018 are agreed and signed as a correct record, subject to the amendment outlined in paragraph 74.1 above.

75 CHAIRS COMMUNICATIONS

- 75.1 The Chair stated the following:

“It’s been a busy time for the housing service. I was very pleased with the performance in the aftermath of the “beast from the east weather situation.” K&T Heating attended all 1214 emergency repair visits within the Government Right to Repair time of 24hrs. Mears answered 2,243 calls over 3 days with an average wait time of only 2 minutes 5 seconds. This performance far exceeds many of the private sector companies and our tenants have been very pleased with the service they have received.

I am pleased also to announce that work will shortly be completed on the Stonehurst Court development. This is a conversion of 19 studio flats into ten, 2 bedroom semi-detached houses with private gardens. These houses have excellent space standards and high levels of energy efficiency. The first tenants are due to move in on 1 May.

As many of you will be aware the new Homeless Reduction Act legislation comes into force on 1 April. This is the largest change to homelessness legislation in a generation, and follows the excellent work this council has done through the trailblazer work. As a result we are in a positive place to be able to respond to the challenges and opportunities this new legislation brings. My officers will be working with applicants at a much earlier stage to prevent homelessness and ensure that the right level of support and assistance is provided at every stage.

Finally, we have been working with the Ministry of Housing, Communities and Local Government who are very pleased with our approach to fire safety checks following the Grenfell tragedy. This work includes the support we have given in relation to privately owned high rise blocks in the area. As many of you will know, this council has an excellent record of installing sprinklers into our own blocks of flats and I am pleased to announce that one of our Emergency Temporary Accommodation blocks – Percival Terrace is shortly to have sprinklers fitted. East Sussex Fire and Rescue Service have agreed to match fund the provider.”

76 CALL OVER

- 76.1 It was agreed that all items be reserved for discussion (Initially item 84 was not called but was called later on in the meeting).

77 PUBLIC INVOLVEMENT

Petitions

- 77.1 There were no petitions.

Questions

77.2 Jim Deans asked the following question:

New Homes Bonus (NHB)

“This grant is awarded only if the Local Authority housing stock increases by at least 0.4% per year.

How many properties would have had to be built last year (2017/18) to reach the threshold and what plans are in hand to make up for the loss of £1.62m for 2018/19 and an expected loss of £1.66m in 2019/20 as a result of missing the threshold?”

77.3 The Chair replied as follows:

“This is a question for Policy, Resources and Growth Committee; however, NHB is calculated on the basis of which council tax band a property sits in for all properties within the city and not just council housing stock. Growth is measured from the increase in properties within the city (including halls of residence), as well as any reduction in long term empty properties (those properties unoccupied for more than 6 months). Until 2016/17 NHB was awarded for 6 years with no threshold but is now given for 4 years with a 0.4% threshold which reflects a significant reduction in national resources for the grant. Therefore it is now harder to achieve the same levels of award than received in previous years.

In 2017/18, the 0.4% growth threshold was 462.5 band D Equivalent properties. The reduced grant in 2018/19 was in part due to government changes to the scheme accounting for £0.67m of the reduction. The remaining £0.95m is a result of not achieving an equivalent award for the year that falls away under the revised scheme. This loss of resources was factored into the budget planning process in 2018/19 and is therefore a contributing factor to the overall savings requirement for the council to achieve a balanced budget.

To gain income from NHB, authorities have to achieve growth above the threshold that exceeds the value of NHB being removed for the year which drops out of the grant due to having been reimbursed for 4 years.

In 2019/20 the grant dropping out is £1.166m and therefore in order to gain additional NHB the council will need to achieve the growth threshold plus the number of band D equivalent properties that equate to £1.166m. In total this is around 1,167 band D equivalents to retain the current level of NHB grant being received in 2018/19.

At present the council does not expect to lose the £1.166m grant in 2019/20. The new properties are measured from October to September and there are significant housing developments across the City that will contribute to the gain including properties completed directly by the council such as Brookmead and Kite Place. New properties are monitored throughout the year and any change in assumptions on NHB grant will be included in the Budget update Report to the Councils Policy Resources and Growth Committee in July 2018.”

- 77.4 Mr Deans stated the community wanted to know how many houses needed to be built to make the numbers up.
- 77.5 The Chair replied that she had said that in total this was around 1,167 band D properties just to retain the current level of New Homes Bonus grant being received.
- 77.6 **RESOLVED-** That the Public question be noted.

77.7 Jacqueline Madders asked the following question on behalf of David Thomas:

Severe Weather Emergency Protocol

“I understand that the Severe Weather Emergency Protocol is to be recommissioned this year. What is the timetable for this?

I assume the Protocol document, which has been slightly amended already this winter, will be fully re-written before that to comply with the National Guidance. Can the new Protocol be published on the Council website as soon as possible?

Could you also say how many women have accessed shelters under the SWEP and that women only facilities have been provided?”

77.8 The Chair replied as follows:

“We are proposing to recommission SWEP provision this year and a timetable is currently being drawn up by our procurement department based on available resources. This timetable has yet to be finalised.

The current protocol complies with Homeless Links guidance on providing severe weather provision and will be revised prior to next winter once the recommissioning process has taken place. The council will however be laying out the criteria of future SWEP provision as part of the recommissioning process and this will feed into the operational protocol for winter 2018/19. Any revised guidance will be published on our website.

18 different women occupied 45 different bed spaces at SWEP. All stayed at First Base. This was for 37 nights being open between 8th Dec 2017 and 4th March 2018.

SWEP at First Base provides separate spaces for women to sleep. The spaces are in offices that do provide privacy. First Base provides separate toilet and shower facilities for women. Sanitary products are also available for free at First Base.”

- 77.9 Ms Madders asked the following supplementary question. “With a cold spell being forecast in the next few days and also recognising that it is too cold and wet to be rough sleeping, what are the plans for SWEP over the coming days and weeks?”
- 77.10 The Executive Director, Neighbourhoods, Communities Housing explained that the plans for SWEP would be the same as the plans in the last cold period. Once it had been identified that it meets the criteria which is an amber weather warning, or the temperatures to be zero for two nights then the council would open SWEP. SWEP operated from First Base, and the council had enough bed spaces for any rough sleeper that wished to benefit from that. It would be advertised through outreach workers, on the council website, and through Facebook. Officers in Adult Social Care were already drawing up plans to implement SWEP if it was required later in the week.
- 77.11 **RESOLVED-** That the Public question be noted.

77.12 Kenny Lloyd asked the following question:

Land banking & increasing value through planning permission for residential properties

“Has the Committee made any approach to, or cooperated with, the Planning Committee to combat ‘land banking’ and particularly looked at ways in which planning permission can be withdrawn if building work is not completed within a specific period of time? If there has not been joint work on this issue in the past will the Committee consider proposals for the future?”

77.13 The Chair replied as follows:

“Thank you for your question, the committee has not made any approach to planning committee to combat land banking, however if members of the committee would like, I am happy to arrange to meet the chair of planning to understand how we may work together on this issue.”

