

CABINET ADDENDUM TWO

2.00PM, THURSDAY, 14 NOVEMBER 2024

COUNCIL CHAMBER, HOVE TOWN HALL

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ADDENDUM

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BRIGHTON & HOVE CITY COUNCIL

CABINET

4.30pm 17 OCTOBER 2024

COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE

MINUTES

Present: Councillor Sankey (Chair) Taylor (Deputy Chair), Alexander, Burden, Daniel, Muten, Pumm, Robins, Robinson, Rowkins and Williams

PART ONE

72 PROCEDURAL BUSINESS

72a Declarations of interests

- 72.1 Councillor Alexander declared a pecuniary interest in Item 80 as they were in a position of control of an organisation that would benefit. Councillor Alexander would leave the meeting during consideration of the item.
- 72.2 Councillor Daniel declared a pecuniary interest in Item 80 as they were in a position of control of an organisation that would benefit. Councillor Alexander would leave the meeting during consideration of the item.

72b Exclusion of the press and public

- 72.3 In accordance with Section 100A of the Local Government Act 1972 ("the Act"), the Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in view of the business to be transacted or the nature of the proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A (3) of the Act.
- 72.4 **Resolved** That the public are excluded from the meeting from items listed on Part 2 of the agenda.

73 MINUTES

- 73.1 **Resolved-** That the minutes of the previous meetings be approved as the correct record.

74 CHAIR'S COMMUNICATIONS

- 74.1 The Chair provided the following communications:

Good afternoon and welcome everyone to our October Cabinet meeting, which is our fifth Cabinet meeting under our new Constitution. Before we get on today's substantive business, I want to communicate some highlights of the past month.

Black History Month remains an important time to reflect on the incredible contributions of Black people to our world and our city. In recognition, the Black History Month flag is flying at Hove and Brighton Town Halls throughout the month. Our Libraries will be highlighting and celebrating Black stories, history and creativity and across the city we are hosting vibrant exhibitions, talks and activities with inspiring Black artists and authors. I would encourage everyone to get involved.

I'd like to commend our Cabinet member for Communities, Equality, and Human Rights, Cllr Pumm and his team for curating our second annual Black History Month celebration last Monday where we heard a rich panel discussion, poetry and live music on the theme of reclaiming narratives.

I have continued conversations with our new government and earlier this month, I visited 10 Downing Street to represent Brighton & Hove at the very highest level. Myself and other Labour leaders were there to brief the Prime Minister and Deputy Prime Minister on the work we are doing to reform, innovate and deliver the government's missions and the new partnership we are seeking to advance the interests of our residents. From an NHS fit for the future to breaking down the barriers to opportunity, I was proud to represent Brighton and Hove, our trailblazing City, and to talk about the way our Council is innovating to meet the challenges we face.

I look forward to continuing to engage with Ministers and represent our city going forward including next week when I'll be representing the City at the Local Government Association conference in Harrogate.

Yesterday I chaired a meeting of the Greater Brighton Economic Board where I was delighted to welcome NHS Sussex Integrated Care Board to formally join the Board. Strategic collaboration with the ICB to drive down health inequalities and promote inclusive growth will be critical in the coming years and aligns very much with the new Government's emphasis on collaboration and early intervention to meet our shared challenges. The Board also received an update on the Sussex Energy Mission which launched in July and set out the next steps to progress the vital piece of work and a briefing on the progress across the County towards devolution.

One of the absolute highlights of the month has been the progress on Madeira Terraces. We've been delighted to announce that Heritage England have granted £750,000 to our Phase 1 restoration. I was pleased to meet Heritage England's Regional Director, Tom Foxall along with Chris Ward MP and Cllr Mitchie Alexander, Acting Cabinet Member for Culture, Heritage and Tourism on site a few weeks back to step through the project and all it will deliver for residents. And last week we also announced that contractor JT Mackley & Co. has been appointed. We are now working closely with them to agree an imminent start date. I know how important this project is to so many residents, both for what it will bring to the City and what it represents after such a long period of stagnation and managed decline and we can't wait to get started.

This month we also took a major step forward in our goal to be an accredited City of Sanctuary. Following dialogue with academics at the University of Sussex and our community and voluntary sector, a group of expert researchers led by Dr Jo Wilding, have

written a needs-assessment on how we can improve our welcome for migrant communities, from legal advice, to health to housing. Like so much of our work in the public sector, early intervention and support is the most humane approach and also the most cost effective. The report's launch was kindly hosted by Sussex Cricket Club at their Hove Cricket Ground and brought together a range of partners who support asylum seekers and refugees in the City. At the same event, I was proud to join my colleagues who deliver our library service as they collected a 'Library of Sanctuary' award in recognition of the work they do to make all our libraries welcoming, tolerant and inclusive community spaces. Congratulations to them for this well deserved accolade.

This week we have launched a new approach to improve air quality and tackle the burning of solid fuels in our city.

Our new website, the Brighton & Hove and Sussex Real-Time Air Quality Portal will give residents the opportunity to see real-time air quality readings 24 hours a day, 7 days a week. The data comes from our new network of air quality sensors, which we've been rolling out over the last year. The project, which also includes sensors in the Horsham and Newhaven areas, is the largest network of real-time air quality sensors in the UK.

