

**Brighton & Hove City Council**

**Housing Committee**

**4.00pm 16 November 2022**

**Council Chamber, Hove Town Hall**

**Minutes**

**Present:** Councillor Gibson (Joint Chair), Hugh-Jones (Joint Chair), Williams (Opposition Spokesperson), Meadows, Osborne, Phillips, Powell

**Substitutes:** Councillor Allcock for Councillor Fowler, Councillor Barnett for Councillor Mears and Councillor Grimshaw for Councillor McIntosh

**Part One**

**33 PROCEDURAL BUSINESS**

- a) **Declaration of Substitutes:** Councillor Barnett substituted for Councillor Mears, Councillor Allcock substituted for Councillor Fowler, Councillor Grimshaw substituted for Councillor McIntosh
- b) **Declarations of Interest:** Councillor Grimshaw declared they were a tenant of the council. Councillor Hugh-Jones declared they had shares in Bunker and would not engage with item 44 or take part in the decision making process or vote. Councillor Williams declared they were a members of the Land Trust. Councillor Osborne declared they were a member of the Land Trust.
- c) **Exclusion of Press and Public:** There was one report, item 44, with a Part Two appendix. It was agreed that the press and public should be excluded from the meeting if the item appendix was discussed.

**34 MINUTES OF THE PREVIOUS MEETING**

- 34.1 The minutes of 28 September 2022 committee meeting were agreed.

**35 CHAIRS COMMUNICATIONS**

- 35.1 The Chair communicated the following:

**Acorn**

This morning, senior officers and members of the administration met representatives of Acorn. We reiterated our commitment to selective landlord licensing as set out in our joint work plan. Acorn raised their concern about landlords issuing s 21 eviction notices where the council has not issued an improvement notice. This doesn't require a change

to the council's enforcement policy, and we will look at how we can be more proactive on this.

### **Rough sleeping**

Following a successful bid for additional government funding, the Council is already making available extra accommodation and support for people sleeping rough in Brighton & Hove this winter. The accommodation offers support to up to 25 people who would otherwise be sleeping rough.

It is open *day and night* throughout the winter, *whatever* the weather and gives us a better opportunity to work with residents to help them move off the streets into longer term sustainable accommodation.

I must congratulate officers who pulled out all the stops and had the service up and running ***within four days*** of the funding being confirmed, and people have already moved in. Referrals to the accommodation are made through the city's street outreach service, managed by CGL.

### **Severe weather shelter**

As members will be aware, our Severe Weather Emergency Protocol (SWEP) opens when the temperature is predicted to feel like zero degrees Celsius, or there's an amber weather warning. This is one of the lowest triggers for opening SWEP services in the country.

SWEP provides shelter for all rough sleepers in the city and venues are made available to meet demand. All accommodation is again self-contained.

When SWEP is triggered, CGL's street outreach service go out looking for people we know to be rough sleeping to find them warm accommodation.

The First Base Day Centre, who provide services for people who are rough sleeping, will also refer people to SWEP when it is triggered.

Anyone not accommodated during the day is referred into our SWEP venue by the street outreach service.

### **No Second Night Out**

The city's 'No Second Night Out' (NSNO) accommodation is also re-opening this week in new premises.

NSNO is managed by the homelessness charity St Mungo's and provides a safe place for up to 45 rough sleepers.

People staying at the hub have their needs assessed to develop plans to move them away from the streets.

The aim is to act swiftly as a short-term support when people start rough sleeping and to find out how best to help.

### **Mutual Exchanges**

Housing have caught up with the mutual exchange backlog. Mutual Exchange requests submitted in October '22 are currently being processed.

### **Homemove**

There is still a backlog of emails going back as far as April. Three new members of staff have started recently. As they get up to speed with systems and processes this is helping reduce the backlog. On average we receive around 1,300 emails per month – coming into the team inbox.

We currently have 4,405 live applications on the Housing Register. 208 of these date from September or later and are currently unassigned. The others are all being processed, or the applicants are being asked for further information.

### **Empty Council Homes**

We continue to let over 50 council homes to households in need every month, our figure for October 2022 was 60 homes let (new homes and re-lets).

We also continue to show progress in our priority work of tackling the Covid related backlog of empty council homes, albeit there are currently challenges with contractor capacity.

The figures for October 2022 are as follows:

- Empty Council Homes – 154 (October 2022)
- Average re-let time – 122 days (October 2022)

At September 2022 Housing Committee we reported the following:

- Empty Homes 170 (August 2022)
- Average re-let time 150 days (August 2022)

By way of additional context, the figures for May 2022 reported to Committee were:

- Empty homes 210
- Average re-let time 177 days

More generally, we are currently facing some challenges with contractor resource because one contractor has withdrawn from this lot, and we are in the process of putting a replacement contractor in place. We are also looking at potentially engaging an additional contractor for a fixed volume of work to help resolve this issue.

