

Housing & New Homes Committee

Date: **21 June 2023**

Time: **4.00pm**

Venue: **Council Chamber, Hove Town Hall**

Members: **Councillors:** Williams (Chair), Czolak (Deputy Chair), McLeay (Opposition Spokesperson), Baghoth, Fowler, Grimshaw, Meadows, Nann, Oliveira and Sheard

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Date of Publication - Tuesday, 13 June 2023

AGENDA

Part One

Page No.

1 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest:

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

***NOTE:** Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

2 MINUTES OF THE PREVIOUS MEETING

7 - 18

To consider the minutes of the meeting held on 15 March 2023 (copy attached).

3 CHAIRS COMMUNICATIONS

4 CALL OVER

- (a) All agenda items will be read out at the meeting and Members invited to reserve the items for consideration.

- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

5 PUBLIC INVOLVEMENT

To consider the following matters raised by members of the public:

- (a) **Petitions:** to receive any petitions presented to the full council or at the meeting itself;
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the 15 June 2023;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 15 June 2023.

6 ISSUES RAISED BY MEMBERS

To consider the following matters raised by councillors:

- (a) **Petitions:** to receive any petitions submitted to the full Council or at the meeting itself;
- (b) **Written Questions:** to consider any written questions;
- (c) **Letters:** to consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Council or submitted directly to the Committee.

7	CONSTITUTIONAL MATTERS	19 - 24
8	HOUSING PERFORMANCE REPORT QUARTER 4 - 2022/23	25 - 50
	<i>Contact Officer: Diane Hughes</i>	<i>Tel: 01273 293159</i>
	<i>Ward Affected: All Wards</i>	
9	PURCHASE OF KUBIC APARTMENTS, WHITEHAWK WAY, BRIGHTON	51 - 90
	<i>Contact Officer: Scott Lunn</i>	<i>Tel: 01273290282</i>
	<i>Ward Affected: Whitehawk & Marina</i>	
10	HOUSING, HEALTH & SAFETY UPDATE	91 - 110
	<i>Contact Officer: Martin Reid</i>	<i>Tel: 01273 293321</i>
	<i>Ward Affected: All Wards</i>	
11	ROUGH SLEEPING AND SINGLE HOMELESS SERVICES RE COMMISSIONING	111 - 118

Contact Officer: Adam Salmon

Ward Affected: All Wards

12 ITEMS REFERRED FOR FULL COUNCIL

To consider items to be submitted to the next Full Council meeting for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting

13 PART TWO

14 PART TWO PROCEEDINGS

To consider whether the items listed in Part Two of the agenda and decisions thereon should remain exempt from disclosure to the press and public.

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

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Further information

For further details and general enquiries about this meeting contact Shaun Hughes (email shaun.hughes@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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- Do not re-enter the building until told that it is safe to do so

Brighton & Hove City Council

Housing Committee

4.00pm 15 March 2023

COUNCIL CHAMBER, HOVE TOWN HALL

Minutes

Present: Councillor Gibson (Joint Chair), Hugh-Jones (Joint Chair), Williams (Opposition Spokesperson), Fowler, Meadows, Osborne, Phillips, Powell, Sankey and Grimshaw

Substitutes: Councillor Grimshaw for Councillor McIntosh

Part One

63 PROCEDURAL BUSINESS

63.1

- (a) **Declaration of Substitutes:** Councillor Grimshaw substituted for Councillor McIntosh.
- (b) **Declarations of Interest:** There were none for this meeting.
- (c) **Exclusion of Press and Public:** There no Part Two items on the agenda therefore the press and public were not excluded from the meeting when any of the agenda items are under consideration.

64 MINUTES OF THE PREVIOUS MEETING

64.1 The Minutes of the 18 January 2023 committee meeting were agreed.

65 CHAIRS COMMUNICATIONS

Today is our final Housing Committee ahead of the May elections and we welcome a new member in Cllr Sankey at the same time as we say goodbye to a very longstanding one. This is the first time committee has met since it was announced that **Councillor Mary Mears** was stepping down due to ill health. I therefore invited Steve Bell, the leader of the Conservative Group, to provide his own tribute to his colleague. He said:

“Housing was at the heart of Mary, from Area Panels to Committee and especially the HRA. Always standing up for the tenants and leaseholders. When there was a shortage of temporary housing, and the cap was on the HRA she was fully backing of Seaside Homes to provide the necessary homes we needed. When we see Mary, she always asks how Housing Committee is going and what is happening.”

I am sure all members of Housing Committee would regret the loss of Councillor Mears from this committee. We certainly had our political differences, but she was a dedicated councillor, always polite and genuinely wanted the best for residents.

I should of course also say thanks to my co-chair who is not standing for re-election in May. This administration was the first to introduce co-chairs and I am aware that it is being adopted elsewhere in the country (such as Sheffield, for example) and of course the Labour group took this on board with having co-leaders.

Given the circumstances that led to the establishment of **Seaside Homes** have now changed, Housing Committee has decided that the Council should negotiate an end to the current arrangements for homeless households accommodated by Seaside Homes. It is financially viable for the council to buy out the loan from the bank and bring this temporary homeless accommodation in house. As well as being more efficient to manage in-house, the tenants of these 499 homes will benefit from significantly lower rents – which no doubt will be a big help as the cost-of-living crisis continues. The decision on the transfer should progress over the next 6 months.

As we approach the end of this council term in May it is worth taking stock.

On the positive side, by May we are on course to achieve almost 500 additional council homes over the 4-year term. Thanks are due to the hard work of officers on this. We anticipate delivery of around 120 homes a year on average compared to the average of 51 homes a year achieved by the previous administration.

Importantly, our newly built homes are increasingly sustainable and energy efficient – which as well as reducing carbon emissions should mean lower utilities bills for tenants. The 42 homes at Victoria Rd, which are being handed over to the council this week, have plenty of solar PV, the council's first ground source heat pump system, green walls, bee bricks and bat boxes, a communal garden and orchard. Cllr Gibson and I visited on Monday and heard some extremely moving accounts of the responses of future tenants to the new flats. Showings are continuing this week.

I believe we are the first UK council to develop a sustainability policy for our new homes. But we can also boast that this administration has made a step change in the numbers of "truly affordable" homes. We anticipate the imminent delivery of a further 119 additional homes at what the government defines as social - or what we call Living - rents. Particularly significant are the 49 new homes at Quay View in Portslade, to be handed over to the council in the middle of April. These homes are being entered for a Design South East award and we obviously hope they will be successful.

The council is now the largest provider of rented affordable housing in the city, which is something we want to maintain and build on. Maximising the supply of affordable homes is part of our efforts to mitigate the housing crisis and alleviate the impact of homelessness. One of the reports on today's agenda starts to explore options to incentivise tenants to relinquish their tenancies, thereby providing the council with additional affordable homes.

It is also pleasing to note that after a lull in the pandemic local housing associations are on schedule to exceed the target for this term of 700 additional affordable homes. Most of these homes are shared ownership.

Of course, for those in **council accommodation**, it is important to keep that accommodation up to standard. I am grateful to officers for all they are doing to address the issue of damp and mould, including arranging today's workshop, and to members for attending.

Also on today's agenda is a report on the procurement of a single source supplier/broker to meet the current and future materials supply chain requirement. The current arrangement is a hangover from when we used Mears for all our housing repairs. Under the new arrangement the provider would offer guidance on new innovative repairs products, would have better product knowledge than the council could have and would have existing relationships with a range of companies. The broker would be responsible for setting up a comprehensive supply chain, which would meet the service need to use local branches, support the city's economy and boost local trade.