When we came into administration, we committed to taking an evidence-led approach to improving air quality and our new network of sensors is help deliver on that, as part a wider strategy designed to tackle pollution, including that from solid fuels, across the city.

Moving on to today's business, I am pleased to see that the agenda once again reflects our administration's priorities. Following approval of the Housing Strategy at the last Cabinet meeting, today we will consider a new Housing Allocations policy, which sets out the conditions required to qualify for the housing register and how applicants are prioritised. The aim is to create a fairer framework that means available council homes go to the people who need them most.

We know that the cost-of-living crisis is still having a significant impact on the living standards of our residents. As well as implementing a Cost-of-Living action plan, in February, we launched the Brighton & Hove Fairness Fund and made £614,000 available to provide additional financial support to struggling households and grassroots organisations working to help people through the cost-of-living crisis. We are pleased to say that pot has grown and the Labour Government has extended the Household Support Fund which this was the contingency for. We are committed to continuing to provide support to community organisations as well as providing funding to prevent more households from reaching crisis point. And I am pleased that today we are proposing to allocate some of this funding to ensuring that those eligible for pension credit and other benefits and support will be supported to apply. We will be launching a 'claim it' campaign in the coming weeks.

We have a number of other items on the agenda so I will leave it there and we will now move onto today's business.

75 CALL OVER

75.1 All items on the agenda were reserved for discussion.

76 PUBLIC INVOLVEMENT

(b) Written Questions

(1) Housing Allocations Policy

76.1 David Thomas read the following question:

The proposed abolition of the Queue system, while not a bad thing in itself, is very likely drastically to reduce the number of homeless people housed. At present 50% of available properties are reserved for them; under the new system they are in category C1 – officers have not provided any estimate of what this might mean, but it seems very likely that far fewer will be housed, with the result that people will be marooned in temporary housing for much longer, and numbers in temporary accommodation will balloon with equivalent cost to the council. My question is: What proportion of new lettings does the cabinet estimate will go to persons to whom the main duty under Housing Act 1996 section 193(2) is owed?

76.2 Councillor Williams provided the following reply:

The Allocations Policy is complex, wide ranging and has been subject to significant consultation. Removal of the allocations plan queue divisions will improve transparency and will simplify the bidding process. We are not aware of any other local authority who has this restriction in their Policy.

The existing 'queuing system' doesn't result in households being in temporary accommodation for shorter periods. For example, considering data for homeless households with a 3-bedroom need who have been re-housed in the previous year, indicates an average waiting time of 8½ years.

In the current policy, households in temporary accommodation lose their 'reasonable preference' once they move into suitable private rented accommodation. They may feel they have no choice than waiting long periods of time in unsettled accommodation to access social housing.

In the new policy, households in Temporary Accommodation would retain their 'reasonable preference' on the housing register when they move into private rented accommodation and still be able to access social housing.

This change will give households more choice and in turn reduce the number of households in Temporary Accommodation and the financial impact that this type of accommodation has on the council.

(c) Deputations**(1) Violence Against Women and Girls Strategy**

76.3 Cabinet received a deputation on the Council's Violence against women and girls strategy

76.4 Councillor Daniel provided the following response:

First, I want to thank you so much for coming forward as a survivor. That's incredibly brave of you to share your experiences with us. We all here acknowledge how difficult it can be to talk about personal trauma. One of the areas of work I am keen to improve in delivering our new VAWG strategy is more user experience in commissioning processes. We intend to commission national women's sector specialists to support our commissioning and procurement of services run for survivors.

The Council would like to reaffirm its commitment to supporting those affected by sexual violence as well as the other forms of Violence Against Women and Girls (VAWG).

We continue to support and have confidence in charities in the city that have been set up by and led by women and we are confident they have the expertise to make safe decisions about their services. These organisations include:

- RISE who have operated in the City for 30 years
- Brighton Women's centre who recently celebrated their 50th year of delivery in the city.
- Survivors Network has been operational for 34 years.

We also support Oasis who provide services to women who have multiple complex needs and acknowledge that there are many other fantastic community groups supporting women more generally like the Network of International Women, Mothers Uncovered, Hangleton & Knoll Multicultural Womens Group.

We believe that the organisations specifically named in your deputation behave in a safe, trauma informed way.

The Council is aware that there are different views on what service provision can look like and what may be required. The Council is committed to supporting all victim/survivors by supporting providers to offer a wide range of service provision locally. This includes group work as well as individual one to one support. All endeavour to respond to a specific access requirement and remove barriers for a woman to get help and support.

These groups working with women in the city they have carefully thought our risk assessments, quality assurance frameworks and are governed by women for women. I respect and trust their experience and commitment.

The waiting list for counselling specifically raised by you is something I will follow up on: My understanding is that service access is triaged based on a risk assessment which means that the highest risk cases are the focus and when resources are stretched this means that the other cases don't seem to move forward for the support needed. However, I am disturbed that anyone would be waiting for two years for support, and I will explore this complaint with officers and women's sector workers.

Once again, thank you for taking the time to come and for your courage in sharing your experiences with us today.

76.5 **Resolved-** That Cabinet note the deputation.

(2) Housing Allocations Policy

76.6 Cabinet received a deputation on the Housing Allocations Policy.

76.7 Councillor Williams provided the following response:

Thank you for your Deputation. We undertook meaningful consultation on the proposed changes to the Housing Allocations Policy, which ran for 14 weeks. Members of the public gave us their views at in-person events and in writing. A record 684 households responded to the consultation; with the clear message they support the changes.