In the last quarter, Housing have also provided recycled furniture and white goods to 90 households moving into council tenancies and temporary accommodation.

### **Seniors Housing**

I recently visited a number of our seniors housing schemes and am keen for officers to take forward a wider piece of work - which was interrupted by the pandemic – to identify how we make that offer more attractive. I note also that the report about Charles Kingston Gardens refers to Design South-East's recommendations for improvements in the council's own seniors housing stock against contemporary standards of good design.

### **Repairs Backlog**

The current outstanding tasks sitting with Repairs and Maintenance is 10,378. This is an increase on the previously reported figure.

This increase is primarily due to seasonal change. For example, the Council received 317 roof repair requests in the first two weeks of November compared with 213 over the whole of October. Of the 317 reports Housing have already responded to 115 but this has added 202 jobs to the outstanding works list.

As with empty homes we also have a contractor capacity issue with building work which has significantly impacted our ability to reduce outstanding tasks.

Following authorisation in August to appoint additional workers we have successfully recruited 2 new plumbers and 2 carpenters to work on outstanding tasks and will be advertising for 2 multi trades in the next few weeks.

### **Planned works programme**

Our planned works programmes have commenced, and we now have a full programme in place for the next five years.

### **Roofing**

Roofing works are being undertaken to blocks and street properties, as part of this programme we increase or replace insulation to meet current regulations.

### **Windows**

Our windows programme is addressing the replacement of windows that have reached the end of their life. New windows are replaced with energy saving glazing.

### **External and Internal Decorations**

This programme is addressing external repairs required to concrete and brickwork in low rise blocks.

### **Solar PV**

We have now identified all existing systems and have arranged to upgrade these, but more importantly to advise and educate residents in the correct use.

We are building on this programme and gaining information to install further Solar PV systems in 2023/24.

### **Air Source Heat Pumps**

We have commenced a programme of replacing gas boilers and installing ASHP to properties without heating, in this financial year we have installed circa 150 ASHP's and have a programme for next financial year. When installing ASHP we also take the opportunity to improve other elements of the property for example replacement windows.

### **Warmer Homes Update – progress**

- Timetable shared with Housing Committee in September is broadly on track.
- AECOM have provided the first draft of their final Programme Design report back to us for our review.
- Procurement (Rob Sullivan) and Housing (Miles Davidson) have identified a preferred framework for procurement of a Managing Agent.

We now have a dedicated Energy Project Manager in place to provide project management support for the procurement and mobilisation of the Brighton & Hove Warmer Homes Programme.

## **36 CALL OVER**

36.1 Agenda items 40, 41, 42, 43, 44 and 45 were called for discussion.

## **37 PUBLIC INVOLVEMENT**

(a) **Petitions:** There was one petition:

### **Anti-Social Behaviour on Craven Vale Estate**

**Anti-social behaviour on Craven Vale Estate: We the undersigned wish to inform Brighton & Hove city council that we have had enough of the anti-social behaviour currently plaguing the estate!**

The situation has become unbearable, and we are now faced with a series of serious incidents that are having a direct impact on our lives and well-being. There are guns and knives on the estate, and it is simply a matter of time before one of the residents is caught in the cross fire resulting in someone being seriously injured. Residents have already fallen victim too being shot at while taking their dogs for a walk and there have been dead animals on the estate that are full of bullet holes.

This petition serves to advise Brighton & Hove city council of the following: Should anyone of the signatories below be injured in anyway, the council will be held directly responsible as it is currently failing to fulfill its "duty of care" as a landlord. The council is legally bound to protect the tenants of Craven vale and to ensure we are safe in and around our own homes. Failure to do so could result in a formal complaint being made

to the Housing Ombudsman and Local Government Ombudsman. Formal legal action could be taken resulting in the press being contacted.

As tenants we now demand the council take the following action as previously promised:

- With immediate effect, evict the culprits placing the rest of us in danger or harm's way.
- The Council fully commits as promised to not re-letting any property to drug dealers or anyone that will pose any threat or create any issues that currently plague the estate.
- Any new tenants are monitored and ANY issues that arise are dealt with swiftly.
- The council commits to appointing a point of contact that will take full ownership off issues and will work with the Craven Vale resident's association on a regular basis to address any issues.

Response: Housing Committee recognises the misery the impact anti-social behaviour can have on communities and individuals.

Reports of guns and knives being used is a police matter which needs an emergency response. Housing are aware that there was a reported incident involving a gun on Craven Vale. This resulted in an armed police response. However, reports of a gun being fired have not been substantiated by the police. Regardless, it is appreciated that this would have been very distressing and alarming for residents.

The council has taken action to evict people who have breached their tenancy/license agreement. Doing so has required us to follow the appropriate legal processes, which we have done in collaboration with other partners, such as the police. Before applying to court for possession of property or Closure Order evidence has to be gathered, this can take time, but will be needed in order for the court to consider the request.

