

BRIGHTON & HOVE CITY COUNCIL

HOUSING & NEW HOMES COMMITTEE

4.00pm 16 JANUARY 2019

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

MINUTES

Present: Councillor Meadows (Chair); Councillor Hill (Deputy Chair); Councillor Mears (Opposition Spokesperson); Councillor Gibson (Group Spokesperson); Councillors Atkinson, Barnett, Bell, Cattell, Lewry and Phillips.

PART ONE

47 PROCEDURAL BUSINESS

47a) Declarations of Substitutes

47.1 Councillor Cattell substituted for Councillor Moonan. Councillor Phillips substituted for Councillor Druitt.

47b) Declarations of Interests

47.2 There were none.

47c) Exclusion of the Press and Public

47.3 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.

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

48 MINUTES OF THE PREVIOUS MEETING

48.1 **RESOLVED** - That the minutes of the Housing and New Homes Committee meeting held on 14 November 2018 are agreed and signed as a correct record.

49 CHAIRS COMMUNICATIONS

49.1 The Chair stated the following:

“I am pleased to welcome you all to Housing and New Homes Committee. As we have a packed agenda, I will keep my Communications short. As you may have read in the local paper or seen on the news, we unfortunately had a fire on Friday in one of our flats on Donald Hall Road. My thoughts are with the gentleman who was admitted to hospital following the fire in his flat.

Although I am satisfied with the way the fire was contained to one flat, the fire doors worked and the fire service were able to quickly put out the fire, I was very disappointed with the initial response from officers and I have asked the Executive Director to review what happened, and how we can ensure that we learn from this incident and report back to the tenants and members.

On a more positive note – I was pleased we have been successful in a bid to MHCLG for funding from their Rogue Landlord Enforcement Grant Fund. We have been awarded the full amount requested of £34,820.00.

This is to support development of an online form for private rented tenants who are experiencing issues with the management and standards of their home. This will enable a full assessment of the issue at the first point of enquiry and enable the council to make best use of resources to more effectively target enforcement activity.

I was very pleased to visit Tilbury Place on Monday with Councillors Hill and Gibson to see the latest development in our initiative to increase the supply of council owned temporary accommodation. This scheme will provide 15 units of much needed council owned accommodation to achieve savings against the cost of procuring more expensive options in the private market.”

50 CALL OVER

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

51 PUBLIC INVOLVEMENT

(a) Petitions

51.1 There were no petitions.

(b) Questions

51.2 Michael Jenkins asked the following question:

“I am deeply grateful for the home that I am given to live in, and I love where I live. The Outdoors Condition of Stanmer Heights breaks my Heart and deeply saddens me. Each Year, all the people who live in Stanmer Heights pay £670,000, for living there. Please can The Chair and The Executive Director, of Brighton and Hove City Council Housing create A Care Plan for Stanmer Heights, please, so that during this year everything is made nice in Stanmer Heights, and please can I assist you with the attention to detail needed for this Care Plan?”

51.3 The Chair replied as follows:

“The Housing team would love to hear your ideas for ways the outdoor areas of Stanmer Heights can be improved. Resident involvement is at the heart of everything we do in Housing. There are many ways residents can get involved in decision making and planning. We have Local Area Panels, the City Conference, and the Estates Development Panel. I have passed your question to our Resident Involvement Team who will be in touch with you to arrange a meeting so that we can hear your ideas. Your idea of having a Care Plan for a specific area is an interesting one which the Housing team would also like to explore.”

51.4 Mr Jenkins asked the following supplementary question as follows:

“Please may I make a series of appointments with the Chair and the Executive Director over the coming weeks in order to begin to address all these concerns for the condition of Stanmer Heights.”

51.5 The Chair replied that she was sure that the Executive Director would be very keen to meet up with Mr Jenkins. As there was an election pending the Chair was not the best person to contact.

51.6 **RESOLVED-** That the Public Question be noted.

51.7 Jane Thorp on behalf of Graham Dawes asked the following question:

“At the Parliamentary Select Committee Hearing on Leasehold Reform, on December 10, Executive Director, Larissa Reed, stated that there have been 500 leaseholder disputes over 10 years, and the council has “taken only four to tribunal....It is healthy.” There are 2380 leaseholders, so 500 represents 21%. If 21% of leaseholders have shown extreme dissatisfaction, why is this considered healthy? My question is limited to 100 words so please limit your answer to 100 words?”

51.8 The Chair stated that if Ms Thorp wanted a full response it would not be limited to 100 words. She replied as follows:

“Larissa Reed, gave oral evidence to the Housing, Communities and Local Government Committee’s leasehold reform inquiry. She said that over the last ten years, due to the effectiveness of our own internal Leaseholders Disputes Procedure, the council had only attended four tribunal hearings over service charge disputes.

That is a creditable record.

The point Larissa was making was about the effectiveness of our own efforts to resolve disputes between the parties. I’m sure you would agree that a robust and successful disputes procedure that minimises the extent to which we need to seek external formal adjudication is a ‘healthy’ position to be in.

I would also challenge your interpretation of the statistics. Dealing with 500 service charge disputes over the course of 10 years does not mean that 21% of leaseholders have shown ‘extreme dissatisfaction’.

50 service charge disputes a year represents less than 2% of leaseholders challenging items or costs they find in their annual charge.

Service charge disputes can cover a wide variety of issues. For instance, our Leasehold Team verify over 5,000 individual common way repairs jobs every year. With the best will in the world, no operation on this scale can be undertaken without challenges to costs contained within the service charge. On top of this, by no means are all disputes sustained. And many are resolved quite harmoniously, without contention.”

51.9 As a supplementary question Ms Thorp asked “given that a dispute process is a formal and recorded process could we not have some figures that are not massaged, that are real about what actually goes on with disputes with leaseholders because we do not receive any of that information.”

51.10 The Chair replied that she was sure figures could be sent to Ms Thorp but she also assured Ms Thorp that she had every faith in officers not to lie which was what was being suggested.

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

51.12 Jane Thorp asked the following question:

“In every case, until quite recently, major works undertaken on Brighton & Hove estates have done everything -windows, roofs, doors, cladding, cavity wall insulation - all at once, regardless of the need for the works, and without any consideration of the impact on the leaseholders who have to pay such high bills. As a simple example, a building survey on a block of 15 flats costs a cool £5000 - one survey. Why has this abuse of leaseholders been allowed? My question is limited to 100 words so please limit your answer to 100 words?”

51.13 The Chair replied as follows:

“It is not correct to say that the council has carried out all the works listed in your question at the same time in every case. However, when we are looking at blocks – particularly where scaffolding is a large cost - it is prudent to consider what works may need to be undertaken over the next few years. The council is extremely mindful of the impact on leaseholders and will look at options to spread works over a number of years where this is possible.

You have given an example of a building survey cost of £5,000. The council will estimate costs of surveys to ensure that tenants and leaseholders are aware of all of the elements of a project. However, any survey which is required will be tendered through the council’s Dynamic Purchasing System for building consultancy. This involves asking a large number of providers to tender for the survey work. This competitive process ensures we achieve the best value for money for the council, tenants and leaseholders.”

51.14 Ms Thorp replied that she had contacted a surveyor herself for one block which has 32 flats and not 15 and that one block for a full specification survey would cost £1,200 in his estimation. That was a far cry from the £5,000 quoted for a block of 15 flats. Ms Thorp stated that her question still stands as it had not been answered.

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

51.16 Dave Croydon asked the following question:

“At the Parliamentary Select Committee Hearing on Leasehold Reform, on December 10, Executive Director, Larissa Reed, stated, “The highest bills are around £37,000”. There are estimates in existence for £39,000, £40,000, and £46,000. Acceptably these were estimates, not bills - not yet. This is known as bending the facts. Why can the council not acknowledge their own estimates?”

51.17 The Chair replied as follows:

“I disagree entirely with your description of ‘bending the facts’. An invoice or bill is not the same thing as an estimate. Very far from it. For major works the council and Mears establish an ‘Agreed Maximum Price’. Many high cost works end up lower than the estimated cost. Sometimes much lower. We are happy to acknowledge estimated costs we make. But this is simply not what was asked of Larissa at the evidence session.”

51.18 Mr Croydon replied that he thought that the whole truth should be told. Selecting facts to fit a question to make the council look in a better light than perhaps it was - was spin. He asked if he could look forward one day to not have to listen to this spin.