There's no **rough sleeping** update as such on today's agenda so I propose to make a few comments here. Rough sleeping count and estimate numbers were released across the country at the end of February. However imperfect the counts, rough sleeping numbers are increasing, though Brighton and Hove is doing better than most areas. Last year, on average across the whole country rough sleeper numbers increased by 26%, by 19% in the South-East and by 11% in Brighton and Hove. Since 2019, rough sleeper numbers reduced 28% nationally and 53% in Brighton & Hove. March's rough sleeper count was the same as January's. However, in both cases our cold weather provision and No Second Night Out were fully operational. We are now about to lose No Second Night Out (funding for which ends at the end of March) and our winter provision. This leaves a hole in our short-stay shelter provision, so officers are looking at how to mitigate this. The Winter Provision accommodation for rough sleepers is being extended into spring and will continue to offer off street provision for women. This is only temporary, however. Officers are in negotiation with DLUHC for additional rough sleeping resource beyond this point.

The best way of reducing homelessness, both of the more visible rough sleepers and wider households, is through prevention. Early results from the homeless transformation programme suggest a higher number of households are being prevented from becoming homeless. In February, 50% of households who were threatened with homelessness were able to secure accommodation without requiring temporary accommodation because they came to us early. And since April last year 438 households have had their homelessness resolved by being assisted to secure accommodation for 6 months or more.

We continue the trend in reducing the number of households in emergency accommodation. As of the beginning of this week this was 493 households, compared to 615 in April last year.

Members will remember that this administration stopped using Kendal Court and we are now decanting Windsor Court (a 40-unit Baron Homes scheme) as part of our

programme of reducing TA costs. 27 properties here are currently empty but remain on our system during the 28-day notice period. The scheme will be empty on 31 March.

One of the main causes of homelessness is the loss of a private rented home. With high rents and a cost-of-living crisis, so many households are under pressure. Sadly “no fault evictions” have been allowed to contribute to tenants’ insecurity by governments of both political colours since 1988, and while the current one has promised to abolish these we are still waiting. Work to prevent evictions therefore remains vital. Also important has been the expansion of the council’s Direct Lets scheme, with landlords offering more affordable rents to households facing homelessness. This service enables households to access private rented accommodation, negotiating rent and tenancy terms, as well as offering deposits, rent-in-advance and deposit guarantees. Since April 2019, over 1218 households have been assisted in securing a private rented sector home.

Over the last couple of years, Housing Committee has repeatedly looked at expanding landlord licensing in line with our joint programme. While it is disappointing that new schemes are not yet in place, we have moved a long way since September 2021, when we were told that there was insufficient evidence for a scheme. Today’s report shows we now have robust evidence to support a scheme and I am delighted that on today’s agenda is a decision to work through costings prior to consultation over the summer on licensing schemes for HMOs, a selective scheme covering four wards based on poor property conditions and deprivation and a wider scheme covering a further 13 wards (which would require Secretary of State approval). The HMO scheme and the 4-ward scheme could be operational in around 12 months from now.

We were intending to bring a review of the enforcement policy and follow up actions on rogue landlords to this committee. However, we felt that the report would benefit from more detail on our enforcement performance and information about good practice elsewhere which could inform our approach. We therefore hope that whoever forms the next administration will bring the amended report to June Housing committee.

In the meantime, enforcement activity is ramping up. As of February, fines and penalty notices had been issued for £169,000, a huge increase from the £55,200 reported to committee in January (in the PRS Update Report) for the April to December period. The council has also issued statements publicising the action it takes against landlords who fail to meet their obligations to tenants.

66 CALL OVER

- 66.1 Agenda items 70, 71, 74 and 75 were called for discussion. Items 72 and 73 were not called for discussion and therefore the officer recommendations were agreed unanimously.

67 PUBLIC INVOLVEMENT

68 ITEMS REFERRED FROM COUNCIL

- 68.1 There were none for this meeting.

69 ISSUES RAISED BY MEMBERS

(a) Petitions: None for this meeting

(b) Written Questions: One for this meeting from Councillor Williams:

How many improvement notices have been served to private sector landlords in the past 12 month and in the past 3 years?

Response:

Thank you for your question.

Since 1 April 2022, 814 new cases were raised, requiring private sector landlords to make improvements to their property. Of these, 9 have resulted in formal notice being served.

This indicates that the vast majority of cases raised, where landlords are required to make property improvements, are resolved without formal action being required. As reported at Housing Committee in January 2023, 97% of cases are resolved through informal action.

Referring to previous years, in 2021/22 there were 634 new cases, of which 15 required Notices to be served; in 2020/21 there were 781 new cases, with 16 Notices being served.

(c) Letters: None for this meeting

(d) Notices of Motion: One for this meeting from the Green Group:

Over the last 3.5 years there has been a joint Labour–Green housing and homelessness work programme. With great thanks to the hard work of officers, this programme has helped deliver:

- 500 additional council homes (projected by May 23);
- 49 truly affordable new council homes at Living rents (projected May 23);
- New private rented housing additional and selective licensing schemes going forward for consultation;
- A 53% reduction in rough sleeper numbers since 2019 (compared to 28% reduction nationally);
- A threefold increase in the number of “Housing First” placements;
- The expansion of PRS enforcement capacity and, as of February 2023, including the issue of £169K in fines;
- Warmer Homes grants to those in greatest need and a wider scheme with funding of £2.5m to be launched in April;
- The adoption of a New Build Housing Sustainability Policy and 42 new homes built in Victoria Rd with the Council’s first ground source heat pump as well as solar panels and green walls.

Believes:

That working together on a jointly agreed programme has helped achieve progress for the benefit of the city and its residents.

Proposes that:

1. The achievements of the joint programme be noted;
2. In the event a) of no party achieving an overall majority in the May 2023 local elections and b) of the manifestos of the two larger parties being compatible in terms of their housing content, that Housing Committee consider adopting a similarly prepared joint programme on Housing and Homelessness at its meeting in September 2023.

Proposed by Cllr Gibson

Seconded by Cllr Siriol Hugh-Jones

69.1 Councillor Gibson presented the Notice of Motion to the committee.

Debate

- 69.2 Councillor Williams considered there were some benefits, however they were not impressed by the motion as they could not pre-empt a future administration. The councillor was impressed by work done by officers; however, they did not feel they could congratulate themselves and were against the motion.
- 69.3 Councillor Meadows considered the work was started under their chairmanship and so should be congratulated as well.
- 69.4 Councillor Powell thanked the Labour Group for their work however they were surprised at the re-action.
- 69.5 Councillor Fowler considered it was great so much had been done, however, they did not feel they could tell the next administration what to do.
- 69.6 Councillor Sankey did not support the motion as it was political posturing. Cross party working can be good; however, they did not support the motion.
- 69.7 Councillor Hugh-Jones considered valid points had been made, however the motion does not bind a future administration. The councillor stated that should there be no overall control after the elections, please consider joint working. The councillor supported the motion.
- 69.8 Councillor Gibson considered there was value to working together, and the motion was not telling the next administration what to do but asking for coalition working to be considered. The councillor was proud of working together and supported the motion.
- 69.9 A vote was taken, and by 5 to 4, with 1 abstention the motion was agreed.

70 PRIVATE SECTOR HOUSING: DISCRETIONARY LICENSING EVIDENCE

70.1 The Assistant Director Housing Needs & Supply introduced the report to the committee.

70.2 Following questions the Committee Members were informed that: the Budget Review Group was cross party and currently consisted of Councillors Gibson, Appich and McNair; the fourth recommendation was due to come back to committee; the consultation process was a twelve week cycle and includes landlords outside the city, local area and UK; the costs of any repair works would be the landlord's responsibility; the age of the property is not a factor.

Debate

70.3 The Committee Members debated the report and commented on the following matters: pleased to see the report on an acute and desperate problem after a long wait; the report is a positive step, and it was noted that further work was required; the licensing will take the pressure off residents and the phased approach makes sense; the report was important to the city as some residents were not supported by landlords; a proactive enforcement policy is needed with robust evidence.