We are enhancing transparency in the Policy by removing the existing queuing system. Direct offers will only be used in exceptional circumstances. An annual Cabinet Member report on direct offers will be produced.

It is our priority to make best use of existing council homes. We encourage downsizing through financial incentives which have been increased in this new Policy. Tenants who

are under occupying homes are also prioritised for new build homes through our lettings plans.

We are not reducing the housing register. The change in policy will allow a greater number of people experiencing homelessness to qualify to join the register earlier on.

In the Housing Strategy 2024-29 we have committed to achieving at least 2,000 additional affordable homes in the city across the 5-year lifetime of the strategy. Last year we achieved 286 council homes and are on track to achieve a target of delivering 90 additional properties via individual home purchase and larger acquisitions this year.

The new policy meets the needs of households with non-mobility related disabilities. For example, households can be awarded an extra bedroom where there is a medical need. This can enable a household, with a family member who has a behavioural difficulty or sleep disorder to be considered for an additional room.

76.8 **Resolved-** That Cabinet note the deputation.

77 ISSUES RAISED BY MEMBERS

77.1 A copy of the questions received was circulated ahead of the meeting. Responses provided are as follows.

(1) **Councillor Meadows - The Brighton & Hove Fairness Fund and Household Support Fund**

Is spending £15,000 on period products a good use of money? How do we know it's going to genuine need?

Response from Councillor Taylor:

Yes – I think it's really important. We know that the cost of living crisis has had many damaging impacts. Many women in low income households are having to choose between buying sanitary pads for themselves or their daughters versus providing food for the family. This is a reality. We are already helping to address this through our schools and working with voluntary organisations but there are gaps that this small amount of money, funded by the Household Support Fund, not Council Taxpayers, will help to address. We work closely with voluntary sector partners to identify where need is greatest to ensure the money is well spent.

(2) **Councillor Meadows - The Brighton & Hove Fairness Fund and Household Support Fund**

Pensioners fund: is £150,000 enough to support pensioners across the whole of the city? How many pensioners will that support? Why is this necessary?

Response from Councillor Taylor:

Our local campaign will dovetail with a government campaign which is targeting around 120,000 people nationally who are on Housing Benefit. We will therefore ensure this money does not duplicate that effort and focuses on both raising awareness and contacting pensioners and their relatives in communities where we know benefit take-up is generally low. Although some of the money, for cases of hardship, will be used to

provide direct cash support, the majority of the money will be focused on providing contact and casework to help people apply for Pension Credit, which we know is a complex process.

This could attract hundreds of thousands in welfare benefits for many people, which are of course funded by government not Council Taxpayers. We would like to put more money into this area but we also know that demands for emergency support are currently high and therefore must balance this with retaining significant elements of the Household Support Fund for supporting child poverty during school holidays and helping people through financial crisis by topping up the Local Discretionary Social Fund.

(3) Councillor Meadows - The Brighton & Hove Fairness Fund and Household Support Fund

Why do we need around £600,000 of support staff funding for the fairness fund?

Response from Councillor Taylor:

I am not sure I recognise the figure of £600,000. If the question is referring to Local Discretionary Social Fund administration there is provision for staffing of £116,000. Demand for the fund is high and the work is intensive as it involves an application process and considerable administration to assess each application, process vouchers where households are eligible, but also importantly help and signpost people to other support and advice where they are not eligible.

(4) Councillor Meadows - The Brighton & Hove Fairness Fund and Household Support Fund

Why are Local Discretionary Social Fund claimants repeatedly claiming (see 3.13)? What is the council doing to help claimants support themselves? What do council staff need to do to support claimants to manage their money better?

Response from Councillor Taylor:

There are many factors driving repeat applications but generally it will be linked to continued unemployment or low wages, disability, particularly mental health issues, or other factors such as the high cost of living and renting in the city and drug and alcohol issues. However, the council fully recognises that helping people to resolve their situation for the long term is preferable.

The council has a small number of welfare support staff but also works closely with voluntary sector partners, particularly Money Advice Plus, to try to help people into a more sustainable situation. This includes advice and casework to help people re-package and manage debt, set up payment arrangements, help them identify or pursue welfare benefits they may be eligible for, advise them on saving money on fuel and energy contracts and so on. There are also other services provided through Supporting Families funding that work with households around employment and training, while social care and public health services also help people affected by mental health or substance misuse problems. Unfortunately, not all households' challenges are easily resolved and there will continue to be a need for emergency hardship support.

(5) Councillor McNair- Targeted Budget Management

When will the Hollingbury library site be finished? What does reprofiling the delivery actually mean? How much will it cost? Will it exceed £2.9m?

Response from Councillor Taylor:

The Hollingbury Library scheme has been competitively tendered and the contract is due to be awarded this month. The tender price will be confirmed once this has been completed. The scheme is financially viable at the tendered sum and therefore clears the Council's financial hurdle. Start on site is forecast for November 2024, and the redevelopment programme is 22 months. Completion is currently programmed for September 2026.

Reprofiling is simply the movement of a multi-year capital budget into the correct year or years in which the capital expenditure is now expected to be incurred.