The council has a 'sensitive lets' policy which has recently been used for new households moving on to the Craven Vale estate. This does not guarantee that new, or existing, residents will not engage in anti-social behaviour in the future.

It is unreasonable to 'monitor' all new tenants. All new residents on the estate have the right to a private life, in the same way as existing residents. However, new council tenants that haven't previously had a tenancy are granted a 12-month introductory tenancy status, Housing Officers undertake three visits during this period to monitor tenancy conditions. While we understand the impact ASB can have on individuals and communities, the council has acted swiftly and kept residents informed as far as we have been able to. In a recent case, the first incident was in August and a closure order was obtained by 31st October, more could not have been done to speed up this process, as evidence needed to be gathered for enforcement action to be effective. We cannot evict any tenant without due legal process, this would be an illegal eviction.

Victims of ASB are given a Single Point of Contact (SPOC) this is the lead officer, responsible for all actions on a case. The Revised ASB policy will be presented to Housing Committee in January. One of the recommendations of the review was to

create a strategy to deal with instances where there are multiple victims in a location. This proposal includes a named officer with responsibility for coordinating and maintaining a good level of communication with residents, other agencies and teams and ward Cllrs. Housing are confident that the creation and implementation of this strategy, combined with use of other powers such as use of Community Protection Notices will improve Housing Management's response and importantly outcomes for residents, in areas such as Craven Vale where we have seen multiple cases of ASB.

#### Debate

- 37.1 Councillor Williams considered as Ward Councillor there were a number of difficulties on the estate and the council needed to act quicker. The Assistant Director Housing Needs & Supply considered that three months was not slow, the rapid response strategy was ongoing and the council has moved as fast as possible.
- 37.2 Councillor Barnett admired the speaker and was informed by the Assistant Director Housing Needs & Supply that there were legal requirements to be undertaken before tenants could be removed when using closure orders. It was noted that if legal process was not followed it would not be possible to evict a tenant.
- 37.3 Councillor Meadows was concerned at the three month process and that it could take years to submit a closure order notice and noted that the private sector can evict. The Assistant Director Housing Needs & Supply noted that the legal process needed to be followed.
- 37.4 Councillor Allcock was informed by the Assistant Director Housing Needs & Supply that the process needs to be followed, and circumstances vary in each case.
- 37.5 Councillor Powell noted that a closure order takes time, and tenants should call 999 in the mean time, and there should be a zero tolerance approach to perpetrators.
- 37.6 The committee agreed to note the petition.

**(b) Written Questions:** There were two public questions for this meeting.

1. From Charles Harrison:

Availability of Housing Market Reports:

The Housing Market Reports, produced by the Council's housing strategy team, have proved very useful over previous years. However, these are no longer available via the usual link on the Council's website, stating "*Access denied - You are not authorized to access this page*". There appears to be no current housing market data available since 31 Dec 2019. With sky-rocketing costs, attributed to Brexit, Covid, Ukraine, etc., I feel that such data is becoming particularly important in strategic decision making. Would you please explain why up-to-date Housing Market Reports are not available and when these will be reinstated in the Public Domain?

- 37.7 Response: Thank you for your question.

In line with the latest accessibility legislation for public sector websites the council has changed how information is presented. This has meant reducing the use of PDF documents on our website with information presented on the webpage directly. This has created some delays with publishing this information due to the resource required to oversee this.

Annual reports will be available through the website and a request to publish the 2021/22 Housing Market report is with the Digital Content Design Team and should be resolved shortly. Our view as councillors is that this should be published.

In the meantime, the documents are also available on request in PDF format by contacting [housing.strategy@brighton-hove.gov.uk](mailto:housing.strategy@brighton-hove.gov.uk) You can also request to be added to the circulation list to receive reports directly once available.

37.8 Questioner's Comments: Glad some progress has been made but 3 years is a long time. Thanks to councillors for attending Brighton Homes Conference.

2. From Joe Walker:

- I currently live in temporary supported housing
- Brighton raised
- Work for the NHS as a social prescriber
- Looking for a room to rent in a shared house for last 3 months and sent 107 messages to request a viewing in that time, viewing 6. Landlords variously quoted 80-130 applications
- Some properties for short term rent as Air BnB in spring/summer

There is clearly a serious lack of available rooms for rental available to workers in the city. What has the administration done to address the issue and what research has been undertaken to assess the extent of the problem?

37.9 Response: Thank you for your question.

The private rented housing stock in Brighton & Hove is among the highest in the country. Of the 333 local authorities in England, Brighton and Hove has the 14th highest proportion of private rented accommodation. Those which are higher include some London Boroughs, Manchester and Birmingham.

Where households are homeless or at risk of homelessness, the council will provide assistance to help people access private rented accommodation. This assistance will vary depending on individual circumstances, but can include help in negotiating rents, providing deposits and rent-in-advance, and incentives to landlords/agents to provide longer-term tenancies. We are also developing a new scheme which can act as an alternative to a guarantor.