Vote

70.4 A vote was taken, and by 9 to 1 abstention the committee agreed the recommendations.

70.5 **RESOLVED:**

- 2.1 That Housing Committee notes the findings of the Private Sector Housing: Housing Stock Condition & Stressors Report that evidences the need for a citywide approach to discretionary licensing (Appendix 1).
- 2.2 That Housing Committee approves Option 3 (see 3.31), which will be subject to 12 weeks of consultation (to commence once a revised fee structure is agreed by Members). This is:
 - (1) Citywide Additional HMO Licensing covering properties which have two or more storeys, and three or more tenants are living there as more than one household.
 - (2) Selective Licensing on all non-HMO private rented sector homes in four wards where the evidence demonstrates a clear link between poor property conditions, deprivation and private rented homes. These wards ⁽¹⁾ are:
Kemptown, Moulsecoomb & Bevendean, Queen's Park and Whitehawk & Marina. With a further option in 13 wards in the city on the grounds of poor property conditions. These wards are: Brunswick & Adelaide, Central Hove, Goldsmid, Hanover & Elm Grove, Hollingdean & Fiveways, Preston Park, Regency, Rottingdean & West Saltdean, Round Hill, South Portslade, West Hill & North Laine, Westbourne & Poets Corner and Wish.
- 2.3 That Housing Committee notes that the Budget Review Group has provided £100,000 to fund non-recoverable costs (such as consultation) needed in developing a scheme and that budget council has allocated a further £20,000.

- 2.4 That Housing Committee requests the findings of the consultation and appropriate recommendations be brought back to a future committee for Member decision.

(1) New Brighton & Hove wards from May 2023

71 HOUSING REPAIRS AND MAINTENANCE – PROCUREMENT OF MATERIALS SUPPLY CHAIN

- 71.1 The Senior Programme Manager introduced the report to the committee.
- 71.2 Following questions the Committee Members were informed of that: the contracted would be for five years with a possible extension for a further five years if performance was satisfactory; any agreement would be an umbrella agreement with the council; materials would come from a robust catalogue that was sustainable and of a high standard; the council will work closely with residents following the Procurement Advisory Board (PAB) annual review of the contract; a quality assurance programme would be agreed through PAB; a broker will bring together local suppliers and workers; of the contractor under performs, PAB will be able review the situation even before the first five years are completed; the council money will stay local; the Contract Management Board is not supported.

Vote

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

71.4 RESOLVED:

That Housing Committee delegates authority to the Executive Director of Housing, Neighbourhoods and Communities to:

- 2.1 Take all steps necessary to procure and award a contract for the materials supply chain for the Housing Repairs & Maintenance Service, with a contract term of 5 years.
- 2.2 To approve an extension to the contract referred to in 2.1 above for a period of up to 5 years following the initial 5 year term, subject to satisfactory performance.

72 HOUSING MANAGEMENT AREA PANEL REVIEW

- 72.1 The report was not called for discussion by the committee Members therefore the recommendations were taken as agreed unanimously.

72.2 RESOLVED:

- 2.1 Approves the revised Terms of Reference for Housing Area Panels in Appendix 1.
- 2.2 Recommends to Policy & Resources Committee:

- i) that it agrees the revised Terms of Reference as set out in Appendix 1
- ii) that the revised Terms of Reference come into force on 25th May (Annual Council).
- iii) that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the revised Terms of Reference.

2.3 That Policy & Resources Committee:

- i) agree the revised Terms of Reference as set out in Appendix 1
- ii) agree that the revised Terms of Reference come into force on 25th May (Annual Council).
- iii) that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the revised Terms of Reference.

73 HOMES FOR BRIGHTON & HOVE – EXTERNAL COMMUNAL AREA MANAGEMENT AT COLDEAN LANE, BRIGHTON.

73.1 The report was not called for discussion by the committee Members therefore the recommendations were taken as agreed unanimously.

73.2 RESOLVED:

That Housing Committee:

2.1 Recommends to Policy & Resources Committee that it delegates authority to the Executive Director of Housing, Neighbourhoods and Communities to enter into a 250 year head lease of the HBH site at Denman Place, Coldean Lane, Brighton.

That Policy & Resources Committee:

2.2 Delegates authority to the Executive Director of Housing, Neighbourhoods and Communities to enter into a 250 year head lease of the HBH site at Denman Place, Coldean Lane, Brighton.

74 DEVELOP A POLICY TO INCENTIVES HOUSEHOLDS TO RELINQUISH COUNCIL TENANCIES AS AN ALTERNATIVE TO RIGHT TO BUY

74.1 The Head of Tenancy Services introduced the report to the committee.

74.2 Following questions the Committee Members were informed that: a new report will come back to committee with a full cost analysis; other authorities contacted for comparisons were London Boroughs and others who are comparable; the scheme was to enable moving into another home, not extend the existing property; the existing transfer scheme would be looked into.

Debate

- 74.3 The committee debated the report and raised the following matters: the transfer incentive scheme was ripe for review and the financial assessment was much needed; it was good to explore all options; particular care is needed, and shared ownership required reviewing.

Vote

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

74.5 RESOLVED:

- 2.1 That Housing Committee note this report.
- 2.2 That Housing Committee agree to a full report coming back to a future Housing Committee which will consider options for a policy.

75 HOUSING COMMITTEE WORKPLAN PROGRESS UPDATE AND HOUSING PERFORMANCE REPORT QUARTER 3 2022/23

- 75.1 The Assistant Director Housing Management introduced the report to the committee.
- 75.2 Following questions the committee Members were informed that: there were no access issues to prevent checking of gas safety records; the post Pandemic recovery programme has made improvements, however, further improvements can be made; the existing customer services call centre covers repair enquiries; the next administration will decide whether the advice and forum are to be restarted; the estate walks were agreed as a good idea, with next steps being to increase staffing levels and response times to residents; bad weather had resulted in an increase in assistance requests; the reintroduction of monthly spot counts would be a decision for the new committee after the elections.

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

75.4 RESOLVED:

- 2.1 That Housing Committee notes the report.

76 ITEMS REFERRED FOR FULL COUNCIL

- 76.1 None from this meeting.

77 PART TWO PROCEEDINGS

- 77.1 There were no Part Two items at this meeting.

The meeting concluded at 6.42pm

Signed

Chair

Dated this

day of

Brighton & Hove City Council

Housing and New Homes Committee

Agenda Item 7

Subject: Constitutional Matters

Date of meeting: 22 June 2023

Report of: Executive Director, Strategy, Governance & People

Contact Officer: Name: Shaun Hughes
Email: shaun.hughes@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

1.1 To provide information on the committee's terms of reference and related matters including the appointment of its Urgency Sub-Committee.

2. Recommendations

2.1 That the committee's terms of reference, as set out in Appendix A to this report, be noted; and

2.2 That the establishment of an Urgency Sub-Committee consisting of the Chair of the Committee and two other Members (nominated in accordance with the scheme for the allocation of seats for committees) to exercise its powers in relation to matters of urgency on which it is necessary to make a decision before the next ordinary meeting of the Committee, be approved.

3. Context and background information

3.1 Article 6 of the constitution incorporates a schedule of all the Committees/Sub-committees established in the new constitution together with a summary of their respective functions.

Housing & New Homes Committee – Terms of Reference

3.2 A copy of the terms of reference for the committee is attached in Appendix A. These should be read in the context of the 'Introduction and General Delegations' included in the Scheme of Delegations to Committees and Sub-Committees at part 4 of the constitution.

Membership

3.3 The membership of the committee is set at 10 Members of the council.

- 3.4 The arrangements for substitute Members to attend meetings of Committees/Sub-Committees, are set out in the Council Procedure Rules 18.14 to 18.25.