51.19 The Chair thanked Mr Croydon for his question. His comments were noted.

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

51.21 Tony Camps-Linney asked the following question:

“At Crown Hill, a block of 16 flats, a cost estimate has been provided of £46,774 per leaseholder. There is no building survey in existence for this block and the estimate is based on two other blocks on the estate that had surveys done 5 years ago. This estimate will be quoted by the council for conveyancing searches. The 5 year old surveys were obtained by leaseholders on a Freedom of Information request. The council did not offer them when asked for information. Is this early consultation?”

51.22 The Chair replied as follows:

“Leaseholders from Crown Hill have asked a number of questions at Area Panels, this committee and directly to council officers regarding their concerns around potential works to the estate over recent months. Council officers attended a meeting organised by the residents association on November 21st 2018 to answer questions and talk about the potential works. The council has been working to set out how it will engage with both tenants and leaseholders affected by potential works and has committed to engage transparently. The council has provided estimated costs as requested by the residents association and will work with the association to commission or carry out further surveys if required.”

51.23 Mr Camps-Linney asked the following supplementary question:

“These figures quoted were provided after the meeting on the 21st November”. Ms Thorp stated that the relevance of the question was that these figures had been provided since the meeting that the council had spoken about at length. The meeting was irrelevant to this question. The question was “why can the council not acknowledge their own estimates at the parliamentary select committee hearing.”

51.24 The Head of Housing Strategy, Property & Investment explained that when officers had previously answered questions on this matter at Area Panels and in this Committee meeting, they had offered to meet with residents to run through what the estimated costs were, as residents did not understand where they had come from. Officers acknowledged that issue needed to be redressed. Officers then offered to procure an independent survey to re-look at all the works that were proposed on the estate. Officers had worked with residents and sent emails to the effect that a full re-estimate for the works would be carried out. Officers circulated this re-estimate and provided it to residents at the meeting. A report had been provided for residents on how officers would be engaged going forward. Residents were given an undertaking at the meeting that there would be an independent survey to pare down the costs as to what they would be on a tendered basis. Officers also discussed how residents would want those works to proceed - whether they were carried out incrementally or all at once. That was still an open conversation. There was nothing in the budget for works on that estate. The conversation is all pre-budget and pre what was agreed. At the moment officers sought to outline where the estimates had come from and had undertaken to have an independent survey and had invited residents to be involved in the procurement process of the survey and also in the decisions around how the council will take forward the works - whether they were carried out all at once or element by element.

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

51.26 Charlotte Rogers was not in attendance at the meeting and the following question was taken as read:

“At the Parliamentary Select Committee Hearing on Leasehold Reform, on December 10, Executive Director, Larissa Reed, stated, “We do provide all the evidence of leasehold charges if it is requested.” So, in the instance of the 5 year old surveys obtained on a Freedom of Information request, does this mean that we have to know about the existence of the information in order to request it? Because the surveys were not offered when we asked for costs. My question is limited to 100 words so please limit your answer to 100 words?”

51.27 The answer to the above question is as follows:

“Larissa was asked about providing the evidence for the service charges we pass on. This relates to the accounts, receipts and other documents that support the charge that has been made. A structural survey is something entirely different from this obligation. If a survey leads to works being proposed at a building then the council has committed to working with tenants and leaseholders from the earliest stage, and this will include transparently sharing any structural condition report with tenants and leaseholders in the building affected who may wish to see it.”

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

51.29 Councillor Mears stated that it would be helpful if it could be made clear before the beginning of the meeting if people wanted to delegate another speaker to ask their question. This would avoid a great deal of misunderstanding. Councillor Mears suggested that when members of the public applied to ask a question through Democratic Services, there could be some process whereby they were asked if they wanted to delegate another person to ask their question.

51.30 Judith Watson asked the following question:

“What detailed arrangements have so far been made for forthcoming environmental impact assessment at the Whitehawk Hill JVP high rise development site? What are the dates for commencement and completion of the field work and presentation of the results? In detail, what kinds and categories of wildlife will be recorded and monitored?”

51.31 The Chair replied as follows:

“The Homes for Brighton & Hove Board has requested a review of the feedback from the public consultation, and a further review of technical, legal and viability issues concerning the development of the Whitehawk Hill site before any further environmental assessments are undertaken. Once these reviews are complete, the Board will then consider what further assessments are required. The development team therefore have not yet considered the commissioning of further ecological and environmental assessments or their timing and scope.”

51.32 Ms Watson asked the following supplementary question:

“The people of East Brighton have an enormous amount of knowledge of the ecology of Whitehawk Hill. There had been many studies conducted over the recent decades, not to speak of the centuries and millennia since Whitehawk Hill has been inhabited and as you know it goes back before Brighton itself. What practical steps are you taking to involve the community in the environmental impact assessment? (I am not talking about consultation)

51.33 The Chair replied as follows:

“This is something that the Homes for Brighton & Hove Board will consider once this work is complete. The Board meets on a quarterly basis with the next meeting scheduled for March 2019. It will be up to them to decide how to progress”

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

51.35 Dave Bangs asked the following question on behalf of Anne Glow:

“What will be the form of general public consultation on the forthcoming JVP site on the Whitehawk Hill Local Nature Reserve and Race Ground? Who will be consulted and in what way? When will the consultation take place, in terms of its beginning and end? We are concerned with detail here and wish for the names of

organisations and individuals who will be consulted, and details of the area over which the consultation will take place.”

51.36 The Chair replied as follows:

“The Homes for Brighton & Hove Board have asked for the feedback from the first round of public consultation to be reviewed along with technical, legal and viability issues, before further consultation is planned or undertaken. The form and target audience for future consultation will therefore not be agreed by the Board until this work has been completed. The consultation approach used to date has involved public exhibitions of the design proposals, as well as web based information and an online survey. This has been targeted at local people and community groups. If a planning application is submitted consultation will be undertaken with local residents and a number of statutory and non-statutory consultees.”

51.37 As a supplementary question Mr Bangs remarked that Whitehawk Hill had local significance, regional significance and national significance and so the potential trawl of any kind of real consultation must involve consultation at all those levels. Mr Bangs was particularly interested in the kind of consultation the council would exercise with interested parties at a county level, a regional level and a national level. Could the Chair shed any light on that?

51.38 The Chair replied that she did not deal with Planning but as she understood the development team in planning did deal with county and national organisations. The Homes for Brighton & Hove Board will also consider this issue.

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

51.40 Amanda Bishop asked the following question:

“What work, legal and administrative, has been done so far to remove the covenants over the Whitehawk Hill JVP housing site set up under the terms of the 1822 enclosure deed? Who is being consulted vis a vis this removal of the protective covenants? Has the local Access Forum been consulted? Have concerned local, regional and national recreational, sports and access organisations, such as the Open Spaces Society, been consulted, and, if so, which ones? If they have not yet been consulted, then which organisations and individuals are to be consulted?”

51.41 The Chair replied as follows:

“The council has commissioned an external legal review of the 1822 enclosure deed which has advised that whilst there are covenants that affect the area, they should not prevent development of this site.

The project is at an early stage and the Board has asked for a review of the first round of public consultation before further work is commissioned, work on identifying further consultees has not yet been undertaken. A number of consultees are potentially consulted through the planning process including:

- County Ecology

- County Landscape Architect
- County Archaeology
- Ancient Monument Society
- Brighton & Hove Archaeological Society
- City Parks
- Council for British Archaeology
- Environment Agency
- Historic England
- Natural England
- South Downs National Park Authority
- South Downs Society
- Sport England

51.42 As a supplementary question, Ms Bishop stated that the Chair had not really answered the first question about the 1822 enclosure deed but had just said it was being dealt with. How far had the covenant been overturned?

51.43 The Chair replied that she had answered the question and had stated that the council had commissioned an external legal review of the 1822 Enclosure Deed which has advised that whilst there are covenants that affect the area, they should not prevent development of this site. As soon as further information was known to the Board then that could be made public.

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

51.45 Maria Garrett-Gotch asked the following question:

"The minutes of the last Housing Committee stated: "Question Item 38.40: (in reference to Whitehawk Hill) in response to a question on the Hyde/BHCC proposed property development the Chair said "Public consultation has taken place on all three sites with planning applications due by the end of this year." Upon what basis was this claim made? In detail, what was the nature of the public consultation?"

51.46 The Chair replied as follows:

"Public consultation has been undertaken on the first three sites proposed to be taken forward by Homes for Brighton & Hove. This has included public exhibitions of the proposed designs held in local community rooms, as well as an online consultation with a web site showing the designs and an online questionnaire. For these events flyers were posted to local households and posters put up in the local area. The projects in Coldean and Portslade are at a more advanced stage so an additional public consultation event and online consultation has been held with the updated designs following changes to the design in response to the first round of consultation.