If you would like to provide your details, one of our Homelessness Prevention Officers will make contact to talk through the options available to you.



- 37.10 Supplementary Question: The city has a high level of private rental accommodation with hundreds not able to find a room. Please would the council commit to a report on the lack of accommodation to support workers.
- 37.11 Councillor Osborne noted that there had been reports on AirBnB in the city and City Plan Part Two covers the issues. It is difficult to influence existing stock, however through City Plan Part Two new stock can be.
- 37.12 Councillor Hugh-Jones stated they were very aware of the situation and the frustration felt. The question was asked to contact Assistant Director Housing Needs & Supply if they sought more information from the council.

### 3. From Jim Deans

So many reports coming out in the last few months making it crystal clear we to need build council homes and set them at Social or similar rents. Yet the current housing plan shows almost a nil by end 2023 due to estimated Right to Buy. Too much money spent on small projects when what is needed is a big brave approach.

Make no mistake Councillors if you cannot come up with a serious new housing estate size build then you are as guilty as the various governments that have led us to the Malnutrition, domestic abuse and violence, poverty and mental health crisis we see today.

Yet again I ask that we use one of the areas Like Patch Farm and set a target of 300 new homes in one build complete with services. Can you please get on with this.

Response: Thank you for your question. Brighton & Hove has delivered – and continues to deliver – one of the most ambitious programme of new affordable housing in the country.

We are projecting 774 new affordable homes to be delivered by 31 March 2023, which would be 591 more than we delivered in 2021/22. Performance on new supply is reported quarterly to Housing Committee

This breaks down as:

Council rented	164
RP rented	208
RP shared ownership	402
Total	774

Rented makes up 48% and lower cost home ownership 52%

The Housing Committee Workplan, agreed in 2020, set a target of delivering 800 additional council homes, with another 700 affordable homes delivered through Registered Providers, over a 4-year period.

Currently 1,313 are on track to be completed by the end of this financial year. This is quite a remarkable achievement bearing in mind two years of this programme has been impacted by the COVID-19 pandemic.

Incidentally, in terms of delivering large numbers of homes on a single site, Coldean Lane is due to deliver 242 homes, with the first ready in the second quarter of next year. That same quarter will see completion of the first of a further 104 homes at the Belgrave Centre in Portslade.

- 37.13 Supplementary Question: Answer sounds great but is a Political statement and far from reality. 33 homeless deaths. Can we have a big housing estate not a few small ones.
- 37.14 Councillor Hugh-Jones stated two new sites have been created and the council are always looking for others. Available land was at a premium; however, the council were on track with 1,300 homes this year.

### **38 ITEMS REFERRED FROM COUNCIL**

- 38.1 None for this meeting.

### **39 ISSUES RAISED BY MEMBERS**

#### **(a) Petitions**

None for this agenda

#### **(b) Written Questions**

- 39.1 Member Questions:

1. From Councillor Meadows

#### **Title: Craven Vale update**

There have been many prominent reports in the local newspapers recently concerning the issues suffered by residents on the Craven Vale housing estate.

Could the Chair provide a latest update on the situation as it stands and provide a response to some of the criticisms that have been levelled at the council?

Response: Thank you for your question.

The Council understands it is very difficult for residents when a neighbour perpetrates ASB. Teams within the Council work together to respond swiftly and robustly to resolve the situation in conjunction with the police.

The initial report of an incident on Craven Vale relating to one property was in August 2022 and following good partnership work between Housing, police, Safer Communities Team and legal department, a course of action was agreed that would provide the speediest and most robust response. The resident was moved out on 31st October 2022, this was three months after the first report. Neighbours were kept informed as we were able to share information without breaching data protection and support was provided throughout this time.

While it can be very challenging when our tenants display behaviour that is of concern, we must follow legal processes. We cannot evict a tenant without following a robust legal process, and this will take time. We understand the impact of such behaviours on neighbours and will provide as much support as we can as a Housing Authority while we resolve the situation.

Members may be interested to know that a Combating Drugs Partnership has been set up and will be meeting on 13 December. The Conservative group member is Cllr Dee Simson and Sylvia Peckham, head of Temporary and Supported Accommodation is also due to attend these meetings.

Supplementary Question: Can committee Members see the results and actions from the 13 December meeting?

Councillor Hugh-Jones stated that a Conservative Member was at the meeting. The Assistant Director of Housing will inform the councillor if the meeting was confidential.

**2. From Councillor Barnett:**

**Title: CCTV stock**

Could the Chair provide statistics concerning how many CCTV cameras the Housing Department currently owns and monitors across the city's council housing estates and advise whether the Council has a policy for the roll-out and monitoring of these assets, particularly regarding antisocial behaviour?

Response: Thank you for your question.