Programme Meetings

- 3.5 Ordinary meetings of the Housing & New Homes Committee are scheduled to take place on the following dates during 2023/24:

21 June 2023
20 September 2023
15 November 2023
24 January 2024
13 March 2024

- 3.6 Meetings of the Committee will normally be held at Hove Town Hall and will start at 4.00 p.m.

Urgency Sub-Committee

- 3.7 The Constitution states that each Committee of the Council except the Audit & Standards Committee shall appoint an Urgency Sub-Committee to exercise its powers. The membership of such Urgency Sub-Committee shall consist of the Chair of the Committee, and two other Members nominated by the Group Leader or Leaders as appropriate to meet the requirements for the allocation of seats between political groups. Under current allocations this would mean an urgency sub-committee will consist of two Members from the Administration and one Member from the Official Opposition on the Council.

- 3.8 Such Urgency Sub-Committees may exercise their powers in relation to matters of urgency on which it is necessary to make a decision before the next ordinary meeting of the Committee. Every decision of each Urgency Sub-Committee shall be reported for information to the next ordinary meeting of the Committee as appropriate.

4. Analysis and consideration of alternative options

- 4.1 The council's constitution provides for the appointment of the sub-committees and urgency sub-committees, and it is for the Committee to determine this action and it could decide not to make such appointments. However, this would be contrary to the wishes of the council and is not therefore regarded as a viable alternative option.

5. Community engagement and consultation

- 5.1 All Members considered and approved the allocation of seats to Committees and Sub Committees and the Terms of Reference of new committees on 25 May 2023.

6. Conclusion

- 6.1 The recommendations are being put forward in line with the requirements of the constitution.

7. Financial implications

- 7.1 All associated costs for the payment of Members Allowances relating to the arrangements outlined in the above report are expected to be met within the existing Members' Allowances budget.

Name of finance officer consulted: Craig Garoghan Date consulted:
13/06/2023

8. Legal implications

- 8.1 The proposals in this report are compatible with the council's constitution, which in turn is compatible with the Localism Act 2011, Local Government Act 2000 and other relevant legislation.

- 8.2 Name of lawyer consulted: Liz Woodley Date consulted:05/06/23.

9. Equalities implications

- 9.1 There are no equalities implications arising from the report.

10. Sustainability implications

- 10.1 There are no sustainability implications arising from the report.

Supporting Documentation

1. Appendices

1. Housing and New Homes Committee Terms of Reference

HOUSING & NEW HOMES COMMITTEE

Explanatory Note

This Committee has overall responsibility for the Council's housing functions, including Council housing, homelessness, allocations and standards of housing in the area.

Delegated functions

1. To discharge the Council's functions as a housing authority and, without prejudice to the generality of this paragraph, to discharge the specific functions set out in the following paragraphs.

2. Strategic and Private Sector Housing

To discharge the Council's functions in relation to:

- (a) The Council's housing strategy;
- (b) Homelessness and the allocation of housing;
- (c) Private sector housing, including taking action to remedy overcrowding, disrepair, unfitness and statutory nuisances; to promote fire safety in private sector housing and the Council's functions in relation to houses in multiple occupation;
- (d) Tenancy relations and the provision of housing advice;
- (e) Housing loans and grants.

3. Housing Landlord Functions

To discharge the Council's functions as a housing landlord including the management (including demolition) of property within the Housing Revenue Account and associated properties.

4. Housing Related Support Services

To exercise the Council's functions for the commissioning of housing related support services.

5. Street homelessness

To coordinate the Council's policies and actions with a view to reducing and eliminating street homelessness and, in conjunction with the Policy & Resources Committee and the Health and Wellbeing Board, to ensure that appropriate action is taken.

6. Authorised and unauthorised sites and encampments

To exercise the Council's functions in relation to the management of authorised and unauthorised sites and encampments, this to include all activities necessary or incidental to the Council's performance of its responsibilities in relation to the following:

- a) Gypsies, Roma and Travellers;
- b) Van dwellers.

Brighton & Hove City Council

Housing & New Homes Committee

Agenda Item 8

Subject: Housing Performance Report Quarter 4 and end of year
2022/23

Date of meeting: 21 June 2023

Report of: Executive Director Housing, Neighbourhoods &
Communities

Contact Officer: Name: Diane Hughes
Email: diane.hughes@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

1.1 This report provides updates on performance indicators covering a range of Housing services. The report covers Quarter 4 of the 2022/23 financial year alongside end of year results and is attached as Appendix 1.

1.2 Some key headline results from the quarter include:

- **Customer feedback** – 75% of stage one complaints responded to within 10 working days, a decrease from 84% in the previous quarter. The total number responded to increased from 182 during Q3 to 207 during Q4
- **Private sector housing** – 66.43% of Houses in Multiple Occupation have met all special conditions (of those licensed for over 12 months) at the end of Q4, an increase from 65.00% at the end of Q3.
- **Housing adaptations** – the average time taken to approve major adaptations to private sector homes decreased from 18 weeks in Q3 to 15 weeks in Q4
- **Housing needs** – there were 1,791 households in temporary and emergency accommodation on the last day of Q4. This is a slight decrease compared to 1,795 at the end of Q3.
- **Council housing – supply** – 56 additional council homes were delivered during Q4, up from 16 during Q3. This included the completion of a new build scheme of 42 homes at Victoria Road in Portslade.
- **Council housing – empty homes** – The average re-let time for empty council homes continues to improve, from 64 days in Q3 to 61 days in Q4 when excluding the time these properties spent undergoing major works.
- **Council housing repairs and maintenance** – 50.2% of routine repairs were completed within 28 days, a decrease on the previous quarter. Of the 502 tenants surveyed about recently completed repairs, 97% were satisfied with the standard of work and 98% were satisfied with overall customer service.

2. Recommendations

2.1 That Housing Committee notes the report.

3. Context and background information

3.1 The report uses red, amber and green traffic light symbols to provide an indication of performance, and also trend arrows to provide an indication of movement from the previous quarter.

4. Analysis and consideration of alternative options

4.1 This report is for noting so alternative options are not required.

5. Community engagement and consultation

5.1 This report is going to Area Panels in June 2023 for residents to comment and enquire upon and discuss.

6. Conclusion

There continue to be areas of strong performance, with 7 performance indicators on target for Quarter 4 2022/23 and 9 on target for the financial year. Furthermore, there has been an improvement in 9 of the performance indicators since the previous quarter and 13 since the previous financial year.

7. Financial implications

7.1 The financial implications of the Housing performance indicators are incorporated in the monthly Targeted Budget Management (TBM) Process for Housing, Neighbourhoods and Communities (HNC) and the HRA through which action is taken to manage spend within budget wherever possible. The financial outturn for the year 2022-23 will be reported to Strategy, Finance and City Regeneration Committee in June 2023.

Name of finance officer consulted: Monica Brooks Date consulted: 30/05/23

8. Legal implications

8.1 In relation to repairs, the standard secure tenancy agreement contains the following clauses:-

- We will carry out repairs for which we are responsible within a reasonable time, giving priority to emergency repairs.
- We must carry out certain urgent or 'qualifying' repairs within a set time. If we do not complete them within a certain time you may have the right to do the work yourself and charge us for the work.

Given the repairs performance set out in the report, there is a risk of compensation claims against the council for disrepair.

Name of lawyer consulted: Liz Woodley Date consulted: 24/05/23

9. Equalities implications

9.1 There are no direct equalities implications arising from this report.

10. Sustainability implications

10.1 Although this report is for noting, it includes monitoring of the average energy efficiency rating of council homes.

11. Other Implications

11.1 There are no other direct implications arising from this report, which is for noting

Supporting Documentation

1. Appendices

1. Housing Performance Report Quarter 4 and end of year 2022/23

Housing performance report







Quarter 4 and end of year 2022/23

This report provides updates on performance indicators covering a range of Housing services. There continue to be areas of strong performance, with 7 performance indicators on target for Quarter 4 2022/23 and 9 on target for the financial year. Furthermore, there has been an improvement in 9 of the performance indicators since the previous quarter and 13 since the previous financial year. However, some delivery challenges remain. The report highlights actions being taken to improve services.