77.14 Mr Lloyd asked if the Committee would consider fining developers if they refused to build. In his opinion developers should be given 12 months from planning permission being granted, to building. If they did not fulfil that they should be fined.

77.15 The Chair replied that the Housing & New Homes Committee had no responsibility for fining private developers. The Committee Lawyer stated that it was unlikely that there were any powers in the planning legislation that would allow developers to be fined for not exercising their planning permission.

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

77.17 Maria Garrett-Gotch asked the following question:

Malnutrition among residents in temporary and emergency accommodation

“Is the Committee aware of cases of malnutrition of residents in temporary and emergency accommodation provided by B&HCC or agencies contracted by the Council? What is being done about these residents to whom the Council has a Duty of Care?”

77.18 The Chair replied as follows:

“Thank you for your question. The Housing Needs Team has had no reports of malnutrition amongst residents in temporary and emergency accommodation from our in-house Welfare Officers, the providers of emergency / temporary accommodation or the various floating support providers we regularly refer to when people are placed in this type of accommodation. We regularly advise people how to access foodbanks local to where their accommodation is.

If we were made aware of malnutrition we would act accordingly to ensure that adequate support was provided by the most appropriate agencies, and would, where necessary, treat it as a safeguarding concern.”

77.19 Ms Garrett-Gotch stated that the council should read the Care Act 2014 where it had a duty of care to its patients and service users. She reminded the Committee of its responsibility to follow 6 key safeguarding principles enshrined within the Care Act

2014 – empowerment, prevention, proportionality, protection, partnership and the council's own accountability.

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

77.21 John Hadman asked the following question on behalf of Nichole Brennan:

Weekend Services

“Could the Committee please provide details of Council or Council contracted services, including the number of personnel, available from 1700 on a Friday Evening until 0800 on a Monday morning for those who are homeless including those in temporary and emergency accommodation?”

77.22 The Chair replied as follows:

“Thank you for your question. The Housing Needs Team provides an out of hours emergency service for people who may find themselves homeless out of office hours. This runs from 18.00 on Friday evening until 08.00 on Monday morning.

This is broken down into slots from 18.00 – 08.00 and 08.00 – 18.00, each slot is covered by one member of staff. That member of staff will discuss an individual's circumstances with them to ascertain whether there is a duty to provide emergency accommodation until office hours resume, and if so will arrange for that accommodation to be provided. The contact number is the main Housing Advice Line, 01273 294400, from where anyone calling will be re-directed automatically.”

77.23 Mr Hadman asked if the Committee could explain the logic behind Street Link not working over weekends.

77.24 The Chair explained that was an Adult Social Care question so Mr Hadman would be sent a written response.

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

77.26 Barry Hughes asked the following question:

Oxford Street

“Given that the former Oxford Street former housing office was “decommissioned” in November 2014, in January 2017 the Housing Committee requested officers to bring forward options to convert the building into Temporary Accommodation, and that a formal planning application is due this spring, could the Committee provide an up to date report on progress made?”

77.27 The Chair replied as follows:

“Thank you for your question. Oxford Street, former housing office has undergone some temporary repairs in recent months in preparation for its conversion to residential units as previously agreed by Committee to provide much needed new homes for the city.

In preparation for the conversion, our contractors will start work to the building later this month to strip out waste materials.

Following on from pre-planning advice and feedback from the previous public consultation event we are proposing to bring forward a scheme for up to 12 homes. A further public consultation event will be held this spring. Completion of the new homes expected in early 2019.

Progress will be reported through cross party Estate Regeneration Board.”

77.28 Mr Hughes expressed concern at the long time that the process was taking. He asked if the building would be used for temporary accommodation.

77.29 The Chair confirmed that the building would be used as temporary accommodation.

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

77.31 Clare Hudson asked the following question:

The administration of the Discretionary Housing Payments and the Council Tax Reduction Discretionary Scheme

“The budget papers for 2018/19 state that “It is proposed to reduce the commitment to this fund over the next 3 years as it is not fully utilised.” Could the Committee explain their support for this proposal given that payments of DHPs have been refused on the basis of lack of funds?”

77.32 The Chair replied as follows:

“The saving referred to is a £0.045m reduction in the Council Tax Reduction discretionary fund recurrent budget for 2018/19. However there is one-off provision in the budget for 2018/19 that has set aside £0.140m for the discretionary Council Tax Reduction fund and therefore the total fund for this is £0.150m in 2018/19. Resource requirements are kept under review and any additional resources that may be required for 2019/20 will be factored into the budget setting process. Discretionary Housing Payments are funded through government grant which was £1.133m in 2017/18. Government grant funding for Discretionary Housing Payment has been reduced to £0.837m in 2018/19.”

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

77.34 Kiah Garrett-Gotch asked the following question:

Equalities Impact Assessment

“Could the Committee explain why an Assessment was not carried out on the HRA budget for 2018/19?”

77.35 The Chair replied as follows:

“Thank you for your question. Equalities Impact Assessments were carried out for every element of the budget, however as the assessment had not changed from the previous year (due to the fact of no significant changes in the budget) the phrase no impact assessment was used. This was rather than no change to the impact assessment which was a more accurate reflection.”

- 77.36 Ms Garrett-Gotch stated that she was sure that the Committee had heard reports of the plight of a number of women sleeping rough and the increasing demand placed on the bus shelter during the past few days. Did the Committee recognise the urgency of shelter especially for such women?
- 77.37 The Chair replied that the supplementary question had no relevance to Ms Garrett-Gotch's original question, so she was not able to respond yet. However, she could ensure she got a written response.
- 77.38 **RESOLVED-** That the Public question be noted.
- 77.39 Tom Jobbins asked the following question:

Temporary Accommodation

“Could the Committee provide evidence to show that “External benchmarking shows that the costs are low” and explain their support for a “Procurement approach being sought to access accommodation outside the city and the South East in areas where costs are lower?”

Could the number of evictions from emergency and temporary accommodation be provided for the past 6 months on a month by month basis?”

- 77.40 The Chair replied as follows:

“Thank you for your question. The council undertakes benchmarking for services to compare the cost and quality against similar local authorities. The last external benchmarking exercise for temporary accommodation was in 2012. This piece of work takes significant resources to undertake.

Benchmarking generally focuses on the staff and administration costs rather than the accommodation costs as they are subject to local market forces. At that time our costs were very competitive. In terms of accommodation procurement - over 2014/15 we developed procurement frameworks for temporary accommodation that is managed on our behalf, which tested the market and ensured we achieved best value. This took into account learning from previous contracts which weren't sufficiently flexible to respond to the changes in the housing market and hence new providers that had been awarded contracts were unable to deliver properties for the agreed costs. Feedback from providers and from our analysis of the housing market is very clear that property is very high cost in the city and in excess of the amounts that can be achieved from Housing Benefit and hence from rental income. Therefore if we were to achieve the accommodation units we required we had to look outside of the city.