(6) Councillor McNair- Targeted Budget Management

When can residents expect the statutory roll out of the food waste collection service? Is the council asking the Labour government for financial assistance?

Response from Councillor Taylor:

The collection of Food Waste from households across the city is a statutory requirement from 1st April 2026, but we are committed to introducing the service before this date. We're planning to roll the service out during 2025, and details will be published when confirmed. The government has already provided some New Burdens funding for elements of this service, and we have procured the vehicles required to cover the rounds.

Yes, the council is lobbying for additional revenue support for operating a food waste collection service.

The council has not formally requested financial assistance from government as it cannot do this until it is certain that it cannot balance its budget. However, we continue to highlight the need for additional funding and have responded to a number of surveys including a recent and urgent Local Government Association survey exploring the financial situation of local authorities. We have very clearly indicated in that survey that we, like many authorities, are in an extremely challenging situation and will struggle to balance our budgets over the next few years without significant additional support or fundamental change to the system of local government finance.

(7) Councillor Hill- Targeted Budget Management

What are the underlying reasons behind the 37.9% rise in temporary accommodation costs in past year? Is this purely from demand led pressure from the cost of living crises being worsened by continued austerity or are there other non demand led pressures?

Response from Councillor Taylor:

The costs incurred by local authorities in providing temporary accommodation (TA) are a combination of: increasing cost of TA provision which has gone up significantly since 2011; and even more rapidly with more recent inflationary rises; a reduction in availability of private sector homes for local authorities to lease as TA; and a continuing

increase in more households becoming homeless . Also something on national policy, which restricts the amount of Local Housing Allowance that local authorities can claim toward costs of temporary accommodation (to 90% of the Local Housing Allowance as it stood in 2011).

We have mitigated against this as much as is possible, by providing more council-owned TA, and having high levels of homelessness prevention which means our increase in households in TA is far lower than other comparable local authorities. We will continue to implement practice which either prevents people requiring TA, moves people out of TA quicker, reduces the cost of TA, or increases the income collected.

(8) Councillor Hill - Targeted Budget Management

How will future multi-year budgets affect how the council does Targeted Budget Management?

Response from Councillor Taylor:

Targeted Budget Management is purely the council's budget monitoring mechanism for tracking financial performance against the budget in the current financial year. This therefore monitors performance against the annual budget rather than multiple years. Multi-year financial settlements will therefore have more impact on the budget setting process for the council and will allow it to develop a longer-term plan, or Medium-Term Financial Plan, with much more certainty about the resources it is likely to have available to it, including allowable future Council Tax increases. This means we can set more accurate budgets for the future and, importantly, plan earlier to meet any projected budget shortfalls or gaps over a period of years.

(9) Councillor Shanks- Housing Allocations Policy

Women who have had children removed by the local authority are often left homeless, if they are not able to access housing they will not be able to rebuild their lives and hopefully go on to be able to establish a family, can they be treated as a priority. Very small numbers but a big impact on resources and lives

Response from Councillor Williams:

Every household, including women who have had children removed by the local authority, are provided with meaningful assistance if they are homeless or threatened with homelessness. This involves agreeing a Personalised Housing Plan incorporating 'reasonable steps' both the household and the council will undertake. If these actions are engaged with then it will help ensure settled accommodation is secured.

(10) Councillor Hill- Options for the re-procurement of advocacy services for adults

Why have 4 options been suggested for cabinet? Surely you have already decided?

Response from Councillor Burden:

Thank you for your question. No, I can be very clear that the decision has not been made in relation to this report and will not be made until Cabinet votes on the matter

later in the agenda. Cabinet Key Decisions are made at Cabinet. It is good practice to set out the options that are under consideration where there are options as to how to proceed. In this report the pros and cons of each are set out and it will be for Cabinet Members to weigh these up and reach their decision today, having listened to the debate, questions and responses.

(11) Councillor Sykes- The Brighton & Hove Fairness Fund and Household Support Fund

It's good news that the Household Support Fund has been continued and updated as this increases the breadth of possible support to families in crisis and also adds flexibility to add preventative work. However, as the paper intimates, this 6 month extension repeats the short-term piecemeal approach used by the previous government. Is the Cabinet Member for Finance able to provide any insight into the timescale to support for longer term planning by Local Authorities under our Labour government?

Response from Councillor Taylor:

Our information from the Minister for Housing, Communities and Local Government is that a multi-year Spending Review is due to be announced in spring 2025.

(12) Councillor Sykes- Targeted Budget Management

Since TBM 2, the forecast CT collection rate has fallen by a further 0.25% to 0.5%, now costing the council more than £1m in lost revenue. This is a significant deterioration in the position. What analysis has been undertaken about causes for the negative trend, and what action is the Cabinet Member for Finance taking to address this issue?

Response from Councillor Taylor:

This is related directly to the cost of living crisis which, with government projections of falling inflation and interest rates, was expected to ease during the financial year. However, while there are signs of economic recovery, with 0.2% economic growth confirmed in September, the situation is clearly still challenging and therefore the assumed Collection Rate this year, which remained at 98.75% is proving a difficult target.