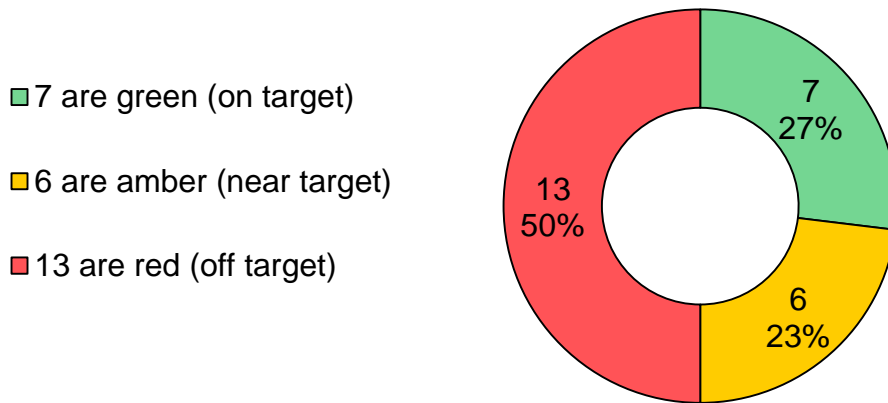
Performance areas	Page
Customer Feedback – all Housing Services	
Compliments received	5
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This housing performance report covers Quarter 4 (Q4) of the 2022/23 financial year alongside end of year results. It uses red, amber and green ratings, as well as trend arrows. Commentary has been included for indicators which are red. During **Quarter 4**, the ratings and trends were as follows:

- | | |
|--|--|
| <p> Green – on target
(7 indicators)</p> <p> Amber – near target
(6 indicators)</p> <p> Red – off target
(13 indicators)</p> | <p> Improved since last time
(9 indicators)</p> <p> Same as last time
(2 indicators)</p> <p> Poorer than last time
(15 indicators)</p> |
|--|--|

Performance indicators (Q4 2022/23)



During **2022/23**, the ratings and trends were as follows:



Green – on target
(9 indicators)



Improved since last time
(14 indicators)



Amber – near target
(8 indicators)



Same as last time
(0 indicators)



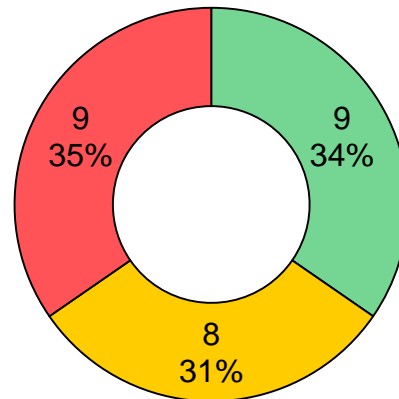
Red – off target
(9 indicators)




















Poorer than last time
(12 indicators)



Performance indicators (2022/23)

- 9 are green (on target)
- 8 are amber (near target)
- 9 are red (off target)







 Customer feedback – all Housing services		Target	Q3 2022/23	Q4 2022/23	Status against target	Trend since Q3	2021/22	2022/23	Status against target	Trend since 2021/22
9.1	 Compliments received from customers	Info	163	90	n/a	n/a	304	486	n/a	n/a
9.2	 Stage one complaints responded to within 10 working days	80%	84% (152 of 182)	75% (155 of 207)			84% (429 of 511)	79% (571 of 726)		
9.3	Stage one complaints upheld	Info	47% (86 of 182)	43% (88 of 207)	n/a	n/a	49% (250 of 511)	43% (314 of 726)	n/a	n/a
9.4	Stage two complaints upheld	18%	17% (4 of 23)	41% (9 of 22)			49% (25 of 51)	38% (32 of 85)		

  Private sector housing		Target	Q3 2022/23	Q4 2022/23	Status against target	Trend since Q3	2021/22	2022/23	Status against target	Trend since 2021/22
10.1	Total fully licensed Houses in Multiple Occupation (HMOs)	Info	3,574	1,335	n/a	n/a	3,460	1,335	n/a	n/a
These numbers have gone down as a result of the Additional Licensing Scheme finishing in February 2023.										
10.2	Corporate KPI: HMOs where all special conditions have been met (for licences issued over 12 months ago)	60%	65.00% (1,250 of 1,923)	66.43% (1,490 of 2,243)			56.50% (1,112 of 1,968)	66.43% (1,490 of 2,243)		
The indicator above measures cases where the council has verified that conditions have been completed and it is anticipated this figure will continue to rise over the course of the year. This still includes HMOs covered by the additional licensing scheme which ended on 28 February 2023, as the Private Sector Housing team are able to check that conditions have been met up to 6 months past the end of a scheme.										
10.3	New Q3: Requests for assistance received (RFAs)	Info	262	237	n/a	n/a	518	775	n/a	n/a
Request for assistance top categories during Q4 were 74 disrepair (32%) and 56 dampness (24%). The number of these requests received during the 2022/23 financial year (775) was a 33% increase upon the previous financial year (518).										
10.4	New Q3: Property inspections completed	Info	252	227	n/a	n/a	-	-	n/a	n/a
10.5	... of which RFA inspections	Info	73	93	n/a	n/a	-	-	n/a	n/a
10.6	... of which HMO licence inspections	Info	179	134	n/a	n/a	-	-	n/a	n/a
10.7	New Q4: RFA cases closed	Info	-	180	n/a	n/a	-	-	n/a	n/a

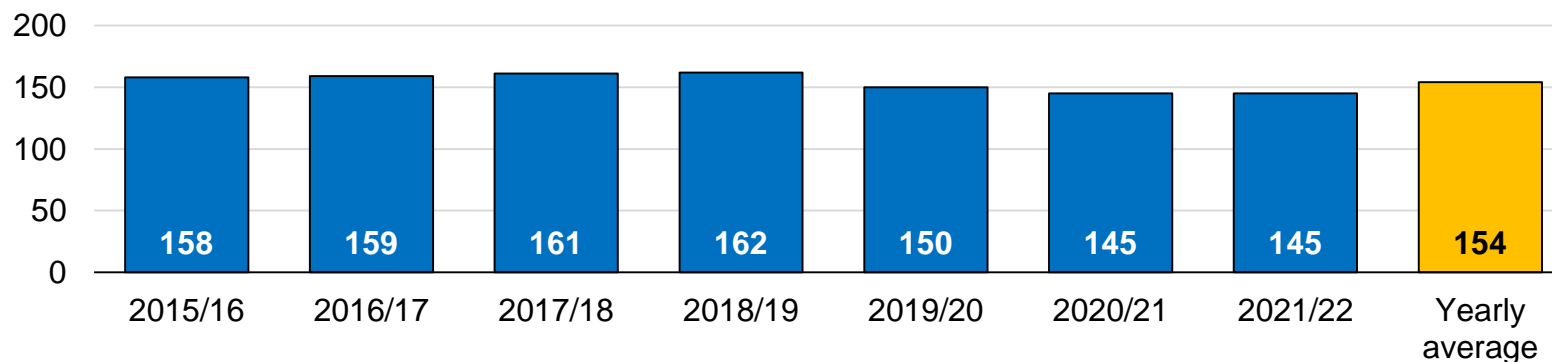
  Private sector housing		Target	Q3 2022/23	Q4 2022/23	Status against target	Trend since Q3	2021/22	2022/23	Status against target	Trend since 2021/22
10.8	New Q4: Properties with Category 1 and 2 hazards resolved through informal action (closed RFAs)	Info	-	98% (1 of 48)	n/a	n/a	-	-	n/a	n/a
10.9	New Q4: Properties with Category 1 and 2 hazards resolved through formal action (closed RFAs)	Info	-	2% (47 of 48)	n/a	n/a	-	-	n/a	n/a










These numbers relating to the two indicators above are relatively low for now as recording only began recently.