The Housing Service currently has 416 CCTV cameras located over 64 HRA sites. The Council acts as data controller for the CCTV systems it operates for the purposes of maintaining preventing and detecting crime and for ensuring public safety.

The Council's use of CCTV accords with the requirements and the principles of various legislation including the General Data Protection Regulation.

All existing and proposed CCTV installations are subject to a Data Privacy Risk Assessment. Tenants can make a request to the Council for the installation of a home CCTV camera.

In 2021 the process of investing £367,000 to upgrade CCTV facilities was started. It consists of two parts: firstly, improving equipment, using better cameras and recorders. Of the 64 sites, 49 have new equipment and the other 15 will have by early in 2023.

The second part of the upgrade includes installation of advanced software. This will speed up the process of finding and downloading footage and enable remote access. This part of the upgrade will be completed on all sites by April 2024.

The improvements will help with the response to anti-social behaviour, including collaborative working with the police.

## 3. From Councillor Grimshaw

Are known problems such as rat infestations dealt with before properties are relet and if there are historic ongoing issues with infestations within the structure but not inside the property itself are new tenants notified before a property is accepted?

Response: Infestations are treated over a period of time we would not hold a void until treatment was completed. An incoming tenant would not be notified as a matter of course as the expectation is that the issue would be resolved within a short period of time.

Supplementary Question: If a person has made a successful bid and then finds the property to be in poor repair or has a historic and ongoing problem with rodent infestations can this property be turned down without consequences to future bidding?

Response: We encourage applicants to accept a property and then submit a review request. Each review request is assessed on its own merits. If the review is not upheld, this could have consequences for future bidding – but that's only if the review request is rejected.

## 4. From Councillor Barnett:

**Unanswered questions**

During previous Housing Committee meetings, the Chair or Officers have responded to several of my questions by promising that they would investigate and get back to me later with the information that I requested. I have still not received any responses, which is very frustrating. Could the Chair please review the minutes and ensure this information is provided?

Councillor Hugh-Jones requested that the councillor submitted details of which matters had not been answered.

Councillor Barnett agreed.

**(c) Members Letters****Letter 1:****Councillor Barnett to Chair of Housing Committee**

Dear Cllr Gibson,

**Member Letter (Procedure rule 23.3): Suggestion of a weekly 'catch up' call between the Housing Department and Police**

I am writing this letter to put forward a suggestion to improve the communication between the Council and Sussex Police on housing matters.

When I call the Housing Department to talk about serious incidents of antisocial behaviour on the city's housing estates, I am often told that the Council is unaware of what is going on because 'they have had no notification from the Police'. This is very frustrating to hear as the residents expect the council to have their finger on the pulse.

If the Council is relying on reports from the Police, then we need to see a much better relationship and flow of information between the Housing Department and the Police force going forward, particularly if we are going to stop some of this antisocial behaviour and drug dealing on the council's housing estates that is going on.

Is there any way that the Council could arrange for a weekly catch-up meeting between the Housing Department and the Police so that the Council is aware of what is going on? This would help improve lines of communication between the Council and the Police and benefit tenants in the long run.

What do you think of this suggestion?

Response: Thank you for your suggestion. As you can see, I am not Cllr Gibson, but as co-chair of the Housing Committee, I'll respond to Cllr Barnett.

The Local Authority takes tackling antisocial behaviour and our joint work with the police on addressing this issue very seriously.

The Local Authority and Police facilitate a monthly Joint Action Group (JAG) to assess and initiate an action plan to address emerging community safety issues. The JAG looks at geographical locations as opposed to individuals. The JAG is attended by Housing, who raise concerns regarding crime and disorder on estates at the JAG when necessary to do so.

The Local Authority also facilitates a monthly Hate and ASB Risk Assessment Conference (HASBRAC) which discusses high risk and complex ASB and Hate Incident Cases. The meeting is chaired on a rota by either a BHCC Housing Manager, a Safer Communities Manager or a Police Inspector. Housing regularly refer cases to HASBRAC. The remit of the meetings is to ensure that there is a multi-agency action plan in place to address crime and disorder and reduce the harm to those persons impacted.

There is also the monthly Serious and Organised Crime (SOC) Cuckooing Group, jointly chaired by Safer Communities Team and Sussex Police. At this meeting, all current cuckooed properties are discussed to ensure that action is taken to disrupt the organised criminal activity and protect both the tenant and neighbours. Housing attend this meeting.

All neighbourhood Policing Teams are given an up-to-date list of BHCC general needs housing properties, BHCC Leasehold properties, Seaside Homes properties, BHCC Temporary Accommodation properties.

Neighbourhood Policing Teams notify the Local Authority if crime and disorder is reported to be taking place at a Council property or on an estate.

In light of the above, an additional meeting between housing services and the police is not required.

The committee agreed to note the letter.