In addition, the council changed its 'Corporate Debt Collection & Recovery' policy to a 'pre-enforcement' approach, as approved by Policy & Resources Committee on 18 March 2021 under the previous Administration. This revised policy recognises the mental health issues and other vulnerabilities that can be created by debt. The impact of the policy was to stop the use of committal procedures, remove the in-house bailiff service, focus debt collection effort on support, advice and signposting, and support government initiatives such as 'Breathing Spaces'. In the current climate, this is resulting in many more payment arrangements than previously. In addition, the number of individual bankruptcies also remains high, resulting in a persistently higher level of debt write-off.

Clearly, we are taking action to mitigate this and other pressures through escalating spending and recruitment controls as set out in the TBM report. The expectation is that the position should recover next financial year as economic recovery gains pace.

(13) Councillor Sykes- Targeted Budget Management

In the TBM 5 report, forecast costs of Bulk Insurance Premia have risen by £700k to £4.5m this year, due it is stated to increased claims. Please can the Cabinet Member for Finance provide some information about the nature of these increased claims and do they for example include pothole damage to cars and damage from council trees?

Response from Councillor Taylor:

The council's Insurance budget covers costs due for premiums payable (£2.6m) and the cost of settling claims (£1.2m). The overspend reported is wholly as a result of an increase in the cost of settling insurance claims. However, there have also been significant increases in insurance premiums but the council has mitigated this by moving to a model of self-insurance where appropriate, although this approach can cause costs to be more volatile from one year to the next.

The key areas where we have seen an increase in claims are:

- Property claims – for council owned buildings, including the increase in claims due to a number of fires that happened in the last 2 years;
- Public & Employer liability claims, often related to personal injury, have seen an increase as a result of settling historic claims.
- Motor claims – where the council's vehicles are damaged for various reasons or where the council's vehicles have caused damage to third parties. Claims related to road conditions, e.g. potholes, are not a significant claim category;

Additionally, the average cost of claims has also increased over the last three years, partly as a result of the impact of inflation and partly due to some larger value claims than previous years.

(14) Councillor McLeay- Housing Allocations Policy

Suitability assessments were references under “medical assessment accepted homeless case” and in the footnote on page 26 with a strike out of “Suitability assessment required under Housing Act 1996 Part VII”. Could I ask for clarification on whether suitability assessments will continue to be carried out for those placed in temporary accommodation, within or out of area, if the accommodation is not deemed to be a suitable living standard? For example, where property is riddled with damp and mould.

Response from Councillor Williams:

Suitability assessment remain a legal requirement for longer-term temporary accommodation, and they will continue under the new Allocations Policy, including where households are placed in accommodation outside Brighton & Hove. Suitability assessments will look at issues such as damp and mould, which we take very seriously.

(15) Councillor McLeay- Housing Allocations Policy

Where reducing demand for temporary accommodation is the ultimate aim, is there a target as to what we expect these changes will have on temporary accommodation allocations? Will a reduction in out-of-area allocations be prioritised first?

Response from Councillor Williams:

The aim is to reduce the number of households in temporary accommodation. Unfortunately, we are deep into a housing crisis which has seen the number of households in TA increase to record levels. Across the country, there are now more households in TA than ever before, a sad record that's been broken on each of the past four reporting quarters.

Brighton & Hove is not immune to this. However, by comparison to other areas, the rise in households in TA has been much slower, at 3%, rather than 10% nationally, (or in the case of more recent data produced relating to England's core cities' 26.6%). This relative success is due to a wide range of factors, including excellent performance in preventing homelessness, targeting assistance at those who are at greatest risk of homelessness or greatest risk if homeless, and implementation of a new service redesign including an enhanced triage and advice 'frontdoor'.

Reducing the reliance on out-of-area allocations is one of our priorities, as is reducing the overall cost of TA.

(16) Councillor McLeay- Housing Allocations Policy

Financial Income Assessment: The Government's own consultation on social housing allocations published in September 2024 suggests they will "explore raising the income threshold over time with reference to inflationary indices e.g. the Consumer Price Index." Could the impacts of inflation be referenced in the BHCC Housing Allocations Policy, so the household income threshold would be adjusted accordingly in respect to inflation?

Response from Councillor Williams:

The household income threshold has been reviewed in line with inflation within the new policy, and we will review this threshold annually so that it can be adjusted in respect to inflation.

(17) Councillor McLeay- Housing Allocations Policy

It has been acknowledged the financial impacts will not be known at this stage, but will need to be monitored carefully. How will the ongoing careful monitoring be recorded and shared with member as the policy is implemented?

Response from Councillor Williams:

The anticipated financial impact of this policy will be as a result of less people coming into temporary accommodation by their homelessness being prevented, as well as more households moving out of temporary accommodation by securing alternative accommodation when a relief duty or main duty is owed. These are within a suite of key performance indicators monitored weekly and shared with members via regular Housing performance updates and through financial information shared via TBM reports to Cabinet.

(18) Councillor McLeay- Housing Allocations Policy

“Should obtain independent legal advice” is referenced throughout the policy document. As this will be the core document applicants or tenants will use for reference, would it be possible to list examples of where affordable or free independent legal advice might be obtained? Law Stop or Brighton Housing Trust for example are two local options that could be referenced.

Response from Councillor Williams:

The council cannot recommend agencies or companies people should contact. However, the new policy provides a link to a website where applicants can find their own independent advice, with or without legal aid. Furthermore, on our website, we do already signpost to organisations people may want to consider. We will keep these under regular review to ensure they are up to date and comprehensive.