10.10	Private sector vacant dwellings returned into occupation (empty for more than two years)	9 per quarter (28 for 2022/23)	9	6			45	57		
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Although this missed the target in Q4, performance was above target for 2022/23. This indicator used to apply to properties empty for longer than six months but was changed for 2022/23 to focus on properties empty for more than two years, which require more intensive casework. Most properties empty for less than two years do not require intensive casework and may often come back in to use without intervention. The chart below presents historic data on dwellings returned into occupation which had been empty for more than six months.

Private sector empty homes returned to use per year empty more than six months)

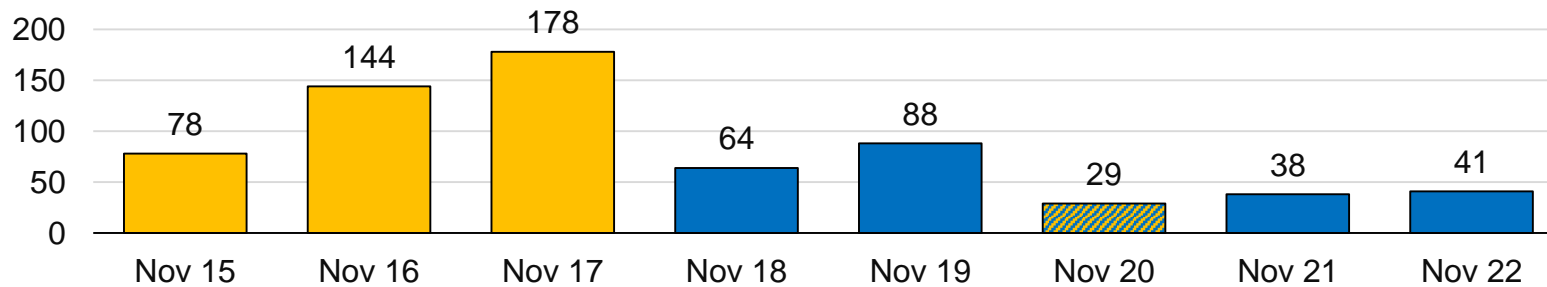


 Housing adaptations		Target	Q3 2022/23	Q4 2022/23	Status against target	Trend since Q3	2021/22	2022/23	Status against target	Trend since 2021/22
11.1	Private housing – average weeks taken to approve Disabled Facilities Grant applications	10	18.3	15.4			19.08	17.4		
11.2	Private housing – average weeks taken for contractor to complete works	Info	34.7	35.1	n/a	n/a	-	37.0	n/a	n/a
11.3	Council housing – average weeks taken to approve applications and commence works	10	11.1	20.3			10.0	14.4		
11.4	Council housing – average weeks taken for contractor to complete works	Info	16.6	16.5	n/a	n/a	-	21.1	n/a	n/a














The amber threshold for the two targeted indicators above is set at 26 weeks based on historic guidance timescales, with the target of 10 weeks reflecting revised guidance timescales. As of 2022/23, we have been able to include two additional indicators measuring the average time taken to complete adaptations works.










Housing Needs – Housing Options and allocations		Target	Q3 2022/23	Q4 2022/23	Status against target	Trend since Q3	2021/22	2022/23	Status against target	Trend since 2021/22
12.1	Corporate KPI: Households where homelessness was prevented due to casework by the council and partner agencies	424 per quarter (1,695 for 2022/23)	491	372	R	↓	1,680	1,690	A	↑
<p>We are planning to introduce new performance indicators relating to homelessness prevention and relief for 2023/24. The indicator above is not an ideal measure of performance, as lower numbers of preventions could occur because fewer people are being threatened with homelessness, rather than a lower proportion of overall cases resulting in a prevention.</p>										
12.2	New households with a full housing duty accepted	Info	132	121	n/a	n/a	309	516	n/a	n/a
12.3	Number of households on the housing register	Info	7,582	7,691	n/a	n/a	7,686	7,691	n/a	n/a




Rough sleeper estimates (yellow) and counts (blue)



The November 2020 figure above used a blended methodology of an estimate with a spotlight count, due to the national Covid lockdown at the time. Please note that estimates have only been carried out at times when counts have not been.

	Housing Needs – temporary accommodation (including emergency accommodation)	Target	Q3 2022/23	Q4 2022/23	Status against target	Trend since Q3	2021/22	2022/23	Status against target	Trend since 2021/22
13.1	Corporate KPI: Total households in temporary accommodation	1,700 or fewer	1,795	1,791			1,890	1,791		
13.2	... as above but excluding council NSAP and RSAP households	For info	1,757	1,715	n/a	n/a	1,859	1,715	n/a	n/a
For now the Corporate KPI on row 13.1 includes NSAP and RSAP households but will be revised for the next financial year to just cover households accommodated through homeless duties and service level agreements (SLAs) with Childrens' Services and Adult Social Care. The indicator on row 13.2 already accounts for this revision.										
13.3	Rent collected for emergency accommodation (year to date including loss from empty homes)	89.21%	95.24% (£3.0m of £3.1m)	95.60% (£3.9m of £4.1m)			80.41% (£4.9m of £6.1m)	95.60% (£3.9m of £4.1m)		
13.4	... as above but excluding rent loss from empty homes	For info	109.81% (£3.0m of £2.7m)	107.91% (£3.9m of £3.6m)	n/a	n/a	97.19% (£4.9m of £5.0m)	107.91% (£3.9m of £3.6m)	n/a	n/a
The indicator above (like the other rent collection indicators in this table) measures the actual amount of rent collected during the year to date, including recovery of arrears accrued from before, compared to the amount of rent due within the same period. It is sometimes possible for the former to be larger, thereby producing results over 100%.										
13.5	Rent collected for leased properties (year to date including loss from empty homes)	96.96%	86.56% (£4.6m of £5.3m)	87.22% (£6.3m of £7.2m)			85.59% (£6.7m of £7.8m)	87.22% (£6.3m of £7.2m)		
The service is working to bring the rent collection rate for leased properties in line with the rate for Seaside Homes, building upon recent successes in bringing the latter back on target. Performance excluding rent loss from empty homes was 92.49% which is closer to target.										
13.6	... as above but excluding rent loss from empty homes	For info	92.08% (£4.6m of £4.9m)	92.59% (£6.3m of £6.8m)	n/a	n/a	92.91% (£6.7m of £7.2m)	92.59% (£6.3m of £6.8m)	n/a	n/a

	Housing Needs – temporary accommodation (including emergency accommodation)	Target	Q3 2022/23	Q4 2022/23	Status against target	Trend since Q3	2021/22	2022/23	Status against target	Trend since 2021/22
13.7	Rent collected for Seaside Homes (year to date including loss from empty homes)	91.00%	91.50% (£3.8m of £4.2m)	90.69% (£5.2m of £5.7m)			89.50% (£5.2m of £5.8m)	90.69% (£5.2m of £5.7m)		
13.8	... as above but excluding rent loss from empty homes	For info	97.46% (£3.8m of £3.9m)	96.17% (£5.2m of £5.4m)	n/a	n/a	96.22% (£5.2 of £5.4m)	96.17% (£5.2m of £5.4m)	n/a	n/a
13.9	Empty temporary accommodation homes	For info	62	35	n/a	n/a	99	35	n/a	n/a
<p>The indicator above includes 16 block-booked, 8 private sector leased and 11 Seaside Homes dwellings. These are dwellings that were available to let as temporary accommodation. The total including dwellings unavailable to let (such as those with their providers for works or awaiting handback) was 80 at the end of 2022/23, a reduction from 219 the end of the previous financial year.</p>										
13.10	Seaside Homes properties with a valid Landlord's Gas Safety Record	100%	99.8% (421 of 422)	99.3% (420 of 423)			100% (426 of 426)	99.3% (420 of 423)		
<p>The target was slightly missed because three checks were overdue on 31 March 2023.</p>										
13.11	Leased properties with a valid Landlord's Gas Safety Record	For info	83.5% (475 of 569)	82.5% (463 of 561)	n/a	n/a	82.9% (505 of 609)	82.5% (463 of 561)	n/a	n/a
<p>The reduction in performance during Q4 was partly due to a transfer of information onto the housing management IT system from an older database and a temporary reduction in staffing. The proportion of successful access is expected to improve significantly in the next quarter now that the systems issues and staffing resource has been resolved.</p>										