For the Coldean Lane site the team held a public exhibition in The Larches Cafe, Coldean on 16th and 17th of July with exhibition boards showing early design proposals for the and a questionnaire available for members of the public to complete. These were also made available online. A follow up event was held at the same venue

on the 4th of October with the revised plans which were also made available online. Consultation on this proposal is also taking place through the statutory planning process.

For the former Belgrave Centre site the team held a public exhibition in The City Coast Centre, Portslade on 18th and 19th of July with exhibition boards showing early design proposals and a questionnaire was available for members of the public to complete. These were also made available online. A follow up event was held at the same venue on the 3rd of October with the revised plans which were also made available online. Consultation on this proposal is also taking place through the statutory planning process.

For the site in north Whitehawk the team held a public exhibition in the Valley Social Centre on 10th and 11th of October showing early design proposals which were also made available online. The applications for the Coldean and Portslade proposals are at a more advanced stage and planning applications were registered in December. The Homes for Brighton & Hove Board have asked that the feedback from the consultation is reviewed, along with further review of technical, legal and viability issues. No further public consultation will be planned or take place until this work has been completed.”

- 51.47 As a supplementary question Ms Garrett-Gotch firstly stated that her question related to Whitehawk Hill and not Coldean. With regard to the consultation of the Whitehawk Hill development she asked how public it was and how it was publicised. As a local resident Ms Garrett-Gotch stated she had not received any invitation to it. Neither did she know of any local residents or any local people in the area who had received any form of email, seen any public notice/flyer, or been invited to the consultation. Ms Garrett-Gotch asked the Chair who exactly it was from the local community that she had invited.
- 51.48 The Chair replied that in relation to Coldean, Ms Garrett-Gotch had asked in detail what was the nature of public consultation. In order to be transparent she was given the detail for all three sites. (At this point Ms Garrett-Gotch left the Chamber).
- 51.49 The Executive Director stated that an independent public relations company had leafleted all of the area of Whitehawk. The consultation events were well attended by Councillors and members of the public. The events were also advertised online and posters were put up in the Whitehawk Centre. Officers did know that people often did not come to consultation events like this, but the events were well advertised and a good number of local people attended the events.
- 51.50 **RESOLVED-** That the Public question be noted.
- 51.51 Jim Deans asked the following question:

*“In Sept 2018 the Chair announced the **Buying Back Former Council House Scheme** "A two-bedroom flat and three-bedroom house have been purchased and are already providing new homes for families. Three more flats are in the process of being bought and offers have been made on two other flats." A month later the council's newsletter states "9 new homes have been brought back into stock"*

How many new homes have been completed & how many families/individuals have moved into them.

What was the purchase price individually.

What was the cost in bringing up to "move in standard"

Are these properties set at "Social Rent"?"

51.52 The Chair replied as follows:

“Thank you for your questions relating to buying back former council properties and the answers are as follows:

- 8 properties have been brought back into council ownership – 5 are to be used as general needs and 3 for temporary accommodation. 5 of these properties have now been let to households.
- The properties back in council ownership cost £152,386, £237,000, £177,000, £225,000, £245,000, £205,000, £175,000 and £250,000.
- Refurbishment costs varies according to individual properties but so far £29,507 has been charged to date.
- None of the properties are let at a social rent. Each property is assessed against different rent levels to determine which rent levels would ensure the purchase is viable. To date the general needs properties have been let at Living Wage 37.5% Rent and temporary accommodation at Temporary accommodation Housing Benefit rates.”

51.53 Mr Deans asked the following supplementary question.

The homeless numbers are growing. The numbers in temporary accommodation are growing. The city housing plan shows a large deficit of housing just to deal with the natural population growth. It seems clear that some major house building project must be taken on directly with the council to guarantee social and affordable rents. Would this Committee today agree it is time for a crisis meeting to be held between Brighton professionals and the community to join together as an idea think tank? This could possibly avoid the demonstrations we have seen today over the Whitehawk suggested development.”

51.54 The Chair replied that she did understand Mr Deans’ concerns about the housing situation in the City. It was extreme and that was why the council had gone into partnership with Homes for Brighton & Hove and with Hyde Housing. The council did understand that more affordable homes were needed in the city. The rented homes on those properties would be at 37.5% of income. The council were constantly talking to all the organisations it worked with. The council would be regularly reviewing how this was progressed.

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

51.56 Jill Flowers asked the following question:

"Hidden homes project, Council news letter dated 6 Nov 2018 states "The Hidden Homes project refurbishing and converting under-used and unused spaces in our housing buildings into new homes. Nine new homes have been completed so far, with a further six due to be ready this financial year and around 30 more in the pipeline."

What are the addresses of the 9 new homes,

Are they 1,2,3 bedroom

how many are now occupied

what has the cost been on the project so far

are the rents set at social rent."

51.57 The Chair replied that the council had delivered 9 homes on the Hidden Homes Project although the Council had delivered 8 on the new home purchase policy which was about buying back leasehold properties. She further replied as follows:

As reported at November 2018 committee; 9 homes had been completed under the hidden homes programme to date as follows.

Location	Unit number	Bedroom number
St James House, high street, Brighton	3	1,2 & 3
Normanhurst, Grove bank Brighton	2	2
Rugby place, Brighton	2	4 & 5
Whichelo Place, Brighton	1	4
Lewes Road, Brighton	1	3

The costs incurred on the project to date are **£1.012m**

This type of project which utilises existing space and/ or buildings owned by the council which represents value for money and enables new homes to be **created at social rent levels. All the properties are now occupied.**

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

(c) Deputations

51.59 **RESOLVED:-**

There were no deputations.

52 ISSUES RAISED BY MEMBERS

52.1 The questions were taken as read and are set out below with the response from the Chair.

52.2 The following question was submitted by Councillor Gibson:

“As of 1st of January 2019 how much HRA borrowing had been undertaken?”

52.3 The Chair’s response:

“The council’s policy for borrowing is normally to borrow at the end of the financial year, so the borrowing levels at 1st January 2019 are the same as at 1st April 2018 which was £125.502m.”

52.4 The following question was submitted by Councillor Gibson:

“Can you please provide a table showing (on 1.04.15, 1.04.16, 1.04.17, 1.04.18) the total number of council houses let at social rents (i.e. target rent or below), and the total numbers of council houses let at “affordable” rents (breaking down the numbers of affordable rents into the following categories: - LHA rents, 40% Living wage rents, 37.5% living wage rents and 27.5% living wage rents – i.e. the other options set out in the rent policy alongside social rents).”

52.5 The Chair’s response

Council dwelling stock (HRA) by rent type: houses only					
<i>Rent type</i>	<i>01/04/2015</i>	<i>01/04/2016</i>	<i>01/04/2017</i>	<i>01/04/2018</i>	<i>31/12/2018</i>
Social rent	4,124	4,109	4,076	4,052	4,051
LHA rent	0	0	12	12	12
37.5% Living Wage Rent	0	0	0	0	7
Leased to Housing Association	1	1	1	0	0
Total	4,125	4,110	4,089	4,064	4,070

Council dwelling stock (HRA) by rent type: all dwellings					
<i>Rent type</i>	<i>01/04/2015</i>	<i>01/04/2016</i>	<i>01/04/2017</i>	<i>01/04/2018</i>	<i>31/12/2018</i>
Social rent	11,656	11,526	11,450	11,403	11,378
LHA rent	0	11	34	136	165
37.5% Living Wage Rent	0	0	0	1	11
Leased to Housing Association	14	14	14	12	12
Total	11,670	11,551	11,498	11,552	11,566*

* Excludes 17 very new acquisitions for which rents haven’t been set yet.

52.6 The following question was submitted by Councillor Gibson:

“What is the number of council tenants and leaseholders living in areas that have a (recognised by the council as representative) tenants, residents or community association and what % is this number of the total number of BHCC tenants and leaseholders?”

52.7 The Chair’s response

“Including the 499 Brighton and Hove Seaside Homes properties, there are a total of 14,436 tenanted and leaseholder properties making up the council’s estates as at 31 December 2018. The city council has 44 recognised tenant, resident or community associations, and around 8,200 or 57% of the properties are within their ‘areas of benefit’.

52.8 The following question was submitted by Councillor Gibson:

“For each of the area panels held in 2018 (North, Central, East and West) please provide a table showing the number of officers, councillors and residents attending each meeting throughout the year?”