(19) Councillor Shanks- Targeted Budget Management

In view of the rise in temporary accommodation costs what progress is being made on inhouse emergency accommodation e.g. the Old Steine building development?

Response from Councillor Taylor:

In recent years, the council has secured 126 units of council owned temporary accommodation and a further 88 council-owned units for rough sleepers. Within our pipeline, we have plans for another 90 units of council-owned temporary accommodation, including the specific property referred to by Cllr Shanks.

(20) Councillor Shanks - The Brighton & Hove Fairness Fund and Household Support Fund

Please give us a breakdown of how much has been raised in public donations each year since this fund was set up. How do you intend to increase this and encourage public donations? For instance, through official council communications such as council tax.

Response from Councillor Taylor:

The Fairness Fund (excluding Household Support Fund), currently totals £872,984, and is made up of council funding and other external or grant funding as follows:

- Core council funding: £614,000
- Redirection of the Hedgecock Bequest fund: £50,000
- Textile Recycling Fund: £10,000
- BME Support Fund: £15,000
- Social value commitments from Enforcement Contracts: £85,000
- Other DWP grants: £98,984

We are considering ways to increase contributions going forward.

78 MATTERS REFERRED TO THE EXECUTIVE

There were none.

79 REPRESENTATIONS FROM OPPOSITION MEMBERS

76.1 Cabinet received a representation from Councillor Hill on Item 83, Housing Allocations Policy.

76.2 Cabinet received a representation from Councillor McLeay on Item 83, Housing Allocations Policy.

80 THE BRIGHTON & HOVE FAIRNESS FUND AND HOUSEHOLD SUPPORT FUND

80.1 Cabinet considered a report that requested approval of the allocation of funds from the Brighton and Hove Fairness Fund, incorporating allocation of the Household Support Fund (HSF) which the government has confirmed will be extended from 1 October 2024 to 31 March 2025.

80.2 Councillors Sankey, Nann and Rowkins asked questions and contributed to the debate of the report.

80.3 Resolved-

1) That Cabinet approves the approach set out in Section 5 including the proposed allocations of funding from the Brighton & Hove Fairness Fund and the Household Support Fund.

2) That Cabinet delegates authority to the Chief Finance Officer, following consultation with the Cabinet Member for Finance & City Regeneration, to make alterations to the allocation of the Household Support Fund in order to maximise its use in accordance with the relevant time constraints.

81 TARGETED BUDGET MANAGEMENT (TBM) 2024/25: MONTH 5 (AUGUST)

76.1 Cabinet considered a report that set out an indication of forecast risks as at Month 5 on the council's revenue and capital budgets for the financial year 2024/25.

76.2 Councillors Muten, Daniel and Rowkins asked questions and contributed to the debate of the report.

76.3 Resolved-

1) Cabinet notes the forecast risk position for the General Fund, which indicates a potential forecast overspend risk of £7.329m.

2) Cabinet notes the forecast outturn includes a forecast overspend risk of £1.156m on the NHS managed Section 75 services.

- 3) Cabinet notes the forecast overspend risk for the separate Housing Revenue Account (HRA), which is an overspend of £0.682m.
- 4) Cabinet notes the forecast overspend risk for the ring-fenced Dedicated Schools Grant, which is an overspend of £1.358m.
- 5) Cabinet notes the forecast position on the Capital Programme which is an overspend variance of £2.370m.
- 6) Cabinet approves the capital budget variations and re-profiling requests set out in Appendix 6.
- 7) Cabinet approves the new capital schemes requested in Appendix 7.
- 8) Cabinet notes the strengthened spending and recruitment controls set out in Section 17.

82 PROCUREMENT OF EXTERNAL LEGAL SERVICES FRAMEWORK

76.1 Cabinet considered a report that sought approval to re-procure an external Legal Services Framework for a term of four years.

76.2 Councillors Robinson and Sankey contributed to the debate of the report.

76.3 Resolved-

- 1) That Cabinet approves the re-procurement of the external Legal Services Framework as outlined in Section 3.11 of the report and grants delegated authority to the Assistant Director of Legal and Democratic Services to:
 - (i) Take all steps necessary or incidental to undertake the re-procurement process;
 - (ii) Award the framework agreement and any respective call-off contracts;
 - (iii) Authorise any modifications to the framework agreement during the framework term.

83 HOUSING ALLOCATIONS POLICY

76.1. Cabinet considered a report that requested the adoption of a revised and updated Housing Allocations Policy.

76.2. Councillors Sankey, Nann, Williams and Rowkins asked questions and contributed to the debate of the report.

76.3. Resolved-

That Cabinet

- 1) Agree to adopt the changes set out in this report, in summary:
 - i) Change the 'local residency criteria' from 5 years to 5-out-of-7 years (para 4.1 – 4.3);