In terms of evictions we are bringing a report back to this committee in June. This is being collated with input from the Temporary Accommodation Action group – an independent group working with tenants, providers and the council.

There have been 15 evictions from emergency accommodation over the last 6 months (September 2017 – March 9th 2018).

**September – 1
October – 3
November – 3
December - 2
January - 5
February 1”**

77.41 Mr Jobbins asked if the Committee would be willing to establish a small group of councillors and housing activists to examine the eviction of vulnerable residents and for this group to be requested to submit a report on their findings as a matter of urgency.

77.42 The Executive Director, Neighbourhoods, Communities & Housing explained that the Temporary Accommodation Action Group which is independent and was asked for and approved by the council currently had a membership of councillors, providers & residents. That group was looking at the issue of evictions and this matter would be reported back to the Committee. Any other piece of work would be duplication.

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

77.44 Daniel Harris asked the following question:

Housing Options and Homemove

“Under a budget heading of homelessness there was a sum for 2017/18 for supporting vulnerable households £1,298,000.

Could the Committee provide some indication of how this was spent?

Does the Committee know how many households have been culled from the housing waiting list and how many appeals have been dealt with or are awaiting hearings?”

77.45 The Chair replied as follows:

“The budget of £1,298,000 refers to the staffing and supplies and services budgets for the Housing Options and Homemove teams.

This covers the work of preventing homelessness, undertaking homeless applications and assessing what housing duty the council has; placing people into emergency accommodation and undertaking inspections of emergency accommodation; managing the rent accounts of everyone in temporary accommodation; undertaking reviews; undertaking assessments for applications to the Housing register, shortlisting bids for social housing advertised.

Thank you for your question. The new Allocations Policy was approved in December 2016. In January 2017 the Homemove section started to re-assess all applications under this new policy and since 1 January 2017 - 11,354 households have been removed from the housing waiting list.

The reasons for removal were as follows:

No Housing Need = 1434

No Local Connection = 5898

Removed Home owner = 13

Income savings = 60

No Bids =2348

There were a further 1191 who have been removed from the list who are a mix of people with no housing need and no local connection. These decisions were made prior to the codes being available

In the same time period the service has dealt with 479 reviews & the vast majority are related to removal from the housing waiting list.”

77.46 Mr Harris stated that in relation to what had been said about room inspections, a report was still waiting to come back to the Committee. He stated that his biggest concern

with the policy was that it was not well thought out and this had become clear in the number of people who had come off the list. Mr Harris asked what the Committee wanted to say to the residents who had been taken off the list and that had no options for housing.

77.47 The Chair thanked Mr Harris for his original question and stated that the supplementary question was not a proper question she could answer.

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

77.49 Kelly Hayes asked the following question:

6 week limit on B&B for children

“Bed and Breakfast (B&B) is defined in the Homelessness Suitability Order 2003 as a form of privately owned accommodation in which residents share facilities such as kitchens, bathrooms and/or toilets, and is usually paid for on a nightly basis. Housing authorities must not use B&B to accommodate families with children or pregnant women except where there is no alternative available, and then for a maximum period not exceeding 6 weeks. Can you now please provide a more detailed response to the question asked at the previous committee please?”

77.50 The Chair replied as follows:

“As per the question asked at last committee we can confirm that no statutory homeless households where there is a dependent child or a pregnant woman have been in accommodation where they have to share facilities for longer than 6 weeks.

To clarify – in some accommodation there are some communal cooking facilities IN ADDITION to the households’ own facilities, and so there is no need to share any facilities. At the previous committee an example was put forward of a case in Eastbourne and upon checking this it was found that that household did in fact have their own self-contained accommodation which had their own facilities. Facilities may be basic but are adequate and residents did not have to share.”

77.51 Ms Hayes referred to her own personal experience. She had a dependent child who was independent now. At the time they were left for three months in a room with no cooking facilities, microwave or fridge.

77.52 The Chair thanked Ms Hayes for her questions and asked officers to look into her case.

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

77.54 Sophie asked the following question:

Residents in Emergency Accommodation – Council Duty to provide Accommodation

"I've been living in emergency accommodation for over a year, I am now in my 3rd different room. To my surprise the council decided after over a year to conclude the homelessness assessment and decided I didn't meet the criteria to be considered 'considerably more vulnerable than the average person becoming homeless'.

I've received little to no support since I moved into emergency accommodation. I feel this process is one sided and biased against us, the people in need.

Can you please tell me how many other vulnerable people in emergency accommodation in the last 6 months have also had the Council's duty assessed and rejected? How many of these appealed the decision and were successful in securing a duty please?"

77.55 The Chair replied as follows:

“Homeless legislation, Code of guidance and relevant case law are all taken into account when we assess whether the council has a legal duty to provide accommodation for someone who is homeless.

Between 1 August 2017 – 28 February 2018, for the households placed into Emergency Accommodation pending assessment of the housing duty owed, 11 were assessed as Not in Priority Need of which 4 requested a Review and 13 were found to be Intentionally Homeless of which 6 requested a Review.”

77.56 Sophie stated that she had recently been getting legal advice. The council were given a chance to go to court which they were going to do until her legal team had told them she had merits on her mental health etc. The council had now decided to pull out of court and review the case. Sophie had not received a reply from councillors or officers and the case had been ongoing for over a year. She had been in emergency accommodation with a number of health conditions. Cooking facilities were not good enough and she had lost three stone last year.

77.57 The Chair thanked Sophie. She stressed that councillors did not get involved if there was any legal process that was ongoing. However, she would ask the Executive Director for Neighbourhoods, Communities & Housing to talk to Sophie to find out more about her situation.

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

Deputations

77.59 The Committee considered the following deputation which was presented by Councillor Wares on behalf of Paul Dwyer and supported by Ray Harvey, Kirsty Thomas, Jodie Clue, Lee Mack, Dennis Reddick and Julie Hussey:

77.60 Councillor Wares thanked staff for the sterling job that they carried out quickly when this incident happened. They were out early on site, helping residents, clearing properties and organising contractors. It was a job well done even though it was a long way from getting this resolved.

Deputation concerning Stanmer Heights

“On Saturday 3rd March 2018, water pipes in three different blocks in Bramble Way burst in the roof space flooding through at least nine flats making most, if not all, uninhabitable. Tenants were made homeless with some going into emergency housing and now temporary accommodation and some “self-helped” by going to their friends and families.

It is regretful that this happened but the blocks of flats in Bramble Rise, Orchid View and Chelwood Close have fallen into a state of disrepair. The lack of adequate insulation to water services causing the floods being just a small example.

Other parts of the fabric and common parts of the buildings in disrepair include:-

1. Damaged and missing roof tiles let water and cold air into the roof spaces.
2. Defective windows that do not shut and operate properly and poorly insulate our flats.
3. Recent installations of front security doors have left internal common part wall and ceiling plaster and render ripped off without any making good and redecoration making where we live look neglected.
4. Gutters are blocked, broken and overflow.
5. The outside of the buildings, including windows, are black and dirty making where we live depressing.
6. Cables and other external installations are loose and trailing causing further damage and creating health and safety hazards.
7. Outbuildings are dilapidated and in disrepair preventing them from being used and encouraging anti-social behaviour.