**(d) Notices of Motion**

**1) TITLE: Use of Council Powers on Housing Estates**

This committee:

- 1) Notes that petitioners have urged the Housing Department to use its powers under the Anti-Social Behaviour Crime and Policing Act 2014 to issue criminal behaviour orders and closure notices; to help improve community safety on council housing estates;
- 2) Expresses concern that the council has indicated its current policy is to only use such orders to deal with issues in temporary housing, not full tenancies;
- 3) Recognises the misery caused to residents on some council estates from antisocial behaviour, which could be addressed by a change in this council policy;
- 4) Calls for a report outlining how the Anti-Social Behaviour Crime and Policing Act 2014 could be used to its full extent by the Housing Department to assist council housing estate tenants going forward.

Councillor Meadows introduced the Motion please. Councillor Hugh-Jones was then informed that Councillor Meadows accepted the Labour Group amendment. Councillor Barnett seconded the Motion please.

Councillor Williams introduced the Labour Group amendment. Councillor Grimshaw seconded the amendment.

Councillor Hugh-Jones as Chair responded to the motion:

- a. To respond to the Conservative motion, the Council regularly serve Closure Notices and then make the application to court for a Closure Order. The Council cannot issue Criminal Behaviour Orders, these are issued by the court. The Council can apply to the courts for Criminal Behaviour Orders but tends to use Civil Injunctions instead as the legal threshold is lower, therefore is an effective enforcement option in more cases.
- b. Under the current policy Housing Management do not use Community Protection Notices (CPNs). A CPN is a legal notice that can be issued against a persistent perpetrator of antisocial behaviour, failure to comply can lead to sanctions, such as a fixed penalty notice or other legal actions. Use of these will be included in the draft policy that will come to Housing Committee in January 2023.

- c. Housing Committee recognises the misery the impact anti-social behaviour can have on communities and individuals. The draft of the new ASB policy will be presented to Housing Committee in January 2023 and will include new ways of responding to ASB.
- d. This will be covered in the January report.

Debate

- 39.1 Councillor Gibson accepted the amendment as Green Group co-chair.
- 39.2 Councillor Allcock noted that the ward Councillors have worked with the Craven Vale community and council and Police resources are stretched. The Councillor invited Councillors Meadows and Barnett to sign a letter to the government to get more resources to tackle anti-social behaviour. The Councillor requested an update on the drugs summit.
- 39.3 Councillor Powell stated that the next combating drugs meeting was on the 13 December 2022 when an update would be provided. The conservative Members were invited to attend.
- 39.4 Councillor Meadows thanked the Councillor for the invite.
- 39.5 A vote was taken and the committee agreed unanimously the amendment to the Motion and the Motion as amended.

## **2) TITLE: Viability of the Housing Revenue Account**

This committee:

- 1) Considers that the Housing Revenue Account should be used solely for the benefit of council tenants and leaseholders in the city;
- 2) Expresses concern that:
  - a. The Housing Revenue Account is increasingly being used by the council used to fund purposes unrelated to the benefit of the majority of tenants and leaseholders;
  - b. Tenants and leaseholders are no longer receiving value for money from their contributions following recent housing policies, including insourcing;
- 3) Calls for a report that assesses the medium-term sustainability and viability of the Housing Revenue Account, with respect to providing services for council tenants and leaseholders, in the context of the above issues.

Councillor Meadows introduced the Motion. Councillor Barnett seconded the motion.

Debate

- 39.6 Councillor Williams stated they were not comfortable with the argument and did not support the motion.
- 39.7 Councillor Gibson noted that new homes are not being subsidised and they considered the motion had no substance, evidence or merit. An additional report was not needed and they opposed the motion.
- 39.8 Councillor Hugh-Jones as Chair responded to the motion: As Agenda item 40, 2023/24 HRA Budget Engagement paper and annual budget papers, sets out, the HRA is a ring-fenced account which covers the management and maintenance of council-owned housing stock. This must be in balance, meaning that the authority must show in its financial planning that HRA income meets expenditure and that the HRA is consequently viable. Although the HRA is not subject to the same funding constraints as the General Fund, it is a ring-fenced account within the General Fund and still follows the principles of value for money and equally seeks to improve efficiency and achieve cost economies wherever possible. Benchmarking of both service quality and costs with comparator organizations is used to identify opportunities for better economy, efficiency and service delivery.

As part of the Housing Revenue Account (HRA) budget setting process consideration is given to those areas where charges are being incurred between the General Fund and HRA. This review ensures that the charge is still appropriate and that the charge is calculated in accordance with the level of service and benefit provided to tenants.

We are committed to ensuring tenants and leaseholders are engaged in the HRA budget setting process ahead of budget decision making.

A Housing Budget Update workshop was held at the tenant and leaseholder City-Wide Conference on 8th October (which sadly no Conservative members of Housing Committee attended). This included a presentation, which is appended to the report at Agenda item 40, giving an outline of the current HRA budget and an initial high-level view of: 2022/23 budget setting; budget pressures; service improvements; efficiencies and savings.