- ii) Remove the 'allocation plan queue divisions' (para 4.4 – 4.6);
 - iii) Award 'reasonable preference' to all households with an accepted homeless duty (para 4.7 - 4.9);
 - iv) Award a 'reasonable preference' where homelessness is 'prevented' or 'relieved' (para 4.10-4.12);
 - v) Support applications from joint social housing tenants (para 4.13-4.14);
 - vi) Amend priority awarded to current or former armed forces personnel (para 4.15 – 4.16);
 - vii) Enable 'direct offers' in exceptional circumstances (para 4.17 – 4.18);
 - viii) Remove priority Band A status for households in temporary accommodation, where the property is being returned to the landlord (para 4.19 – 4.20);
 - ix) Award priority Band A status to 'non-statutory successors' for a 6-month time limited period (para 4.21 - 4.24); and
 - x) Permit households with a 4-bed or more need experiencing statutory overcrowding to bid for Brighton & Hove council properties which are one bedroom short of their need, where this would resolve statutory overcrowding (para 4.25 – 4.33).
- 2) Note these changes in the Allocations Policy (Appendix 1).
 - 3) Note the timescales for full implementation of the revised Allocations Policy by April 2025 (as set out in para 3.5).
 - 4) Agree commencing further consultation and analysis of the impact of a wider cohort of overcrowded households bidding on properties one bedroom less than their households need, where the result would not meet the criteria of statutory overcrowding (para 4.32).

84 OPTIONS FOR THE RE-PROCUREMENT OF ADVOCACY SERVICES FOR ADULTS

- 76.1 Cabinet considered a report that sought approval to procure a Contract for the provision of Advocacy Services for Adults for a term of five (5) years with an option to extend the contract period by further two (2) years.
- 76.2 Councillor Daniel contributed to the debate of the report.
- 76.3 **Resolved-**
- 1) That Cabinet approves the procurement and award of a five-year Contract with an option to extend for a further two years for the provision of advocacy services and grants delegated authority to the Corporate Director of Housing Care & Wellbeing:
 - (i) To take all steps necessary or incidental to undertake the procurement process;
 - (ii) Award the Contract to the winning bidder;
 - (iii) Authorise any modifications and extensions to the Contract, subject to satisfactory performance of the provider, during the contract period.

85 3 MOULSECOOMB WAY, BRIGHTON

- 85.1 Cabinet considered a report that sought approval to enter into a conditional agreement for the surrender of the two existing leases (the "existing leases") for 3 Moulsecomb Way

and the grant of a new long lease of the whole of the site to facilitate its redevelopment. The initial design includes replacing the existing industrial buildings with a mixed-use development featuring modern industrial space on the ground floor and student housing above. The transaction will proceed only if a satisfactory scheme is subsequently approved by the local planning authority.

85.2 It was noted that the site location was also part of Coldean & Stanmer ward.

85.3 Councillors Rowkins, Williams and Sankey contributed to the debate of the report.

85.4 **Resolved-**

- 1) Cabinet agrees to enter into a conditional agreement in respect of 3 Moulsecoomb Way, Brighton, for the surrender of the existing leases and the grant of a new lease for a term of up to 200 years and on the terms as set out in this Part 1 report.
- 2) Cabinet agrees to delegate authority to the Corporate Director of City Services in consultation with the Assistant Director of Legal and Democratic Services and the relevant Cabinet Member to finalise the terms then take the necessary steps to complete the transactions.

86 DEVILS DYKE HOTEL

86.1 Cabinet considered a report that sought approval to the surrender of the current lease and grant of a new commercial lease of the Devils Dyke Hotel.

86.2 Councillors Robinson, Taylor, Robins, Rowkins and Sankey asked questions and contributed to the debate of the report.

86.3 **Resolved-**

- 1) Cabinet agrees to the surrender of the current lease and grant of a new commercial lease of the Devils Dyke Hotel in accordance with the terms set out in part 2 of this agenda.
- 2) Cabinet delegates authority to the Corporate Director City Services in consultation with the Assistant Director Legal and Democratic Services to finalise the terms and take the necessary steps to complete the transaction.

87 3 MOULSECOOMB WAY, BRIGHTON (EXEMPT)

As per the part one minutes.

88 DEVILS DYKE HOTEL (EXEMPT)

As per the part one minutes.

89 PART TWO MINUTES OF THE PREVIOUS MEETING

76.1 **Resolved-** That the Part Two minutes of the previous meeting be approved as the correct record.

90 PART TWO PROCEEDINGS

76.1 **Resolved-** That Cabinet agreed that the confidential items listed on the agenda remain exempt from disclosure to the press and public.

The meeting concluded at 6.55pm

Place Overview and scrutiny Committee
17:00 13th November 2024
Council Chamber, Hove Town Hall

Present: Cllrs Evans (Chair), Cattell (Deputy chair), Fowler, Sheard, Sykes, Thomson, Winder. Mark Strong (CVS), Michale Creedy (OPC)

17a) Substitutions: Cllr Baghoth for Cllr Hewitt, Cllr Meadows for Cllr Lyons, Cllr Earthy for Cllr Fishleigh, Michael Creedy for Mary Davies (Older Peoples' Council)

17b) Declarations of interests: Mark Strong: Contacted by one of the residents groups in a professional capacity asking for planning advice but did not respond.

17c) Exclusion of the press and public:

Chair: Amongst the papers circulated to elected members were confidential (Part 2) papers from the Cabinet Meeting. Any discussion of these papers will need to be in confidential session and will need to exclude the press & public from these discussions. I am keen that we conduct as much of this meeting as possible in public session. When we come to questioning Cabinet members and officers, I would therefore request that members reserve any questions about confidential papers until there are no more questions that can be taken in public session. We will move into a Part 2 confidential session towards the end of the meeting. All elected members are reminded not to raise matters contained in the Part 2 documentation during the public meeting.