We respectfully request the Housing & New Homes Committee to please help us and ask officers to organise a comprehensive plan of works:

- that ensures the uninhabitable flats are repaired and refurbished quickly,
- that the causes of the flooding are rectified,
- that the external fabric of the building including all the roof defects and defective windows are repaired, making them weather and water tight and
- that the common parts damaged by the security door installations are made good.

We also respectfully request that due to the significant works required that will necessitate the use of scaffolding and other contract preliminaries, the Council uses the opportunity to replace all the windows and decorate the exterior and common parts to improve economies of scale and achieve best value for money from the various Housing budgets that we all pay into.”

77.61 The Chair responded as follows:

“Thank you for your deputation. We are sorry for displacement caused to residents at Bramble Way following burst pipes arising from recent adverse weather conditions.

Thank you also for your comments about the quick response of our Housing staff and contractors to assist those affected.

I can advise that Mears delivered dehumidifiers and reviewed any material damage to various addresses during their assessment of Bramble Way after the flood.

We are monitoring this on a weekly basis. As soon as the properties affected have dried out we will be returning to undertake reinstatement works. We

envisage this should happen within the next fortnight. The Housing Officer has visited those affected and will continue to assist residents.

With regard to planned works.

Our agreed Asset Management Strategy and Capital Investment Programme makes substantial investment available for planned programmes on elements such as external repair, windows, roofing and doors.

Programmes are designed to ensure reasonable quality is enjoyed across the whole stock over the medium term.

As such, ongoing surveys and reviews of our programmes for these elements aim to tackle the worst areas first and deliver as consistent a level of quality throughout all homes as far as possible over the longer term.

With regard to the windows and other wider issues raised about the properties at Stanmer Heights. It is acknowledged that residents of these properties view this as a priority for investment and that the windows would benefit from improvement. However, within the context of the entire stock, the windows are not considered to be as high a priority as other estates where the windows are currently in a worse condition.

Our independent consultant's condition survey has shown that works to the externals are not considered as being the highest priority, and as such are in a five year programme with a provisional start date in 2020.

Consideration of the most effective way to deliver works, including the potential to group works together, will be considered further at the project planning and consultation stage to help ensure works are delivered safely and represent good value for money for tenants and leaseholders, whilst causing a minimum of disruption for residents.

It is likely that external works would need to be phased over more than one year, with budgets for next year and 2019 / 2020 already fully allocated.

To bring these blocks forward on the programme would require a large number of other homes to not receive the works they require in the meantime.

Following on from the making good and internal decorations, which were noted on a walk round the estate with Cllr. Wares, I can update this work is in hand with Mears maintenance team and will be complete within 4-6 weeks.

We are arranging for quotes to be sourced for the main entrance doors and door entry to Orchid View and put into next year's programme, subject to consultation with residents and leaseholders."

77.62 RESOLVED

- (1) That the deputation be noted.

77.63 The Committee considered the following deputation which had been submitted by Andrea Jones and supported by Nicola Thomas, Peter Clarke, Jonny Anstead and Rita Garner.

Deputation concerning Community Led Housing

“Brighton and Hove Community Land Trust (BHCLT) welcomes the Council’s update on community-led housing (CLH), and the reaffirmation of supportive policy commitments. We particularly welcome the promise of a pathway and transparency about council-owned sites with potential for affordable housing and the collaborative approach suggested around future MHCLG funding. We share the view that community-led housing can help solve the profound crisis of housing in the city. Community-led housing has a specific role to play that is distinct from any other housing providers: it works directly with local communities and groups to deliver affordable, innovative homes and neighbourhoods. Members and officers attending the launch of the Community Housing Programme on 21st Feb 2018 witnessed the energy and enthusiasm for community-led housing, and we are mobilising this energy to deliver creative housing solutions. The MHCLG (DCLG) funding awarded to us by BHCC to support the CLH programme is significantly increasing our capacity to realise this potential.

Our programme is committed to overcoming some of the misconceptions about community-led housing and ensuring that community groups understand the challenges and commercial realities:

1. We understand that the council will not be gifting land, we support the council’s own social housing priorities and we understand ‘best consideration’ imperatives;
2. New community-led housing must be built at sufficient densities, making the best possible use of the scarce land in the city
3. Our priority is to increase housing affordability for local people, key workers and vulnerable groups on low incomes. The schemes we support will meet or surpass local statutory affordability requirements (whether for rent or through shared or mutual ownership).

The proven benefits of community-led housing are:

- ✓ locking in affordability in perpetuity (protected by an asset lock and not subject to right-to-buy)
- ✓ supporting people on low incomes or in vulnerable communities who are not currently well-served by existing housing provision. For example, people who want to remain independent, but also live in mutually supportive groups (such as older LGBT cohousing)
- ✓ Housing costs can be lowered by people playing an active role in the process, such as self-build or housing cooperatives
- ✓ We can harness the enormous creative potential in the city for environmental sustainability in housing and expand the diversity of housing design
- ✓ Community builders can engage with sites that would provide challenges to the traditional housebuilder market – challenges of scale or local opposition

We can support the council to meet their obligations in relation to self-build and custom housebuilding, by supporting groups in housing need to benefit. Not all self-build and custom build is community-led, but almost all community-led housing meets the government’s definition of self-build and custom building.

We recognise the importance of the New Homes for Neighbourhoods Programme and the Joint Venture with Hyde Housing Association. There is good potential for collaboration with the Council, but there is also urgency. A collaborative framework *with clarity on timescales* would allow us to realise the advantages of these different approaches for the benefit of local people in urgent housing need in the city.”

77.64 The Chair responded as follows:

“Thank you for your deputation.

We recognise the benefits of community led housing as evidenced by strategic support and financial and practical steps to enable capacity building for this sector outlined in the report to be considered at this committee and in previous committee reports.

We welcome the:

- **Commitment in the deputation to overcoming some of the misconceptions about community-led housing and ensuring that community groups understand the housing and other challenges faced in the City and commercial realities.**
- **Recognition in the deputation of the importance of the New Homes for Neighbourhoods Programme and the Joint Venture with Hyde Housing Association.**

We recognise the potential for collaboration and propose to work with Community led housing groups to set out how best to work together to realise our shared objectives.

As stated in the report later on the agenda, the Committee would be looking for a future report on how the £464,000 has been helpful to you.”

77.65 **RESOLVED**

(1) That the deputation be noted.

77.66 The Committee considered the following deputation which was presented by Ian Bailey and supported by Steve Horne, Kristie Scarle, Alison Wells, Lucy Chilvers, Helen Atherall, Paul Sutton, Robin Berry, Julia Ritson, and Sam Fearn.