The report being considered at Committee this afternoon sets our proposed approach to engage with tenants and leaseholders in the budget setting process. The 2023/24 Budget paper will be presented at the January 2023 Housing committee which will outline the budget for the next financial year and provide a Medium-Term Financial strategy to demonstrate that the HRA remains viable.

- 39.9 A vote was taken, and by 7 to 2 the motion was not agreed. (Councillor Philips was not in the chamber for the vote).

#### **40 2023/24 HRA BUDGET CONSULTATION**

- 40.1 The Assistant Director Housing Management introduced the report to the committee.



## Answers to Committee Member Questions

- 40.2 Councillor Williams was informed that the impact on the lower paid was understood and the council will support those who are struggling. The Principal Accountant stated that there was a rent policy review and a strict balance between residents and the council was needed. The Executive Director - Housing Neighbourhoods & Communities noted that the government were to release the Housing Revenue Account (HRA) budget soon and the council want to provide quality, pay staff and provide the right service.
- 40.3 The Chair noted that the government were capping grants and not passing funds onto local government.
- 40.4 Councillor Grimshaw was informed that the Principal Accountant would respond after the meeting on whether Social Housing Rents consultation applied to new homes and/or groups. The Assistant Director Housing Management noted that the rents would be at 'Living Wage' level and the council were focused on supporting the tenants and keeping the rents as low as possible. The rents are seen as a percentage of wages and 80% market rent was usual, making the council lower than private rentals.
- 40.5 Councillor Gibson noted that the two living wage rents, living and social, and local house allowance are all similar.
- 40.6 The Chair noted that the units in the Coldean and Portslade developments are at affordable rents.

## Vote

- 40.7 A vote was taken, and the committee agreed the recommendations unanimously.

**RESOLVED:**

- 2.1 Housing Committee note the proposed Housing Revenue Account Budget engagement proposals.
- 2.2 Housing Committee note the council's response to the Government Social Housing Rent Cap consultation.

**41 EASTERGATE ROAD FORMER GARAGE SITE REDEVELOPMENT**

- 41.1 The Estate Regeneration Project Manager introduced the report to the committee.

## Answers to Committee Member Questions

- 41.2 Councillor Williams was informed that the specialist project would use suitable local business were possible the contractors were required to provide local social value.
- 41.3 Councillor Meadows was informed that the rents would come to committee to be discussed.

41.4 The Chair stated they were excited with the project which is a modular build.

Vote

41.5 A vote was taken, and the committee agreed the recommendations unanimously.

**RESOLVED:**

2.1 That Housing Committee:

2.1.1 Approves the recommendation of the Procurement Advisory Board (PAB) on 17 October 2022 that the main contractor is procured by Direct Award from an appropriate public sector procurement Framework, or by restricted tender.

2.1.2 Delegates authority to the Executive Director for Housing, Neighbourhoods & Communities to take all steps necessary to procure and award contract(s) for design work to the end of RIBA Stage 4 (Technical Design), this to include construction works (commitment to progress works will be dependent on further budget approval) at the former garage site, Eastergate Road.

2.2 That Policy & Resources Committee:

2.2.1 Approves a budget for the former garage site at Eastergate Road of £293,000 to allow the completion of design work to the end of RIBA Stage 4 (technical design), and for site clearance works, financed by a mixture of HRA borrowing and Brownfield Land Release Fund (BLRF) grant.

**42 CHARLES KINGSTON GARDENS LEASE ACQUISITION**

42.1 The Assistant Director Housing Management introduced the report to the committee.

Answers to Committee Member Questions

42.2 Councillor Williams was informed that rents for the existing tenants would be lower, and the service charges would be higher.

42.3 Councillor Meadows was informed that with regarding to phasing in service charges these were the subject of a consultation and residents will be offered the full services and those requiring support will receive it. The council are consulting on a services scheme. Support will be given to tenants from day one, and if the consultation is successful the services will be utilised straight away.

42.4 Councillor Gibson considered the report to be positive, the phasing in of service charges to be a good idea and asked that the project be got on with quickly.

Vote

42.5 A vote was taken, and the committee agreed the recommendations unanimously.

**RESOLVED:**

- 2.1 Housing Committee recommends that Policy & Resources Committee delegate authority to Executive Director Housing, Neighbourhoods & Communities to accept a surrender of the long lease on Charles Kingston Gardens from Clarion Housing Association Limited to use as seniors housing, subject to all further enquiries to be carried out proving satisfactory.
- 2.2 That Housing Committee recommends to Policy & Resources Committee that the Council makes an offer of up to the agreed sum and approves a budget line to be included in the 2022/23 HRA Capital Programme detailed in the Part 2 report.