18) Chairs Communications. The Chair gave the following communication:

I'd like to thank everyone for coming to this special meeting of Place Overview & Scrutiny Committee.

This meeting has been called to give Overview & Scrutiny members the opportunity to consider and comment on plans for the disposal of Patcham Court Farm. This report considers options for the future use of Patcham Court Farm and proposes the sale of a long leasehold interest in the site to Royal Mail for the development of a new Delivery Office. The report that we're considering today, and which was published online last week, is due to be agreed by Cabinet tomorrow afternoon.

Minutes and any agreed recommendations of this Overview & Scrutiny meeting will be shared with Cabinet Members ahead of their meeting, so any comments or recommendations that Overview & Scrutiny members make today will go to inform the Cabinet decision.

19) PATCHAM COURT FARM

19.1 Cllr Jacob Taylor (Deputy Leader of the Council and Cabinet Member for Finance and City Regeneration) presented the report to the committee. Max Woodford (Assistant Director, City Development & Regeneration), Jessica Hamilton (Estates Manager), and Sam Smith (Head of Regeneration) were also in attendance.

- 19.2 Michael Creedy (OPC) asked a question on the collection of parcels. Cllr Taylor responded that Royal Mail have confirmed that a city centre site will be identified for parcel collection. The Patcham site will not be used for this purpose.
- 19.3 Cllr Sykes asked questions about the protection of the site in the lease and its long length, the protection of the environment and the aquifer, and transport. Cllr Taylor said that the details of protection would be dealt with in the terms of lease. Regarding the lease, Cllr Taylor note that companies buying a leasehold and investing their capital want protection. Jessica Hamilton added that there are controls in the lease, so that if the leaseholder wants to make significant change in the future, these will need to be negotiated with the council.
- 19.4 Cllr Meadows raised the issues of the length of the lease; the protection of the aquifer; the protective membrane only lasting for 50 years; the site being considered too small for park and ride; the retention of Royal Mail jobs on the site; housing not being a realistic option because of the site's designation the Local Plan; and the potential use of the Hove Royal Mail site for social housing, she did not believe the viability of either site for social housing, the 'first refusal' for the Hove site not meaning that the council will get it, and what protections there are to stop Royal Mail selling or sub-letting the land in the future. Cllr Taylor responded that planning restrictions were in place to protect the site; and that Southern Water did not object to the application in terms of its impact on the aquifer. On job losses he told members that neither of Royal Mail's current sites are suited to their needs and that there is a strong likelihood that they will move their distribution centre out of the city if they cannot move to Patcham. Contrary to Cllr Meadow's assertion, the Hove Royal Mail site is viable in terms of social housing. The council does not have to sign this agreement until they were happy with the Hove site deal. On the lease length, Cllr Taylor told members that a long lease needs to be considered as an alternative to sale of the freehold. A long lease gives Royal Mail the security they require, but allows the council more control of the site than an outright sale. Max Woodford added that water protection was considered by the planning committee. The site is contaminated now and these contaminants are going into the water; the proposed use of the site will improve this.
- 19.5 The Chair asked if there was an answer to the 50-year life span of the membrane. Max Woodford replied that it would need to be looked at by the leaseholder in the course of time.
- 19.6 Mark Strong asked a question about the length of the lease, the park & ride option, and what could happen to the site in the future. Cllr Taylor responded that the length of the lease was not unusual for major developments, and that it provides security for the leaseholder as well as a degree of control for the freeholder. Cllr Cattell noted that some of the protections given in the planning consent include tight restrictions on the future use of the site. Cllr Muten (Cabinet Member for Transport, Parking & Public Realm) clarified that a report on Park & Ride options will be presented to Cabinet in January 2025.
- 19.7 Cllr Sheard stated that, although he is eager to see all opportunities taken to develop housing in the city, it is evident that the Patcham Court Farm site cannot be used for this purpose. Given the benefits of leasing to Royal Mail, not least the positive

environmental impacts of them moving to fully electric fleet, this is too good an opportunity to turn down.

- 19.8 Cllr Winder asked a question about protections in the lease to stop parts of the site being used for non-essential car-parking. Cllr Evans also sought assurance around the timeframes for development of the site and for the transfer of the Hove site. Cllr Taylor responded that it was a complex issue, but that there are already robust protections in terms of planning conditions and that other issues would be addressed in the negotiation of the lease.
- 19.9 Cllr Fowler said that she was disappointed that housing was not an option, and that she was pleased that Southern Water did not object. She wanted to know why housing was not a suitable option and if this would have affected the aquifer. Cllr Taylor said that housing was considered, but was not a viable option given the high costs associated with decontamination and building on the site.
- 19.10 Michael Creedy asked a question about bus services to reduce traffic into the site from workers as the nearest bus was a ten minute walk away. Max Woodford responded that an additional bus service to the site, running in the morning, will be piloted for one year, using Section 106 funding. Whether this continues in the longer term will depend on use of the service.

The Committee went into Part 2 confidential session.

The Committee resumed Part 1 session

- 19.11 Cllr Meadows stated that she was still concerned about sub-letting. Cllr Taylor said that in theory Royal Mail could sub-let to another part of their company, but the site would have to remain a distribution centre unless planning change was agreed.
- 19.2 RESOLVED** – that the Place Overview & Scrutiny Committee notes the Cabinet report on the disposal of Patcham Court Farm.

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