Deputation relating to Item 82 - Community Led Housing Update

“In September of last year I brought a deputation to the Housing and New Homes committee meeting about Site 21 in Coldean and the LWJV. One of the outcomes of that committee was an amendment which sought to clarify some of the commitments that BHCC was making in the support of Community Led Housing, part of which specifically related to Coldean and access through Site 21 to Site 21a. Alongside this was the request that a report into Community Led Housing be presented in six months to the committee which would clarify the goals set out in the decision list accompanying item 82 on this month’s agenda. I am pleased to see that the presented report clarifies much of what was requested of it.

However, upon reading the report I am concerned that under section 3.10 the allocation of land for Community Led Development across the city is likely to be considered as a secondary 'requirement', with the New Homes for Neighbourhoods programme being prioritised rather than both options being considered on their merits. As already noted the Urban Fringe section of the City plan commits to "*consider how best to ensure that opportunities are brought forward and safeguarded in order to maximise housing opportunities that meet local housing needs.*" Only providing access to smaller sites will reduce the impact of Community Led Development and not enable BHCC to truly meet local needs.

Community Led Housing developed in conjunction with Community Land Trusts is one of the most viable vehicles for providing long term, affordable and secure (in perpetuity) housing which can genuinely deliver "*housing to meet local needs, as set out in the city plan*". It should again be noted that the Brighton and Hove Fairness Commission recommended that BHCC should; "*Offer council-owned (and other publicly owned) land, including sites on the city fringes, brown field sites, to cooperative, self build groups and community land trusts to develop affordable social housing with a guarantee it will go to local people.*" The pathway described within the report suggests that the process will be obfuscatory through its approach to site disposal (lease or sale) and the attachment of conditions, rather than facilitatory through enabling communities to establish their own local needs.

It was noted at the recent Community Led Housing launch event on 21st February 2018 that BHCC suggested that for land to be considered for asset transfer or disposal to community organisations they would have to bring forward a fully costed and prepared proposal. Given the nature of preparing such proposals, many community groups struggle in this stage of work, without any guarantee that when they have completed the process for a viable project they will actually be given access to the site they require. To demonstrate BHCC's commitment to enabling Community Led Development, transferring identified sites into the Brighton & Hove Community Land Trust would give communities across the city confidence in engaging professional support to ensure their proposals are both viable and successful. This would in no way negate the need or option for thorough analysis of any proposals against predetermined criteria. Providing a clear process for groups to follow, perhaps in addition to offering guidance on how to develop proposals would also be helpful.

In addition to the details set out above it was requested that the report specifically requested that the LWJV development of site 21 in Coldean would ensure "*that the joint venture development of site 21 facilitates access and not limit the prospects for development of sites 21a and 21c as community led housing*". The report makes no mention of how BHCC plan to ensure this and to date I am not aware that Hyde Housing or BHCC have attempted to engage with the Coldean Community to begin consultations regarding the principles of the site's development.

Please can the committee re-affirm its commitment to providing communities around the city access to appropriate development sites for community Led Housing, not just the 'smaller S106' sites which are left over from all other programmes as indicated in section 3.10.

Will the committee give assurance that, following the completion of a mutual site allocation process, sites allocated for community led development would be pro-

actively transferred into the Brighton & Hove Community Land Trust to demonstrate BHCC's commitment to facilitate Community Led Development.

In relation to Coldean, please can the committee describe when and how the LWJV intends to engage with the Coldean community relating to the development of site 21 and how access to site 21a will be developed. If BHCC are able to provide details of the liaison personnel for Hyde Housing this would be appreciated."

77.67 The Chair responded as follows:

"Thank you for your deputation, in relation to your point

Please can the committee re-affirm its commitment to providing communities around the city access to appropriate development sites for community Led Housing, not just the 'smaller S106' sites which are left over from all other programmes as indicated in section 3.10.

The report being considered later on this agenda as well as the strategic framework of City Plan, Housing Strategy and Fairness Commission all clearly indicate support for community led housing in the City as does investment of over £460k to enable capacity building and pursuit of further funding opportunities in discussion with the Ministry of Housing, Communities and Local Government.

Our support of and funding for Community Housing is not contingent upon use of Council land and is in the context of consideration of making best use of resources to meet wider housing need, provision of nomination rights and support for other agreed priorities including our New Homes for Neighbourhoods programme.

Will the committee give assurance that, following the completion of a mutual site allocation process, sites allocated for community led development would be pro-actively transferred into the Brighton & Hove Community Land Trust to demonstrate BHCC's commitment to facilitate Community Led Development.

As outlined in previous reports and in the report to be considered in this agenda, community housing groups have received significant funding to enable growth of capacity of community led housing providers, which is welcomed.

This support and funding is not contingent upon council land, which will not be 'allocated', and is subject to other stated council priorities including meeting our requirements to:

- Support New Homes for Neighbourhoods programme;
- Statutory requirements to achieve best consideration should land be disposed of;
- Requirement for nomination rights should land be disposed of for housing to assist with meeting housing need in the city;
- City Plan & Housing Strategy requirements around maximising housing supply on available sites.

Details of how sites can be identified is being developed, as outlined, so we can review potential sites for community-led housing providers to assess and make proposals for their use.

Any land to be considered for use by Brighton & Hove Community Land Trust or other community led housing providers will be dependent upon an approved scheme for the specific site and will be subject to committee approval, including meeting the requirements outlined above.

In relation to Coldean, please can the committee describe when and how the LWJV intends to engage with the Coldean community relating to the development of site 21 and how access to site 21a will be developed. If BHCC are able to provide details of the liaison personnel for Hyde Housing this would be appreciated.

This is a matter for the LWJV Board to consider and I propose this is referred to the Board for this purpose. The proposals are at a very early stage and there will be substantial consultation with local residents, not least as part of the planning application itself. Even at this early stage, comments and queries from Coldean residents have been passed on to project officers, and this will continue to happen.”

77.68 **RESOLVED**

- (1) That the deputation be noted.

78 **ISSUES RAISED BY MEMBERS**

- 78.1 There were no Petitions, Written Questions, Deputations or Letters from Councillors.

79 **REQUEST TO PURCHASE A PIECE OF HRA LAND ON MILE OAK ROAD**

- 79.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing concerning a request to purchase a piece of Housing Revenue Account land, adjacent to 336 Mile Oak Road, Portslade, for the sum of £27,000 with an additional offer of £500 towards legal costs. The HRA site was currently a small hardstanding and garage. Prior to 2015 the land was used for informal off-street parking by local residents which had prompted local residents to formally ask if they could purchase the plot for off-street parking. The proposal provided the council with an opportunity to release an unviable asset and invest the capital receipt to meet key strategic priorities as outlined in the HRA Asset Management Strategy. The report was presented by the Housing Stock Review Manager.
- 79.2 Councillor Mears asked when the policy not to sell HRA housing land was rescinded. It was explained that the general presumption was not the disposal of HRA sites per se, but cases had been brought to the committee before where small parcels of land could be disposed of with committee agreement. These were small sites which were not of use to the HRA or were not considered valuable for the New Homes for Neighbourhood Programme. Councillor Mears stated that it would be helpful for the wording of the policy to be reviewed to provide clarity.