52.9 The Chair’s response

Table: Numbers attending area panels in 2017 and 2018

	2017			2018					
West	4 Apr	5 Sept	31 Oct	5 Jan	20 Feb	24 May	28 Aug	16 Oct	11 Dec
Councillors	3	2	3	4	4	3	0	2	1
Residents	5	8	8	6	7	12	8	8	7
Officers	4	8	6	4	8	7	7	8	5
Central	28 Mar	6 Sep	1 Nov	3 Jan	21 Feb	23 May	5 Sept	17 Oct	5 Dec
Councillors	2	1	3	1	2	1	1	1	1
Residents	8	9	9	12	9	7	11	19	14
Officers	4	5	4	4	7	5	8	6	4
North	30-Mar	7 Sept	26 Oct	4 Jan	15 Mar	22 May	6 Sep	25 Oct	29 Nov
Councillors	2	3	2	3	2	2	1	1	1
Residents	18	17	9	5	10	13	8	8	5
Officers	6	5	7	4	4	4	6	7	4
East	27 Mar	4 Sept	9 Nov	8 Jan	26 Feb	21 May	3 Sept	15 Oct	3 Dec
Councillors	2	1	2	1	2	1	1	2	1
Residents	8	6	5	5	5	5	5	4	3
Officers	6	6	5	8	4	6	9	6	3

52.10 The following question was submitted by Councillor Gibson:

“For each of the 4 area panels, has the average number of residents attending each meeting in 2018 increased or decreased on the numbers attending meetings in 2017?”

52.11 The Chair’s response

Table: Resident attendance (rounded up or down to nearest whole number)

Area Panel	Numbers attending each meeting						Total	Average
West								
2017	5	8	8				21	7
2018	6	7	12	8	8	7	48	8
								Increase
Central								
2017	8	9	9				26	9
2018	12	9	7	11	19	14	72	12
								Increase
North								
2017	18	17	9				43	15
2018	5	10	13	8	8	5	49	8
								Decrease
East								
2017	8	6	5				19	6
2018	5	5	5	5	4	3	27	5
								Decrease

52.10 The following question was submitted by Councillor Gibson:

As of 1 January 2019, what % of the BHCC housing stock is let at Target rents?

Rents to target

Difference between rent and target (per week)	No tenancies	Percentage of tenancies	Value of differences (per week)	Average difference (per week)
0p (on target)	7,351	63.73%	0.00	0.00
1p to 50p	2,047	17.75%	166.35	0.08
50p to £1.00	378	3.28%	280.40	0.74
£1.00 to £5.00	1,167	10.12%	2,736.58	2.34
£5.00 to £10.00	353	3.06%	2,597.14	7.36
£10.00 to £15.00	124	1.08%	1,531.45	12.35
£15.00 to £20.00	61	0.53%	1,078.24	17.68
£20.00 to £30.00	37	0.32%	881.92	23.84
£30.00 or greater	16	0.14%	638.46	39.90
Total	11,534	100%	9,910.53	

Average difference of all dwellings per week 0.86

53 SUPPORT SERVICE FOR PEOPLE IN TEMPORARY ACCOMMODATION

53.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which reminded members that in November the Committee requested that officers look at how they could build on the support work that the Welfare Officers had been providing to help vulnerable homeless people living in temporary and emergency accommodation, both within the city and out of the city. Officers were also asked to look at innovative ways the council could work to support applicants and homeless people through the application and assessment procedure. The report was presented by the Head of Housing Needs accompanied by the Housing Options Manager.

53.2 Councillor Gibson set out the following amendment which was seconded by Councillor Phillips.

To amend recommendation 2.1 and add recommendations 2.3 and 2.4 as shown below in ***bold italics***

2.1 Notes the contents of the report and recommends to Policy, Resources & Growth Committee that £0.250m is added to the council's 2019/20 budget proposals in order to expand the options for providing support for people in emergency and temporary accommodation ***for one year only.***

2.2 Delegates to the Executive Director of Housing the decision to determine the most appropriate option to achieve a support service within the £0.250m budget, if approved.

2.3 Notes that some of the £0.250m budget may be used to fund travel cost support for those people living out of city who officers identify would benefit: for

example, for accessing travel to friends and relatives, travel to laundry and other services away from their accommodation.

2.4 That the operation of the support provided to people in emergency and temporary accommodation is reported back to Housing and New Homes with service recommendations for 2020/21 and beyond.

- 53.3 Councillor Gibson welcomed the report and the recognition of the need for support to people in emergency accommodation. He stressed that the report alerted members to the danger of cutting emergency services and welcomed the additional funding identified.
- 53.4 Councillor Gibson spoke to his amendment. Currently recommendation 2.1 referred to one year only in relation to expanding the options for providing support for people in emergency and temporary accommodation. He considered that this was misleading as it was clear this was not the intention. The second part of the amendment (2.3) was asking the Committee to make sure that support for travel costs was considered. The reference to travel to laundry services was discussed in the report on "Support for People Accommodated at Kendal Court" on page 75 of the agenda. That report also referred to the isolation and loneliness experienced by people living at Kendal Court (page 71 of the agenda). The amendment would allow officers to offer help through the budget being created to combat isolation and loneliness.
- 53.5 Councillor Mears stated that Councillor Gibson's amendment strayed into the next report on the agenda. With regard to the amendment in 2.1 it was important for the recommendation to state "for one year" to enable the Committee to review this matter again. It was not known at this point if more money would be needed in future. Councillor Mears considered that the support service was a really good initiative and stated that the Conservative Group would support the recommendations in the report and would not support the amendments.
- 53.6 Councillor Bell referred to the Green Group amendment 2.3. He stressed the need to think about equalities issues as there were people living inside the city who needed to have their travel funded. He raised a question about paragraph 3.8 of the report in relation to the Welfare Officers. The Head of Housing Needs explained that the Housing Support Service ended in September 2015. Welfare Officers were introduced a year ago with grant funding.
- 53.7 Councillor Cattell raised a question about the budget in 2015 in relation to the Housing Support Service. The Head of Housing Needs explained that the budget for the service was cut in the part year 2015/16 and 2016/17. It was confirmed that this was under the previous administration.
- 53.8 Councillor Phillips responded to questions raised. The Kendal Court report had been referred to as it was temporary accommodation. "One year only" as stated in recommendation 2.1 read as if the funding would not continue. In relation to travel charges, Councillor Phillips stressed that people who lived in the city would be more likely to have a network of support. People living outside the city were more likely to be vulnerable and isolated.

- 53.9 Councillor Gibson stated that his amendments were helpful and not contentious. He requested that each part of the amendment was voted on separately.
- 53.10 At this point the Committee voted on the amendments outlined in paragraph 53.2 above.
- 53.11 Members voted on the amendments as follows. 2.1 was not agreed. 2 voted for the amendment and 8 voted against. 2.3 was not agreed. 2 voted for the amendment and 8 voted against. 2.4 was agreed unanimously.
- 53.12 Members voted on the substantive recommendations as amended which were agreed unanimously.

53.13 RESOLVED:-

That the Housing and New Homes Committee:

- (1) Notes the contents of the report and recommends to Policy, Resource & Growth Committee that £0.250m is added to the council's 2019/20 budget proposals in order to expand the options for providing support for people in emergency and temporary accommodation for one year only.
- (2) Delegates to the Executive Director of Housing the decision to determine the most appropriate option to achieve a support service within the £0.250m budget, if approved.
- (3) That the operation of the support provided to people in emergency and temporary accommodation is reported back to Housing and New Homes Committee with service recommendations for 2020/21 and beyond.

54 SUPPORT FOR PEOPLE ACCOMMODATED AT KENDAL CT, NEWHAVEN

- 54.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which informed members that the independent organisation undertaking the survey of needs of residents at Kendal Court had now been able to complete the work. The summary results from the combined survey were set out in Appendix 1 with the full survey report in Appendix 2. In addition there were other questions that members raised that were addressed in paragraph 3.3 of the report. The report was presented by the Head of Housing Needs accompanied by the Housing Options Manager.
- 54.2 Councillor Atkinson stated that the report demonstrated the needs of people living in Kendal Court. He stressed that that must be some way of supplying laundry facilities. The Head of Housing Needs referred to 3.3.6 of the report which set out the exploration of laundry facilities. Washing machines for residents could be considered on a case by case basis and a local charity was looking to provide laundry facilities for rough sleepers which could possibly be extended to the residents of Kendal Court. Another option was to provide bus passes to enable people to travel to their nearest launderette.
- 54.3 Councillor Mears thanked officers for the report. She commented that when the accommodation started in 2015 there were laundry facilities in Newhaven. There had been many changes in Newhaven since then. Councillor Mears informed the Committee

that 'Off the Fence' had facilities in their vans (one with showers and one with laundry facilities) and there might be an opportunity to have a conversation with them. Councillor Mears stressed that residents now had more complex needs and she hoped that there would be the opportunity to explore a free laundry as a way forward.