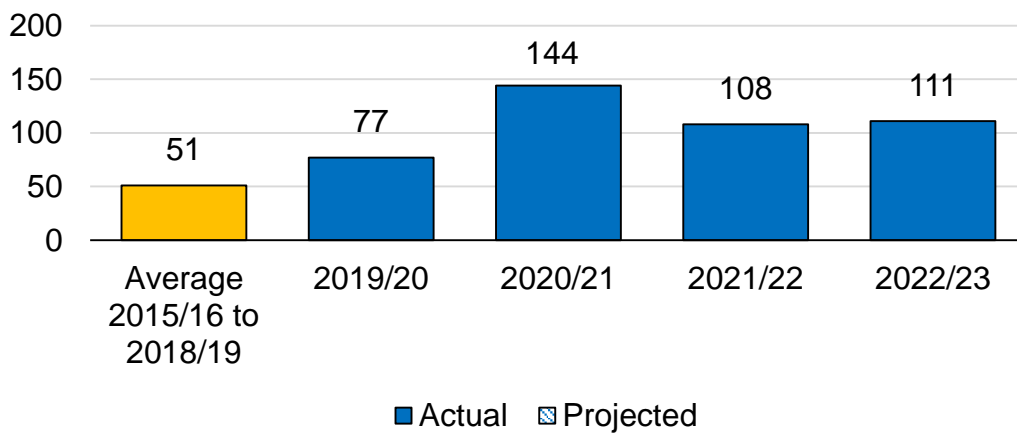
 Council housing – supply		Q3 2022/23	Q4 2022/23	2021/22	2022/23
14.1	 Additional council homes	16	56	108	111
14.2	... at Local Housing Allowance (LHA) rents	50% (8 of 16)	53% (30 of 56)	33% (36 of 108)	41% (46 of 111)
14.3	... at 37.5% Living Wage rents	31% (5 of 16)	38% (21 of 56)	39% (42 of 108)	48% (53 of 111)
14.4	... at 27.5% Living Wage rents	19% (3 of 16)	9% (5 of 56)	19% (21 of 108)	10% (11 of 111)
14.5	... at social rents	0% (0 of 16)	0% (0 of 56)	7% (8 of 108)	1% (1 of 111)
14.6	Council homes sold through the Right to Buy	8	9	48	38
Of the 38 homes sold during 2022/23, 26 were leasehold (flats) and 12 were freehold (houses).					
14.7	Net change in the number of council homes – all rent levels	+8	+47	+60	+73
14.8	Net change in the number of council homes – social and 27.5% Living Wage rent homes only	-5	-4	-19	-26
14.9	 Total council owned homes	11,772	11,819	11,746	11,819
Total council owned dwelling stock of 11,819 includes 10,769 general needs, 877 seniors housing, 38 council owned emergency accommodation, 70 council owned temporary accommodation and 65 NSAP/RSAP dwellings.					

14.10 Further information on additional council homes

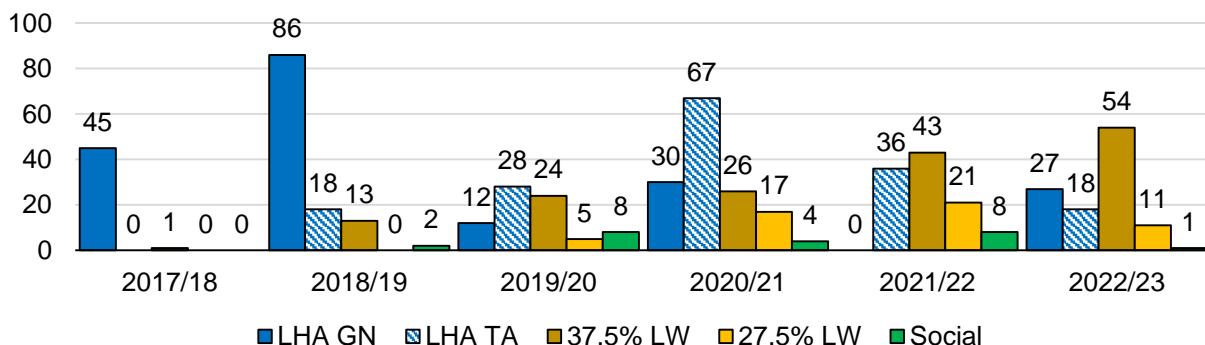
A total of **440** homes were completed between April 2019 and March 2023. This programme has been delivered during a period of unprecedented complexity due to the Covid-19 pandemic and recovery phase.

- 2019/20: 77 homes – buy backs (43 Home Purchase), Hidden Homes (6), Kensington Street (12), Tilbury Place (15) and Devon Lodge (1 lease handed back)
- 2020/21: 144 homes – buy backs (40 Home Purchase and 24 NSAP – Next Steps Accommodation Programme), Buckley Close (12), Hartington Road (38) and Hawkrigde Court (30)
- 2021/22: 108 homes – buy backs (66 Home Purchase, 6 NSAP and 18 Rough Sleepers Accommodation Programme – RSAP), Hidden Homes (8) and Oxford Street (10)
- 2022/23: 111 homes – buy backs (52 general needs and 17 RSAP) and Victoria Road (42)
- There are a further 185 homes projected for completion during 2023/24 (including 173 council rented Homes for Brighton & Hove dwellings)

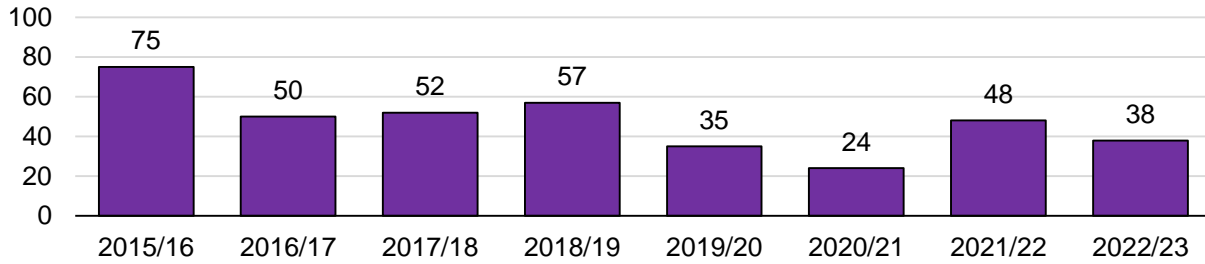
Additional council homes per year



Additional council homes by rent level



Council homes sold through the Right to Buy (RTB)