- 79.3 Councillor Moonan asked officers to confirm that the land did not provide enough space to build a house; that there was a covenant on the land so that it could only be used for parking in the future; and that any application to build was unlikely to be granted planning approval. Officers confirmed that there were restrictive covenants that blocked the purchaser from developing the land. It could only be used for storage or car parking.
- 79.4 Councillor Bell asked how much the Clutton's report had cost to produce and which budget had been used to pay the fee. The Head of Housing Strategy, Property and Investment informed members that the Clutton's valuation costs would be sent to all members. The use of the receipt would go back into the HRA Capital Programme for investment. The evaluation costs came out of the Property & Investments – Surveys and feasibilities budget.
- 79.5 Councillor Gibson referred to paragraph 3.3 on page 28 which stated that in 2015 offers had been invited from the open market. However the council could not proceed with the final bidder. Councillor Gibson asked what happened with the final bidder. He further asked if anyone had talked to the Community Land Trust to see if the land was suitable for a less conventional approach. The Head of Housing Strategy, Property and Investment explained that officers would confirm to members why the previous bidder did not proceed. This might be confidential information. A report on Community Land Trusts would be discussed later on the agenda; however he confirmed that this site was not suitable for residential development.
- 79.6 The Chair asked for clarification that the purchaser had to pay costs of all the works that had been carried out. It was explained that the purchaser had to pay £500 legal costs.
- 79.7 Councillor Gibson suggested that that it was good practice to talk to the CLT and others who may be able to develop difficult sites. The Head of Housing Strategy, Property & Investment explained that this was the pathway outlined in the Community Led Housing report.
- 79.8 The Chair noted that the site was next to an electricity sub-station which would be another reason to deter people from developing this land.
- 79.9 **RESOLVED:-**
- (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) 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.

80 PURCHASE OF PROPERTIES WITH RESTRICTIVE COVENANT

- 80.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which informed members that 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. Since March 2017 viability modelling of the proposal had been undertaken and negotiations had been ongoing with a final purchase price now being agreed with Orbit Housing Association (the Registered Provider (RP) as vendor. The report was presented by the Empty Property Officer.

- 80.2 In answer to questions put by Councillor Gibson officers confirmed that the use of the building was discussed at the Estate Regeneration Members' Board. The model used for the rental income was the standard model used by financial services in setting viability. This was at the Local Housing Allowance Rate and would normally include the service charge.
- 80.3 The Director for Neighbourhoods, Communities & Housing explained that there had been discussions with Adult Social Care colleagues, where there was an Accommodation Board. The main reason why these properties were being put forward as temporary accommodation and not supported accommodation was that the council did not currently have a supported accommodation strategy. As a result, officers recommended that the best use of the buildings was as temporary accommodation. The Chair confirmed that the Estate Regeneration Board had discussed and agreed that these properties should be used a temporary accommodation.
- 80.4 The Head of Housing Strategy, Property & Investment stated that the modelling included all the costs for the scheme. This would include all service charges.
- 80.5 Councillor Moonan thanked officers and the Chair for the report and was pleased to see that the recommendations would lead to 15 new units of much needed temporary accommodation within the city at affordable rent levels. The whole project cost about £136,000 per unit which was good value for money.
- 80.6 Councillor Gibson made the following points:
- He supported buying and bringing these properties back into council ownership.
 - He expressed concern that the council were in the position of having to buy back properties that had been sold by the council 20 years ago to a housing association.
 - He expressed concern at the proposed rent levels. There had been a 30% increase, including service charge, since 2015.
 - The council should buy properties from the private sector where the council can offer a rent reduction on those properties.
 - The report did not properly discuss the other options, which could have included general needs housing.
 - The council should not delay in buying these properties, not least that the council would be using up some of the borrowing that it had unused. Concern was expressed that the council had at the beginning of this year £34m unused borrowing. It was predicted that at the end of the year there would still be £28m unused borrowing.
- 80.7 Councillor Mears stated that the properties were sold in 1999, and it should be borne in mind that property prices in the city had risen dramatically since then. Councillor Mears was happy to support the purchase of properties that were already built. She considered this a positive way forward.

- 80.8 Councillor Druitt expressed concern that the properties had previously been sold by the council and requested that there should be agreement that the council should not sell council owned properties. Councillor Druitt stated that he had just carried out a property search on Rightmove for studio and one bedroom flats for less than £100,000 and had found 10 within Brighton & Hove, four in Newhaven and five or six in Shoreham. It was therefore possible to buy properties from the private sector.
- 80.9 The Chair stated that the council could not stop right to buy, which was a government initiative.

80.10 **RESOLVED:-**

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

- (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) A budget of £2.040m for the purchase and refurbishment of these two properties is approved, which includes a purchase price of £1.200m.

81 YOUR ENERGY SUSSEX - ENERGY TARIFFS

- 81.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which provided a further update on the Your Energy Sussex (YES) partnership, led by West Sussex County Council (WSCC). The Your Energy Sussex Partnership was a 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 was an Affiliate member of the partnership. The report was presented by the Housing Sustainability and Affordable Warmth Manager.
- 81.2 Councillor Druitt stated that he was pleased to see detail on concerns raised at the previous committee meeting. His main concern had been that although it was clearly a good opportunity to improve value for money for the majority of tenants on the big six energy tariffs, it was not clear it would benefit everyone. He had also been concerned that the council branding would give the impression that it was the best deal.
- 81.3 In answer to questions raised by Councillor Druitt, the Housing Sustainability and Affordable Warmth Manager explained that there were no exit fees with this scheme if customers left during the tariff period. With regard to representations around governance, an officer from the council would be involved in the governance of the scheme. With regard to comparisons, the big six had been used in this example because people most likely to benefit from switching were those on the six big tariffs. The scheme was aimed at people who were on those higher tariffs. In terms of the broader market, officers would look to communicate to people that although it was competitive, the local energy tariff scheme was not necessarily the cheapest deal, and

that there might be better deals available. Councillor Druitt stated that this allayed his concerns and that the Green Group would support the recommendations.