- 54.4 Councillor Barnett expressed concern at the lack of laundry facilities and the lack of a free phone. She asked if Kendal Court could have two laundry collections a week. Councillor Barnett was also concerned that there was no weekend cover. As the facility was not always full she suggested that one of the rooms could accommodate a member of staff for weekend cover. The Head of Housing Needs replied that officers could look at installing a free phone and having a laundry collection service. Officers would meet with management at Kendal Court to discuss weekend cover.
- 54.5 Councillor Gibson thanked officers for the report which had a great deal of detail. He asked for reasons for the reduction in occupancy at Kendal Court. He considered that there was scope for changing the guidance to reduce housing people that had multiple needs. Councillor Gibson asked if there was scope for installing spyholes in residents' doors and queried the cost of electricity provided compared with a regular provider and whether there was a way of providing electricity that did not rely on a caretaker being on site.
- 54.6 The Head of Housing Needs confirmed that there had not been a reduction in the number of people living at Kendal Court. There were currently 47 residents. There were 50 units in total. There would always be turnover so numbers would change on a daily basis. The average time people lived at Kendal Court was around six months. With regard to the questions about the caretaker and having people there with complex needs, it was explained that the property was commissioned as general needs emergency accommodation. Over time the needs of people requiring accommodation had increased. At any one time about 10% of people in emergency accommodation were waiting for supported accommodation. Part of the work being carried out by officers was to review how supported accommodation and emergency accommodation was provided. Officers would talk to the provider about the suggestion for installing spyholes in doors. Officers believed that electricity was on the standard rate and the provider had been requested to inform officers of the cost. The use of key meters was usual in many types of temporary accommodation. The caretaker service was covered by the contract and as this was not always being provided officers would raise this with the provider.
- 54.7 The Executive Director, Neighbourhoods, Communities and Housing stated that Kendal Court was self-contained accommodation. People with complex needs often found it easier to be housed somewhere where they did not need to share facilities. In some cases the outcome could be worse in other types of accommodation.
- 54.8 Councillor Barnett referred to page 77 of the agenda which stated that a very frail elderly gentleman had been in Kendal Court for over two years with no support services. Councillor Barnett asked how often visits were made at the premises by social workers and health visitors. She asked if a committee site visit to Kendal Court could be arranged. The Head of Housing Needs stated that there was a gap in the provision of social workers and there were discussions taking place about this issue with East

Sussex County Council. The Head of Housing Needs was happy to facilitate a site visit for members; however there was a need to be mindful that the site was occupied.

- 54.9 The Chair stated that the site visit could be arranged and dates circulated.
- 54.10 Councillor Cattell raised concern that if a person who had been experiencing domestic violence was moved to Kendal Court they would move out of the jurisdiction of RISE and would have to come under CGL which could be problematic. Councillor Cattell queried whether in the commissioning of those services if there was any way a women temporarily residing at Kendal Court could still access RISE services. If there was a social worker involved could that be explored? The Head of Housing Needs stated that some services could still be accessed. People would come back to the city to access them. With regard to domestic violence there were many people in the city who were fleeing violence from people living in the city so placing them outside of the city could give them some respite. Officers could look at how these cases might be managed better but people who were only placed outside of the city for a short period would generally retain support services.
- 54.11 The Executive Director, Neighbourhoods, Communities and Housing informed members that officers were starting the work to re-tender the domestic and sexual violence work and were tendering it with East Sussex County Council and the Police and Crime Commissioner. Officers could also carry out work with West Sussex County Council.
- 54.12 **RESOLVED:-**
- (1) That the contents of the report be noted.

55 HOMELESS MOVE ON ACCOMMODATION

- 55.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which informed members that a successful bid by the council to Homes England had been made under *the Shared Ownership and Affordable Homes Programme 2016-21* for the development of a move-on housing scheme to provide medium level support and settled accommodation for vulnerable households typically blocking high support accommodation places in the city. The proposed scheme was aligned to the development of the former Hollingbury Library to comprise 13 self-contained one person units for use as move-on accommodation for those ready for intermediate support. The report was presented by the Head of Housing Strategy, Property & Investment.
- 55.2 Councillor Mears set out her amendment to delete recommendation 2.1 of the recommendations. The amendment was seconded by Councillor Bell. Councillor Mears explained that the simple amendment had been proposed as recommendation 2.6 in the report covered the issue in recommendation 2.1.
- 55.3 Councillor Gibson asked what would be the intended use for the property. The Executive Director, Neighbourhoods, Communities & Housing explained that the intended use was for more move on accommodation. This had been reported to Homes England. A further report would be submitted to the Committee in March 2019.

- 55.4 Councillor Gibson stated that he was comfortable with the amendment and welcomed the scheme. He hoped a viable scheme would be approved in March.
- 55.5 At this point the Committee voted on the amendment outlined in paragraph 55.2 above. The amendment was agreed unanimously. The Committee then voted on the substantive proposals which were agreed unanimously.

55.6 **RESOLVED:-**

That the Housing & New Homes Committee:-

- (1) Recommend that Policy, Resources & Growth Committee approve that the land comprising the former Hollingbury Library site is appropriated for planning purposes and that the Executive Director for Neighbourhoods, Communities & Housing be authorised to appropriate the site for housing once the development is complete.
- (2) Recommend that Policy, Resources & Growth Committee approve the transfer of the land & buildings at the former Hollingbury Library site from the General Fund to the Housing Revenue Account for £0.365m, being the best consideration reasonably obtainable.
- (3) Recommend the Policy, Resources & Growth Committee approve that the proceeds are ring-fenced to support the library service in line with the disposal that received consent at Policy Resources and Growth Committee on 9 June 2016.
- (4) Recommend the Policy, Resources & Growth Committee approve a budget of £0.365m financed by HRA borrowing and Homes England Funding to form part of the HRA capital programme for 2018/19.
- (5) Note that a further report on a final viable scheme will come forward to a future committee for approval.

56 PROPOSAL FOR ENVIRONMENTAL IMPROVEMENT BUDGET

- 56.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which provided further detail on the Housing Revenue Account Environmental Improvement Budget proposed in a report to Housing & New Homes Committee on 14 November 2018. The suggested environmental improvement budget would enable the council to respond in an effective and speedy manner to aspects within communal areas. The report was presented by the Head of Income, Involvement & Improvement.
- 56.2 Councillor Gibson proposed the following amendment which was seconded by Councillor Phillips.

To add recommendation **2.4** as shown in ***bold italics*** below;

2.4 That a task and finish working group with tenant representatives and councillors be convened, to consider:

i) How best to monitor the budget:

ii) How to ensure that there is effective consultation and involvement with tenants on schemes, in order to offer assurance that projects and improvements undertaken have support of local tenants; and that tenants have (where applicable) had an opportunity to input into the design of any environmental schemes

- 56.3 Councillor Gibson referred to the section on monitoring and reporting in paragraph 3.9 which stated that “tenants across the city have been delighted with the changes made.” He hoped that there would be more objective monitoring. Councillor Gibson stated that he welcomed recommendations to set up an environmental improvement budget. The amendment was proposed on behalf of the tenants of the Central Area Housing Management Panel. Tenants had discussed the environmental improvement budget and were concerned that they should have more input on how this should be monitored. The suggestion they asked Councillor Gibson to put to the Committee was to have a Task & Finish Group so it could meet briefly and efficiently to decide how the project could be monitored. Councillor Gibson stated that he had been invited and attended a tenant only meeting.
- 56.4 Councillor Mears pointed out that she chaired the East Area Housing Management Panel and there was a process for bringing matters forward to committee. If an idea was put forward at one particular panel it should be submitted to all the other panels so that there could be a collective view. To do so with one panel was not appropriate. She would not support the amendment. Councillor Mears expressed concern to hear that Councillor Gibson had attended a tenant only meeting.
- 56.5 Councillor Bell stated that he sat on the East Area Panel and was Chairman of the Woodingdean Resident and Tenant Association. The Association were fully aware of what went on at the East Area Panel and received regular updates. Councillor Bell would not support the amendment which gave the wrong impression. He was concerned at the impact in the city and the other area panels.
- 56.6 Councillor Hill welcomed the officers’ report and hoped it would be agreed without amendments. She shared the concerns expressed by Councillor Mears and Bell and was concerned that a member had attended a tenant only meeting.
- 56.7 Councillor Gibson explained that idea of a Task & Finish Group had been suggested at the Panel meeting. Residents had changed their constitution to allow councillors to their tenant only meeting on their invitation. The tenants had invited Councillor Gibson so they could express their views and had talked about the report on the Environmental Improvement Budget. Councillor Gibson referred to a question he had asked about tenants’ attendance at Panels (Item 52 - Written Questions). Attendance had been low. It was relevant to have views beyond residents’ and tenants’ panels.
- 56.8 Councillor Mears stated that it was very important for a Chair of an Area Panel to ensure that their tenant representatives were engaged. She suggested that it might be helpful for Councillor Gibson to have some training around working with tenants so that they were involved. Tenants were aware that the way the suggestion for a Task and Finish

Group had been brought forward was not the right procedure. It was for the Chair of an Area Panel to direct and say that the tenants needed to talk to the other Area Panels for a collective view. It was not appropriate for a Tenants' Association to bring forward a proposal in this way.