That Policy & Resources Committee:

- 2.3 That Policy & Resources Committee delegate authority to Executive Director Housing, Neighbourhoods & Communities to accept a surrender of the long lease on Charles Kingston Gardens from Clarion Housing Association Limited, to use as seniors housing subject to all further enquiries to be carried out proving satisfactory.
- 2.4 Approve that the Council makes an offer of up to the agreed sum and approves a budget line in the 2022/23 HRA Capital Programme detailed in the Part 2 report.

**43 NEW HOMES FOR NEIGHBOURHOODS ROTHERFIELD CRESCENT -  
PROCUREMENT OF CONTRACTOR**

- 43.1 The Estate Regeneration Project Manager introduced the report to the committee.

Answers to Committee Member Questions

- 43.2 Councillor Williams was informed that the council were using an existing framework for the project and the contractors have already gone through the procurement process and will be explored as first option.
- 43.3 Councillor Meadows was informed that both Frederick Street and Rotherfield Crescent were too small to go through the partnership exercise and the budget was intended to cover both sites. Costs have increased and therefore the scheme has changed from four to three units, been set away from the site boundaries, more energy efficient and better biodiversity.
- 43.4 The Chair considered the project would add to the supply of more family homes.
- 43.5 Councillor Gibson considered larger schemes were needed to deliver affordable homes.

Vote

- 43.6 A vote was taken, and the committee unanimously agreed the recommendations.

**RESOLVED:**

- 2.1 That Committee agrees the recommendation to Policy & Resources Committee to approve the increase of £0.600m in the Design Competition budget allowance to deliver the Rotherfield Crescent scheme for three, three-bedroom homes based on the Pre-Tender Estimate £1.192m.
- 2.2 That Committee delegates authority to the Executive Director for Housing, Neighbourhoods and Communities to procure and award a contract for construction via an existing Framework (the preferred route) or other compliant route.

**44 COMMUNITY HOUSING PILOT UPDATE**

- 44.1 The Head of Strategy & Supply introduced the report to the committee.

## Answers to Committee Member Questions

- 44.2 Councillor Williams was informed that the tenants will be from the council waiting list and be able to access the maximum housing allowance. It was noted that Bunker work very closely to the council way of working.
- 44.3 Councillor Meadows stated they did not support the report and was informed that the Bunker have looked at a variety of funding streams and this pilot scheme will be reviewed. It was noted that nominations for tenants will be robustly monitored. The Assistant Director Housing Needs & Supply noted that Bunker would not have a veto on nominations. It was also noted that Registered Providers have rights. The Head of Strategy & Supply stated they would respond to the councillor on whether the Registered Provider will own the properties out right.
- 44.4 Councillor Gibson considered the pilot to be a positive approach and requested that those on low incomes be targeted for tenancies.

## Vote

- 44.5 A vote was taken, and by 7 to 2 the committee agreed the recommendations. (Councillors Barnett and Meadows voted against the recommendations. Councillor Hugh-Jones did not vote).

**RESOLVED:**

- 2.1 That Committee agrees in principle to loan £0.385m to Bunker Co-Operative to support the development of two new affordable homes at Dunster Close, Brighton.

**45 HOUSING REPAIRS & MAINTENANCE, KITCHENS AND BATHROOMS**

- 45.1 The Head of Housing Repairs & Maintenance introduced the report to the committee.

## Answers to Committee Member Questions

- 45.2 Councillor Grimshaw was informed the existing targets will continue and help is being sort for the current contractor, and the kitchens installed are mid-range. It was noted that bathrooms are generally not standard and differ from property to property.
- 45.3 Councillor Allcock was informed that all works are checked, and snagging has occurred prior to handing over to the council, and very few are refused for quality reasons.
- 45.4 Councillor Williams was informed that the contracts run for 4 years with 3 additional years. The council are able to pull out after 4 years, giving 3 years to find a new contractor. It was noted that a lot of quality checking takes place and works would be reduced if a contractor were not providing good quality.
- 45.5 Councillor Meadows was informed that the works have been to the Procurement Advisory Board (PAB).
- 45.6 Councillor Osborne, chair of PAB, invited the Conservative councillors to attend PAB and stated that they were vigorous in their decision making.

Vote

- 45.7 A vote was taken, and by 8 to 2 the committee agreed the recommendations. (Councillors Meadows and Barnett voted against the recommendations).

**RESOLVED:**

- 2.1 That Housing Committee delegate authority to the Executive Director, Housing Neighbourhoods & Communities to procure and award a contract for up to two providers of works to deliver kitchens and bathrooms in council housing.

**46 ITEMS REFERRED FOR FULL COUNCIL**

- 46.1 There were no items referred to full council.

**47 PART TWO PROCEEDINGS**

**48 CHARLES KINGSTON GARDENS, LEASE ACQUISITION - PART TWO**

- 48.1 The Charles Kingston Gardens, Lease Acquisition Confidential appendix was not discussed at the meeting and the press and public were not required to leave the meeting.

The meeting concluded at 7.05pm

Signed

Chair

Dated this

day of