- 81.4 Councillor Bell asked the following questions and made the following points:
- How many homes did West Sussex County Council look after?
 - Paragraph 2.4 on page 57 – Councillor Bell could not support that recommendation.
 - He noted that paragraph 3.3 on page 58 stated that the tariffs would not be the cheapest on the market.
 - Looking at the Equalities Implications on page 62, Councillor Bell noted that the council managed things very well without signing up to any scheme.
 - The Brighton & Hove Energy Service Co-operative used to be funded by the council and already advised and helped residents to find the cheapest tariffs.
 - Councillor Bell stressed that the council should offer its services should people need help but should not recommend a particular supplier.
- 81.5 The Housing Sustainability and Affordable Warmth Manager explained that West Sussex County Council did not own any of their housing stock but as this scheme was offered to all tenures of housing (private and social housing) they had about 700,000 homes. The scheme was aimed at people across all tenures. The council were working closely with Brighton & Hove Energy Services Co-operative on a number of projects, including the Warmth for Wellbeing Project and the SHINE project in council housing. They were in receipt of funding from various sources at different times of the year to advise people, including advice on switching which would be on a one to one basis.
- 81.6 Councillor Atkinson stated that he had some concerns at the last meeting but would now support the report. The previous report had focused too strongly on promoting the scheme. He was pleased to see the section on page 60 on the Fuel Poverty Fund.
- 81.7 Councillor Hill stated that she too had concerns at the last meeting which were addressed well in the report. It was not possible to put forward a tariff which was always the cheapest as tariffs were constantly changing. With Your Energy Sussex, there would be better value over a period of time. Councillor Hill was pleased to see the scheme could also offer a void switching service.
- 81.8 **RESOLVED:-**

That the Housing and New Homes Committee:-

- (1) note the appointment of Robin Hood Energy (RHE) by WSCC as the energy supplier for the YES energy tariff scheme
- (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.
- (3) note the opportunity to develop a voids service for both Housing Revenue Account (HRA) properties and leased properties used for temporary accommodation.

- (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.)

82 COMMUNITY LED HOUSING UPDATE

- 82.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which provided 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. The report was presented by the Housing Strategy & Enabling Manager.
- 82.2 Councillor Gibson welcomed the report and the deputations heard earlier and stressed the importance of exploring all the options that were available to address the housing crisis. He was at the recent launch of the Community Led Housing Programme and hoped the council could harness and work with the enthusiasm displayed at the launch. He was pleased that the Right to Buy was avoided through CLT development. If the developments addressed concerns about density and access for local people on low incomes, and in the greatest possible housing need, then it was to be completely welcomed. He further welcomed the suggestion that there should be a future report showing how the £464,540 grant awarded to the Brighton & Hove Community Land Trust had been spent and how well the council had worked in partnership to progress this work.
- 82.3 Councillor Hill stated that she was at the launch which was very well attended. There had been talk of Community Led Housing disrupting the market as the market did not work for many people. She looked forward to seeing more work carried out on these sites and to see some projects coming forward.
- 82.4 Councillor Druitt stated that it was valuable listening to the deputations earlier on the agenda. He noted that the deputations had made a number of recommendations and asked if the recommendations were practical, possible and legal. Councillor Druitt specifically noted the idea that the council allow an asset transfer to the Community Land Trust before the community have been able to detail extensive plans. Meanwhile, he asked what more the council could do to support the community; both the Community Land Trust and other community groups, who wanted to engage in this type of provision.
- 82.5 The Senior Lawyer stated that it was not possible for the council to allow an asset transfer to the Community Land Trust before the community had been able to detail extensive plans. The council needed to get “best consideration” reasonably obtainable for the disposal of any individual piece of land.
- 82.6 The Head of Housing Strategy, Property and Investment stated that the council worked closely with the Community Land Trust and in terms of resourcing, the £464,000 had been used to fund seven enablers to work with the community to build capacity. The council also wanted to put community housing groups in touch with land agents in the city and developers who might want to discuss the use of other sites for community housing development. In the past, the Empty Property Officer had supported community housing groups to bid to the Homes and Communities Agency for funding. The council were in conversation with government about their second tranche of community housing

funding and how the council could support community housing groups to bid for Homes England funding or direct government funding to enhance both revenue and capital.

82.7 RESOLVED:-

That Housing & New Homes Committee:

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

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

83.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which updated members on 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. The Council currently operated 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

83.2 The Mears Limited contract expired 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 needed to be assessed. Officers were engaging with residents through the Area Panels, workshops and sessions with residents. The report was presented by The Business and Performance Manager and the Business and Performance Project Manager.

83.3 Councillor Moonan stated that the report was an outline of a process and had been well received by the Area Panels. The committee would be discussing this matter further on future agendas. Councillor Moonan considered that this was an opportunity to bring the service back in house and wanted this to be investigated as an option.

83.4 Councillor Atkinson referred to page 84, paragraph 3.4, relating to the programme board. He asked who would sit on the board. Officers explained that it was an officer board and included officers from Housing Services and other parts of the authority, including procurement, finance, legal and HR. Members' governance was through the Members' Procurement Advisory Board.

83.5 Councillor Mears welcomed the report and made the following points:

- It was an opportunity to move forward and look at what had happened in the past.
- It was important to emphasise that the Mears contract was never "light touch". The council were responsible for managing the contract.
- The work being carried out was welcomed but it needed to be recognised that unless the contract was managed in the proper way, there could be problems in the future.
- There needed to be clarity with regard to how the contract was let in the first place.

- 83.6 The Executive Director of Neighbourhoods, Communities & Housing agreed that the management of the contract was a key consideration and would be a large part of the work being carried out. Officers had identified what tenants and leaseholders expected and would listen to their views. Tenants and leaseholders would also be asked to monitor the work and the Project Board would look at management arrangements.
- 83.7 Councillor Hill observed that it was a large contract and she hoped that the council could be open to having different parts of the service let to different contracts. This would give more power to tenants and leaseholders.
- 83.8 Councillor Bell stressed that leaseholders made up 20% of housing stock and their views were very important. He personally received more complaints from leaseholders than tenants. Officers confirmed that there was a working group with leaseholders reflecting the current provision. The process for consultation was outlined in the report. Officers would look to arrange workshops for feedback from both tenants and leaseholders. There was a multi stage consultation. There would be an initial consultation with leaseholders before the contract went out to tender.
- 83.9 Councillor Gibson stressed that it was important to ensure the consultation was meaningful. He believed that public provision was a better model because the council was not out to make a profit, and the council provided better conditions to its staff. The problems raised with the Mears contract would be more easily and openly resolved if the council ran the contract and bringing it back in house was desirable. Councillor Hill's suggestion about breaking up the contract should be considered.
- 83.10 Councillor Wares made the point that there were many tenants who were not involved with Area Panels, workshops or associations. It was very important to reach all these people when carrying out the consultation. The Executive Director, Neighbourhoods, Communities & Housing concurred and stressed that this was probably the largest consultation in ten years. Officers would inform tenants through "Homing In", and would work with ward councillors and tenants. The council were now able to use social media and there was a better digital platform. Officers would contact as many tenants as possible.
- 83.11 Councillor Wares stressed the importance of adequate management and checking of work carried out. There was a need to learn from past experience.
- 83.12 Councillor Druitt agreed with the idea of splitting the contract. He expressed concern that the report seemed an officer consultation led. The wording was not clear that it would be a resident led programme. He referred to paragraph 3.10 which stated that there would be a number of workshop sessions. He would rather that the Project Board updated members on key decisions. Meanwhile, he was concerned about how much information was readily available during the decision making process, and asked how it compared to other contracts. He asked how much background information would be considered.
- 83.13 The Executive Director stated that residents would be involved in the process but the decision makers were ultimately councillors. The performance report showed that Mears Ltd performance in responsive repairs was very good. There needed to be a balanced view about Mears performance. Tenants were largely satisfied with Mears responsive repairs programme. Officers knew that the management of the contract was now robust

but that there had been times in the past when it had not been. The Executive Director was happy to have tenants and leaseholders involved in the process.