- 56.9 The Chair stated that the report was written in response to residents who attended the City Assembly who lived on the estates but did not have a tenants' association. As the Co-Chair of the North Area Panel she was aware that the proposal was very well received. The tenants also understood that when budget proposals were discussed they would have to trust their colleagues on the Service Improvement Group. There was a wish to see more Tenants and Residents Associations across the city.
- 56.10 At this point the Committee voted on the amendments outlined in paragraph 56.2 above.
- 56.11 Members voted on the amendment as follows. 2.4 was not agreed. 2 voted for the amendment and 8 voted against.
- 56.12 Councillor Mears explained that the Conservative members would abstain from voting as the matter would be discussed at Budget Council.
- 56.13 Members voted on the substantive recommendations which were agreed by 6 votes. There were 4 abstentions.
- 56.14 **RESOLVED:-**
- (1) That the Committee agrees that the sum of £0.500m is proposed as part of the HRA Budget and Capital Investment Programme 2019/20 to be approved by Policy, Resources & Growth Committee (PR&G) for improvements to communal areas.
 - (2) That the Committee agrees that the budget allocated in paragraph 2.1 is committed for a minimum period of three years, subject to the relevant approval by PR&G.
 - (3) That the Committee agrees that the fair geographical distribution of the budget is best considered in the context of needs arising on estates, as is the case with other repairs budgets.

57 HOUSING MANAGEMENT PERFORMANCE REPORT QUARTER 2 2018/19

- 57.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which covered Quarter 2 of the financial year 2018/19. Notable results were covered in appendix 1 and were summarised in paragraph 1.1. The report was presented by the Head of Income, Involvement and Improvement.
- 57.2 Councillor Atkinson thanked officers for the report and was pleased to see the work being carried out on Wickhurst Rise. He expressed concern about cables that were still on site and needed to be removed by Virgin Media.
- 57.3 Councillor Phillips stated that there were many positive aspects to the report but raised the following questions which were answered by the Head of Income, Involvement and Improvement.

- *Question:* Customer service and complaints (page 105). This detailed the number of complaints dealt with in 10 working days. How long did it take the remaining 27% of complaints to be responded to? *Answer:* The information was not available at the meeting but could be circulated to the Committee.
- *Question:* Anti-social behaviour. Why were the remaining 12% unsatisfied with the way their anti-social complaint was dealt with? *Answer:* Questions were asked around satisfaction with the service provided, as distinct from satisfaction with the outcome. However, sometimes a person's outcome would impact how they felt about the service provided. There had been a great improvement in keeping people informed.
- *Question:* Tenants arrears collected (page 109). Was there an explanation for drop in the former tenants' arrears collected which was just below target? *Answer:* The explanation for all the indicators where there was a decrease of performance was in the relevant section of the report. There had been some vacancies in that team which would have an impact on collection of rents. Staff had now been recruited into the team. There was also the impact of the introduction of Universal Credit. There had been around 10 new cases a week and this took up many hours of officers' time.
- *Question:* Why had Tenants served a Notice of Seeking Possession increased by over 100? *Answer:* The notice of seeking possession was the first stage in formal action against rent arrears. This was done to safeguard the council's interest and to encourage people to engage with officers. As there had been an increase in arrears there had been an increase in the numbers of people more than four weeks in arrears.
- *Question:* Why were Calls answered by Housing Customer Service Team (Page 113) below target? *Answer:* The explanation had been given on the following page. In line with other Customer Service Teams in the Council there had been a focus on answering emails more quickly. The performance was improving.
- *Question:* Average re-let time, excluding time spent in major works (calendar days) (page 115). Was the drop since the last quarter due to an administrative problem? *Answer:* The information was given on page 160. This was generally around seniors' housing properties that had been difficult to let which had brought the average time down. Officers were trying to promote some of the less desirable seniors' housing. These were bedsits with their own bathroom and kitchen.
- *Question:* Page 117 – Long Term Empty Dwellings – number of dwellings and average rent lost. Preston Park average rent loss was £3.3k and total rent loss was £6.5k. More information requested. *Answer:* There had been problems in the last year with these properties but there had been considerable improvements since then. Many of the long term properties had now been let. There were a few remaining properties where there had been major works required.
- *Question:* Page 119 – Waiting times for repairs for lifts. The waiting time had increased. Did this include people being stuck in the lifts? Why had there been a decline in performance in August? *Answer:* There was one case where there was someone in the lift but the response was well within the target time. The reference to decline in performance was trying to give context to the quarter in question. There had been a dip in performance in August when there had been a number of lift breakdowns which took longer to fix. In September the performance was much better.

- 57.4 Councillor Mears thanked the Head of Income, Involvement and Improvement for the detailed report. She also thanked the Head of Housing Strategy, Property & Investment for the major projects programme summary. It was very helpful for that information to be included in the report as it gave an overview of what was going on. Councillor Mears asked about the Oxford Street conversion. When would there be a completion date for this property bearing in mind how long it had been left empty?
- 57.5 The Head of Housing Strategy, Property & Investment explained that there was currently a planning application for Oxford Street. There had been delays due to a party wall legal dispute with the adjoining property. Pre-planning works were now going taking place on site. A planning application had been submitted and it was expected that it would be determined in February/March 2019. The scheme was due to be finished by the end of this calendar year subject to planning, and any other issues that arose. Officers had undertaken to take regular reports back to the Estate Regeneration Members Board.
- 57.6 The Chair thanked the Head of Income, Involvement and Improvement officers for a very well written and interesting report.

57.7 **RESOLVED:-**

- (1) That report and comments of the Committee be noted.

58 HOUSING REVENUE ACCOUNT BUDGET AND CAPITAL INVESTMENT PROGRAMME 2019/20 AND MEDIUM TERM FINANCIAL STRATEGY

- 58.1 The Committee considered a report of the Executive Director for Finance & Resources and the Executive Director Neighbourhoods, Communities & Housing which presented the proposed Housing Revenue Account (HRA) revenue and capital budget for 2019/20 as required by the Local Government and Housing Act 1989. Members were required to consider the revenue budget proposals including savings and re-investments (service pressures) as well as changes to rents, fees and charges and also the capital programme. This report also set out the Medium Term Financial Strategy and 30 year financial forecast. The report was presented by the Head of Finance accompanied by the Principal Accountant and the Head of Housing Strategy, Property & Investment.
- 58.2 Councillor Gibson set out the following amendment which was seconded by Councillor Phillips:

“To amend the following recommendations, and insert recommendations (f) – (k) as shown below in ***bold italics***:

2.1 That the Housing & New Homes Committee:

(a) Recommends that Policy, Resources & Growth Committee approves and recommends to full Council the updated HRA revenue budget for 2019/20 as shown in Appendix 2 (***as amended by (f) and (g) below***);

(b) Recommends that Policy, Resources & Growth Committee approves and recommends to Full Council the capital programme budget ~~of £26.964m~~ ***of £34.014m***

for 2019/20 and notes the 3 year programme as set out in Appendix 4 (*as amended by (h) to (k) below*);

To add the recommendations as below, as shown in ***bold italics***:

2.2 That the Housing & New Homes Committee:

f) Reduces the HRA Reserve funding for 2019/20 HRA Capital programme by £1.000m;

g) Approves that a HRA reserve of £1.050m be created, in order to support the provision of new council homes at lower rents, particularly social rents and 27.5% living wage rents. This enables the application of a subsidy over the modelled lifetime of new schemes

h) Approves additional borrowing of £5.950m to be used to fund the HRA Capital programme for 2019/20:

- with the cost of this additional borrowing to be funded in future years from the Consumer Price Index+1% rent increase, to be applied in 2020/21

i) Approves a £0.050m to increase the Estate Development Budget to £0.405m in 2019/20 HRA Capital programme, funded from reserves

j) Approves the increase to the size of the HRA capital programme of £7.050m additionally funded by an increased contribution of £2.100m usable Right to Buy (RTB) capital receipts

k) Approves that the additional £7.050m in the enhanced 2019/20 HRA Capital programme (see summary below) to be applied to appendix 4 as follows:

i) A net increase in the Purchase Properties budget of £3.500m;

ii) The creation of a £3.500m budget line to buy buildings to provide emergency homeless accommodation for in-house delivery by the council

iii) A £0.050m increase in the Estate Development Budget

58.3 A paper had been circulated to members and officers before the meeting setting out the Chief Finance Officer's comments with regard to the above amendment.

58.4 Councillor Gibson stated that the amendment was urging the committee to be more ambitious and to try to achieve more in the context of the housing crisis of homelessness and lack of affordability in the city. Councillor Gibson did recognise that the financial advice in relation to the amendment had come rather late and that this could be an issue when it came to the debate.

58.5 Councillor Gibson made the following comments:

- The amendment would use the opportunity to borrow and seek ways of achieving more. Borrowing rates were cheap. The Capital programme could be restored to the level it was at last year. Since then more staff had been employed to deliver these schemes.

- Attention was drawn to the assumption on page 166 – appendix 5. This stated that “the forecast currently includes approved schemes and an assumption that an additional 260 new homes will be built over the next 7 years.” If that was the council’s ambition, it was argued that it was not enough and would amount to around 37 new homes a year when the council were losing 50 to 60 under the right to buy.
- The amendment sought to unlock resources to expand the home purchase scheme. It sought to have £3.5m additional funding to enable the council to buy emergency temporary accommodation. It provided for a fund for enabling truly affordable rents and provided a small boost to the EDB budget.

58.6 Councillor Gibson sought clarification on the following:

- **Question:** With reference to the Chief Finance Officer’s comments on the amendment, there was a question mark in terms of the emergency accommodation and whether such a scheme would be able to use Right to Buy receipts. It was stressed that Right to Buy receipts had been used in relation to Oxford Street. **Answer:** The Principal Accountant explained that officers had assumed in the notes to the amendment that the council would use Right to Buy receipts but because this was emergency accommodation there might be a different interpretation as to whether Right to Buy receipts could be used. There was a need for officers to check this with the Ministry of Housing, Communities & Local Government. The Head of Housing Strategy, Property & Investment stated that there was a tenure issue. With emergency accommodation there were different provisions for tenure with a non-secure licence depending on the owner and the occupation. This would need to be checked. More secure tenancies would be offered at Oxford Street than would be offered in emergency accommodation
- **Question:** - The Chief Finance Officer comments stated that “it is unlikely that a scheme would be viable without the use of Right to Buy receipts”. On what modelling was that based and how was that conclusion reached? **Answer:** The Principal Accountant replied that it was based on modelling to date for other schemes in the city not emergency accommodation. Most of the schemes the council modelled would not be viable without Right to Buy receipts or some form of grant at affordable rent levels.
- **Question:** Reference was made to the Chief Finance Officer’s comment “The extra £7.000m of expenditure funded by Right to Buy receipts included in this amendment would therefore replace this assumed expenditure, reducing the two year figure to £9.986m available for other pipeline schemes.” It was not clear how relevant that was, given that the council were expecting to get a large number of Right to Buy receipts in future years. **Answer:** The Principal Accountant referred to the Capital Programme at Appendix 4, page 162. The provisional programme for 2020/2021 & 2021/2022 had a total of £16.986m for new pipeline schemes mainly in the New Homes for Neighbourhood scheme. They were unidentified schemes but if the £7m was to go into the programme as amended it would mean the council would need to reduce that sum, because of the number of Right to Buy receipts the council were likely to have by that time. By the end of 2021/22 the council would have to have spent all the Right to Buy receipts from 2018/19.

58.7 Councillor Mears asked the following questions and made the following comments which were answered by the Principal Accountant as follow:

- **Question** - Page 137, paragraph 4.2 – Historically housing management had always been in the highest quartile for spend but the comparators could not be seen in the report. Councillor Mears was interested to see the comparators with other Local

Authorities and whether Brighton & Hove had been able to reduce costs. **Answer:** There were not any comparators in the report. Benchmarking was something that was carried out in performance reports. The information would be placed in the End of year Performance Report being submitted to Policy, Resources and Growth Committee.

- **Comment:** – Page 155 – Youth Service budget increasing from £250,000 to £255,000. Discretionary Community Grants which came from the HRA would remain at £145,000. Councillor Mears did not support the increase for youth work. **Answer:** Officers had talked to the Youth Service and they would not be requiring an inflation increase so the figure would remain £250,000.
- **Question:** – page 162, Oxford Street conversion – Councillor Mears stated a previous report had shown a budget figure which if added to the proposed budget did not make £0.561m. **Answer:** The figures were a complex series of variations which were not to hand at the meeting. The Principal Accountant would send Councillor Mears this information
- **Question:** Page 169 – Appendix 6 – Proposed savings of £80,000 in 2019/20 - Within the budget re-figuration were officers talking about keeping vacant posts in housing management? **Answer:** The number of posts would not be reduced. £80,000 would be taken out of the employees' budget to allow for the fact that throughout the year there would be staff turnover. There were periods where certain posts were vacant. If this was allowed for in the budget there would be an underspend.

58.8 The Executive Director, Neighbourhoods, Communities and Housing explained that if there was a vacant post it had to be put in the redeployment pool for eight weeks. However, every time a post became vacant, management looked to see if that post was needed and if this was the best way of spending HRA money.

58.9 Councillor Bell asked the following questions which were answered by the Principal Accountant as follows:

- **Question:** - Page 153 – Background was requested on East Sussex County Council pension contribution. **Answer:** The pension for council employees was held with the East Sussex County Council pension scheme.
- **Question:** – Page 161 – Estate Development Budget – Why would there be a vast reduction in this budget over 2020/21 and 2021/22? **Answer:** This budget was proposed at £355,000 for 2019/20. In 2020/21 the proposed budget was £247,000. Some time ago it was agreed to reduce the EDB budget to around £180,000. The £247,000 was the amount that it was being supplemented from EDB reserves. When those reserves ran out the final year, 2021/22 there would be a budget of £181,000.
- **Question:** – Page 161 – Environmental Improvements – The budget figure was £400,000. Councillor Bell thought that the committee had agreed to £500,000 under Item 56 – Proposal for Environmental Improvement Budget. **Answer:** The report on item 56 spoke about £500,000, but £400,000 of that money was for capital and £100,000 was in the revenue report.

58.10 Councillor Bell referred to the Green amendment. He was concerned that item g on the amendment would result in asking tenants who would pay into the HRA at a higher rent to subsidise other people who were coming on to the scheme with their rent. As a committee it was always agreed that members would look at schemes on a scheme by scheme basis.

58.11 Councillor Hill made the following comments:

- It was clear that a great deal of work had gone into looking at the amendment from both the Green Group and officers. However, Committee members only had sight of the Chief Finance Officer's comments less than two hours before the start of the meeting. That was not sufficient time for members to evaluate the budget amendment proposals. For that reason the Labour Group members were unlikely to support the amendment
- It had been suggested by Councillor Gibson that the budget was unambitious. Councillor Hill highlighted page 154 – Housing Delivery Team – additional 5.5 people. Over the past administration the council had delivered about 200 new council homes with another 90 on the way. There was a desire to do more and this was reflected in the fact that the council were actively recruiting in order to take advantage of the fact that the Housing Cap was being lifted.
- Page 164 – Right to Buy receipts monitoring with Affordable Housing Forecast Expenditure per annum up to 2021/22. This clearly increased considerably and demonstrated that the council was intending to spend all Right to Buy receipts.
- Page 170 – Estates Regeneration – No savings proposed. “Due to the removal of the HRA borrowing cap this team requires more resources going forward most of which will be capitalised.”
- In terms of maintenance costs and costs on major projects and works, the council were intending to spend more on fire safety to reflect concerns around that issue. There were other areas where the council was intending to spend less. These were areas where the council had already recently spent a great deal of money.
- The council was fully intending to address the housing crisis in every possible way. It had introduced a new buy back policy and was providing temporary accommodation in-house for the first time, Hidden Homes, Homes for Brighton & Hove, New Homes for Neighbourhoods continued to increase. Councillor Hill was very proud of the council's record.