83.14 The Business and Performance Manager stated that there was also a formal process for engagement. In terms of access to information, the council held all the information which was needed. Although Mears were the main contractor, and had the lead IT system, every piece of information came into the council's own system so it had all historic information. All the performance information including the key performance indicators were controlled through the council. The process was at a very early stage. The Business and Performance Project Manager was working on a resident engagement plan which officers would be happy to share with Area Panels and members. Some of processes around engagement were governed by legal processes.

83.15 **RESOLVED:-**

- (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.

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

84.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which informed members that approval and authorisation was sought from the Committee regarding the recommendations in Section 2 of the report 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 involved inspecting and testing water systems for legionella and managing risk and treatment for remedial works. The report was presented by the Housing Sustainability and Affordable Warmth Manager & Interim Mechanical & Electrical Team Manager.

84.2 Councillor Mears stated that she was happy to support the first recommendation but had concerns about the second. She requested an annual update report to the Housing & New Homes Committee. Officers agreed that they could provide an update report as required.

84.3 The Chair proposed an amendment to add recommendation 2.1 (iii) "report annually to the Housing & New Homes Committee". This was seconded by Councillor Mears.

84.4 The Committee voted on the amendment which was agreed unanimously (with the exception of Councillor Druitt who was not in the Council Chamber during the vote). The Committee then voted on the substantive recommendations which were agreed unanimously along with the addition of 2.1(iii).

84.5 **RESOLVED:-**

That the Committee:

- (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.
- (iii) Reports annually to Housing & New Homes Committee.

Note: Councillor Druitt was not in the Council Chamber during the vote.

85 HOUSING MANAGEMENT PERFORMANCE REPORT QUARTER 3 2017/18

- 85.1 The Committee considered a housing management performance report of the Executive Director, Neighbourhoods, Communities & Housing which covered Quarter 3 of the financial year 2017/18. The report was presented by the Head of Income, Involvement and Improvement.
- 85.2 In answer to questions raised by Councillor Moonan it was explained that officers were anticipating a further increase in arrears as a result of Universal Credit. There were steps that people could be advised to take to reduce arrears and there were many ways in which officers were supporting all claimants on Universal Credit, including trying to get people into work and training. The DWP had agreed for Brighton & Hove to be a trusted partner and the council could now apply to them to see if someone's rent could be paid directly. 92% was an exceptionally good result last year and there were the lowest evictions of any council social landlord. Officers were looking to deal with anti-social behaviour across the council. A workshop on Tenancy Enforcement would be available for councillors in the next two weeks.
- 85.3 Councillor Bell noted that the Chair's Communications had reported that Mears Ltd had answered calls in two minutes during the recent extreme weather. He asked why they could not match this record at all times. A written response from Mears would be acceptable. It was explained that performance had been good in terms of an average wait time of 29 seconds.
- 85.4 Councillor Atkinson noted that the greatest increase in anti-social behaviour was in North Portslade and was interested to know if housing officers increased levels of support. It was explained that when there was a restructure in 2016 there were fewer staff members dealing with anti-social behaviour. Improvements had now been made so that there was a single point of contact. As a result the situation was improving.
- 85.5 Councillor Mears referred to the table at paragraph 3.6 on page 106, Long Term Empty Dwellings by Ward. She stressed that it was important to know what rent was lost and why properties were empty and requested a fourth column providing that information. It was agreed that officers could provide this information in future.
- 85.6 In answer to a question from Councillor Lewry about long term empty dwellings (extension programme) it was explained that officers were trying to extend properties for residents who needed a larger property but did not want to move. Officers had also tried to extend properties that were empty with a particular tenant in mind. Officers would review carrying out more work with residents in situ and review previous cases to

achieve an immeasurably better result in future. It was confirmed that officers had looked at a range of work including side, rear and loft extensions.

85.7 Councillor Gibson thanked officers for the report. He raised questions relating to the implementation of Universal Credit as follows:

- Page 100 – 1.8. Currently it said that 2.1% of all tenants were affected. When Universal Credit was fully implemented in the city, what percentage of tenants would be affected? It was confirmed that officers did not have figures to hand but the projections did not look good. Councillor Gibson requested that the details be circulated to members.
- Looking at the projections it looked like the arrears were fairly proportionate to the number of tenants affected at this point. This was worrying and distressing for the tenants.
- In terms of other Local Authorities, at what levels had were they reaching a plateau in terms of a percentage of their total rent?
- When would Universal Credit be fully implemented in the city?

85.8 In response it was explained that it was difficult to report about the arrears levels for different authorities because they had had implementation at various stages. It was only now that the government were trying to accelerate Universal Credit across the country. Officers would provide examples of figures they had come across when it plateaued out. Brighton & Hove would be fully implemented in 2020 if Universal Credit stopped at working age people only. There had been some talk about Universal Credit being extended to people over pensionable age.

85.9 In response to a question from Councillor Hill relating to cleaning data it was explained that officers were informed from estate inspections. The team of staff took pride in their work and met and talked to many tenants.

85.10 Councillor Wares thanked the Head of Income, Involvement and Improvement and the Head of Tenancy Services for the work carried out to help residents at Stanmer Heights and congratulated officers on achieving trusted partner status. In response to a question about anti-social behaviour it was explained that the 163 figure related to individual cases.

85.11 Councillor Druitt thanked officers for additional information about long term empty dwellings but asked if future reports could add a commentary to explain the reason why the properties had been long term empty, for example if works had been completed. Councillor Druitt referred to the coloured circle on page 98 (Status of Performance Indicators) and noted that the total of 5 in one section was 11% and 12% in another section. It was in fact 11.3% in both cases. He requested that the next report had the previous period's circle. In relation to the circle it was explained that the system rounded up or down, but it was acknowledged that it would have been better to put 11% on both sections. With regard to those figures in the information on page 98, the report did give the figures for the previous quarter, in the bullet points. Councillor Druitt stated that the figures did not give the aggregate total for the last quarter compared with this quarter. It was confirmed that officers would provide this information in future.

85.12 Members were informed that in terms of long term voids, officers could provide more information to let the committee know whether they were long term because they

required major works which by their nature were long term, or if they were long term empty because (as with some of the Seniors housing) it had taken officers a long time to let them.

85.13 The Head of Income, Involvement and Improvement appreciated the thanks she had received for the report but stated that it would not be produced without the help of her colleague Tom Matthews who was in the Performance and Improvement Team.

85.14 **RESOLVED:-**

(1) That the report be noted along with the comments of the Committee.

86 ITEMS REFERRED FOR FULL COUNCIL

86.1 No items were referred to full Council.

The meeting concluded at 7.43pm

Signed

Chair

Dated this

day of