58.12 Councillor Gibson made the following comments.

- The debate was welcomed. It was stressed that the council could achieve more by using the opportunity to borrow. As the committee had not had time to consider the comments of the Chief Finance Officer he would withdraw his amendment and would consider putting something forward at a later stage. The Green members would therefore abstain on voting on the budget
- In terms of Councillor Bell's comment, Councillor Gibson wanted it to be made clear that existing tenants would not be subsidising rents under the proposal. The proposal was within the council's rent policy which requires the home purchase schemes to be ring-fenced so any surpluses that were produced on new homes were put towards supporting rents on other homes.
- Additional staff to ramp up the programme was welcomed. Councillor Gibson wanted members to work together to achieve more.

58.13 The Chair stated that she was concerned that Councillor Gibson had put in a budget amendment ahead of the budget, circumventing the whole process, and then had withdrawn the amendment after it had been discussed and webcast.

58.14 Councillor Cattell expressed concern at the length of time Councillor Gibson had spent addressing the committee, when he knew from the start as did the rest of the committee, that there had not been time to absorb the Chief Finance Officer's comments.

- 58.15 Councillor Hill made the following points. It was quicker to buy than to build. However, if the council spent all its money buying rather than building it would not be increasing the housing supply in the city. Meanwhile, with regard to the borrowing cap, if there was a projection forward three or four years then the council would reach the cap.
- 58.16 Councillor Phillips hoped the suggestions in the amendment could go forward in another way after councillors had had time to digest all the information.
- 58.17 Councillor Mears stated that as the amendment was so detailed it was appropriate it was considered at Budget Council in February. Councillor Gibson had made the right decision to withdraw the amendment. It would have been helpful to know that at the start of the discussion.
- 58.18 Members voted on the recommendations in the report which were agreed. Four voted in favour. There were six abstentions.
- 58.19 **RESOLVED:-**

(1) That the Housing & New Homes Committee:

- (a) Recommends that Policy, Resources & Growth Committee approves and recommends to full Council the updated HRA revenue budget for 2019/20 as shown in Appendix 2;
- (b) Recommends that Policy, Resources & Growth Committee approves and recommends to full Council the capital programme budget of £26.964m for 2019/20 and notes the 3 year programme as set out in Appendix 4;
- (c) Recommends that Policy, Resources & Growth Committee approves the procurement of a contract for insurance cover for the council's residential leasehold properties as set out in the report in section 5.
- (d) Recommends that Policy, Resources & Growth Committee approves that the Executive Director of Neighbourhoods, Communities and Housing be given delegated powers to award the contract for insurance cover and the extensions set out in the report in section 5.

(2) That the Housing & New Homes Committee:

- (a) Approves a rent reduction of 1% in line with government legislation as detailed in paragraph 4.9;
- (b) Approves service charges and fees as detailed in Appendix 3;
- (c) Notes the current HRA forecast outturn for 2018/19 in Appendix 1 of £0.500m underspend;
- (d) Notes the Medium Term Financial Strategy and 30 year financial projections shown in Appendix 5;
- (e) Notes the Integrated Service & Financial Plan proposals (savings) in Appendix 6.

59 HOME PURCHASE POLICY OPPORTUNITY - APPROPRIATION OF 84 COOMBE ROAD, BRIGHTON

- 59.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing and the Executive Director Economy, Environment & Culture

which sought approval for the appropriation of 84 Coombe Road, a three bedroom residential property currently owned by the General Fund to Part II of Housing Act 1985, financed through the Home Purchase Policy. The property was a vacant school caretaker's house that had been declared surplus to requirement and was managed centrally by Property & Design. The report was presented by the Housing Strategy & Enabling Manager who reported that the property had been valued at £290,000 which was value for money and made the purchase viable.

59.2 Councillor Gibson expressed the view that the purchase of the property was a really good opportunity and he wholeheartedly supported it. Councillor Mears informed members that the Conservative Group were happy with the recommendations.

59.3 The Chair stated that the proposal represented good value for money for the local authority.

59.4 **RESOLVED:-**

That the Housing & New Homes Committee recommends to Policy, Resources and Growth Committee that it:-

- (1) appropriates 84 Coombe Road, Brighton from existing purposes to Housing Act purposes;
- (2) agrees that the General Fund should receive the value of £290,000 in consideration for the appropriation at recommendation 2.1.1;
- (3) authorises the retention of the net capital receipt to be used for reinvestment by Families Children and Learning to support the integration of disability services by co-locating the teams in Wellington House; and
- (4) notes that the appropriation referred to at 2.1.1 above will take place when the Policy, Resources & Growth Committee makes the decision to appropriate (assuming that the Committee approves the recommendation) and that the funds referred to at 2.1.2 will be transferred following that decision.

60 BRISTOL ESTATE PHASE 2 - FIRST TIER TRIBUNAL DECISION

60.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which looked at the decision and gave thought to similar issues which might arise, relating to the First-Tier Tribunal Property Chamber decision of 18 October 2018 on the liability of leaseholders to pay service charges at five high-rise buildings on the Bristol estate. The tribunal has published the decision notice online as a public document. This was available on the Courts and Tribunals Judiciary website at the following link: http://www.residential-property.judiciary.gov.uk/Files/2018/October/CHI_00ML_LIS_2017_57_30_Oct_2018_17_40_09.htm

60.2 The report was presented by the Leasehold Services Manager accompanied by the Business & Performance Manager.

60.3 Councillor Mears thanked officers for presenting the detailed report to the committee.

60.4 The Chair stated that it was an interesting read and thanked officers.

60.5 **RESOLVED:-**

- (1) That the committee notes the decision of the First-Tier Tribunal in relation to these works along with the implications for other, similar works of repair undertaken or to be undertaken in the future by the council where service charges for major works of repair may be disputed in a similar way.

61 PRIVATE RENTED SECTOR UPDATE

61.1 The Committee considered a report of the Executive Director for Neighbourhoods, Communities and Housing that updated the Committee on the progress with current private rented sector licensing activity, recent rulings surrounding licence fees and the progress with the Rent Smart initiative previously endorsed by Housing & New Homes Committee. An update on the Rent Smart initiative prepared by Councillor Hill was attached as appendix 1 to the report. The report was presented by the Head of Housing Strategy, Property and Investment.

61.2 Councillor Cattell stated that she was delighted in how the administration had got to grips with HMOs. She thanked Councillor Hill for her hard work in improving the outcome for private rented tenants.

61.3 Councillor Mears thanked the Head of Housing Strategy, Property and Investment for the report and stressed that HMOs were causing problems in the city, particularly in the area around Arundel Street. A report on HMOs and the extension to the article 4 direction area would be considered at the Tourism, Development & Culture Committee on 17 January.

61.4 Councillor Gibson found the report helpful and thanked the Head of Housing Strategy, Property and Investment. He also paid tribute to Councillor Hill's efforts in driving the Rent Smart Initiative forward which was greatly appreciated.

61.5 **RESOLVED:-**

- (1) That the following be noted:

- Progress with current private rented sector licensing activity previously agreed by Housing & New Homes Committee.
- Recent legal rulings surrounding licence fees.
- Progress with the Rent Smart initiative previously endorsed by Housing & New Homes Committee.

62 HRA HOUSING CAP: EXTRACT FROM THE PROCEEDINGS OF THE COUNCIL MEETING HELD ON THE 13 DECEMBER 2018

62.1 The Committee considered an extract of the proceedings of the Council meeting held on 13 December 2018. Full Council resolved that a report be brought to the Housing & New

Homes Committee detailing a revised policy in the light of changes to the HRA Borrowing Cap.

62.2 The Executive Director informed members that officers were waiting for the Committee to take place before sending letters to the Secretary of State as requested by Full Council.

62.3 **RESOLVED:-**

- (1) That the extract be noted.
- (2) That the letters be sent to the Secretary of State, as set out in resolutions 2 and 3 of the extract from Council on 13 December 2018.
- (3) That a report be submitted to a future meeting of the Housing & New Homes Committee as set out in resolution 1 of the extract from Council on 13 December 2018.

63 ITEMS REFERRED FOR FULL COUNCIL

63.1 No items were referred to full Council.

The meeting concluded at 7.50pm

Signed

Chair

Dated this

day of