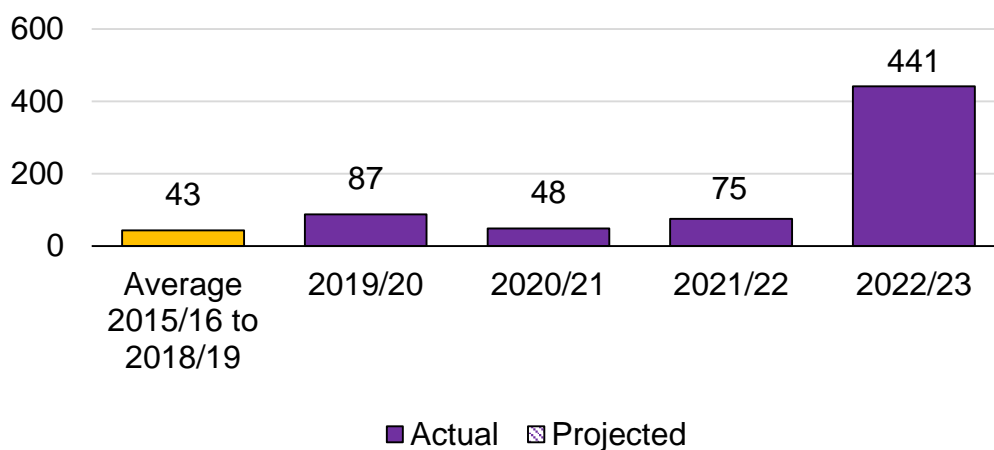


14.11 Other affordable homes

A total of **651** homes (193 rent and 458 shared ownership) were completed between April 2019 and March 2023. The total for 2022/23 (441) exceeds all previous years, and this programme has been delivered during a period of unprecedented complexity due to the Covid-19 pandemic and recovery phase.

- 2019/20: 87 homes – Montpelier Place (5), Kingsway (54) and Circus Street (28)
- 2020/21: 48 homes – Freehold Terrace (8), Plumpton Road (2), Nevill Road (4) and Preston Road (34 from two providers)
- 2021/22: 75 homes – Preston Barracks (19), Falmer Avenue (13), Hangleton Way (33) and Lions Gardens (10)
- 2022/23: 441 homes – Edward Street (33), School Road (104), Preston Barracks (67), Graham Avenue (125), Sackville Hotel (7), New Church Road (5) and King’s House (100)

Other additional homes per year



14.12 Council housing – buy backs (Home Purchase and Next Steps / Rough Sleepers accommodation)

Buy backs by application date	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Total
Total applications	5	53	88	157	158	92	553
Of which, became purchases	2	32	53	91	81	21	280
Council declined	1	13	11	16	10	8	59
Owner declined offer	1	5	12	15	14	2	49
Owner withdrew	1	3	12	34	51	19	120
Outcome pending	0	0	0	1	2	42	45

Completed buy backs by rent level	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Total
Completed purchases	1	13	43	64	90	69	280
... general needs social rent	0	0	1	4	0	1	6
... general needs 27.5% Living Wage	0	0	5	17	21	11	54
... general needs 37.5% Living Wage	1	5	24	14	43	39	126
... temporary housing at LHA rates	0	8	13	29	26	18	94







Summary of all buy backs since start of programmes, September 2017











Total purchases	Social rent	27.5% LWR	37.5% LWR	LHA rate	No. rent reserve applied	Total rent reserve applied	Net modelled subsidy (surplus) over all properties to date (£)
280*	6	54	126	94	53 **	£2.371m ***	(£0.326m)

* Of which 254 are flats (7 studio, 86 one bed, 139 two bed, 22 three beds plus) and 25 are houses (4 two bed, 21 three beds plus)








** Of the 126 purchases following Housing Committee decision to use rent reserve to keep rents as low as possible

*** Applied up to 31 March 2023 – this leaves £0.891m to be carried forward to 2023/24 to be used against the future programme.





























 Council housing – management		Target	Q3 2022/23	Q4 2022/23	Status against target	Trend since Q3	2021/22	2022/23	Status against target	Trend since 2021/22
15.1	Corporate KPI: Rent collected as proportion of rent due (current tenants)	96.65%	94.12% (£55.3m of £58.7m)	94.02% (£55.1m of £58.6m)			95.66% (£52.3m of £54.7m)	94.02% (£55.1m of £58.6m)		
<p>The Q3 figure above is a forecast for the 2022/23 financial year and the Q4 figure is the final result for the year. The methodology excludes rent loss from empty properties and includes arrears from the end of the previous financial year. Although there was a decline in the rent collection rate of 1.64 percentage points over the course of the 2022/23 financial year, this was 1.08 during the first half and 0.56 during the latter half, so this decline has been slowing. A recovery plan is being implemented to reduce arrears and vacancies in the Income Management team are being recruited to, which should improve collection rates. The team will also be reviewing its approach to income collection, working closely with the council's corporate debt board to implement a 'training standard.'</p>										
15.2	 Tenancies on Universal Credit (UC)	Info	31% (3,572 of 11,457)	32% (3,686 of 11,466)	n/a	n/a	26% (2,933 of 11,340)	32% (3,686 of 11,466)	n/a	n/a
15.3	Tenancies on UC who are in arrears and have an Alternative Payment Arrangement (APA)	Info	42% (1,066 of 2,529)	47% (1,124 of 2,385)	n/a	n/a	51% (838 of 1,646)	47% (1,124 of 2,385)	n/a	n/a
<p>Of the 3,686 tenants on UC there were 2,385 (65%) who also had rent arrears. Of the latter, 1,124 had an APA in place (47%) whereby housing costs of UC are paid direct to the council as their landlord.</p>										
15.4	Arrears of UC tenancies as a proportion of total arrears	Info	64% (£2.2m of £3.5m)	67% (£2.3m of £3.5m)	n/a	n/a	61% (£1.4m of £2.4m)	67% (£2.3m of £3.5m)	n/a	n/a
15.5	Evictions due to rent arrears	Info	0	0	n/a	n/a	0	0	n/a	n/a
15.6	Evictions due to anti-social behaviour (ASB)	Info	0	0	n/a	n/a	2	1	n/a	n/a
15.7	New reports of ASB from victims and witnesses	Info	110	141	n/a	n/a	-	657	n/a	n/a





















 Council housing – management		Target	Q3 2022/23	Q4 2022/23	Status against target	Trend since Q3	2021/22	2022/23	Status against target	Trend since 2021/22
15.8	ASB perpetrator cases opened	Info	71	86	n/a	n/a	-	428	n/a	n/a
15.9	ASB perpetrator cases closed	Info	102	67	n/a	n/a	-	449	n/a	n/a
15.10	Average days to close ASB perpetrator cases	Info	130	120	n/a	n/a	-	108	n/a	n/a
15.11	Active ASB perpetrator cases at quarter end	Info	124	136	n/a	n/a	157	136	n/a	n/a
<p>The anti-social behaviour (ASB) indicators in this section have been developed to reflect the way ASB is recorded on the housing management IT system which was newly introduced in July 2021, which includes reports from victims and witnesses as well as linked cases dealt with in relation to the perpetrators. There are often multiple victims and witnesses linked to a single perpetrator.</p>										
15.12	 Calls answered by Housing Customer Services	85%	89% (5,061 of 5,715)	89% (5,839 of 6,536)			86% (19,240 of 22,456)	87% (22,160 of 25,382)		
15.13	Tenancies sustained following difficulties (Tenancy Sustainment Team cases)	90%	95% (19 of 20)	94% (19 of 20)			95% (93 of 98)	94% (75 of 80)		


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 Council housing – empty homes		Target	Q3 2022/23	Q4 2022/23	Status against target	Trend since Q3	2021/22	2022/23	Status against target	Trend since 2021/22
15.14	 Average re-let time in calendar days excluding time spent in major works	21	64	61			96	77		
<p>Re-let times have improved but are still high while recovery efforts remain underway to tackle a backlog of empty council homes, which includes many homes which have been empty for long periods of time. However, the number of re-lets during 2022/23 (560) and 2021/22 (472) were both up on 2020/21 (213) and above pre-pandemic levels seen during 2019/20 (445). Furthermore, the number of empty homes has decreased from 251 to 180 during the 2022/23 financial year. The latter figure includes 35 new dwellings at Victoria Road in Portslade which had not been let by the end of the financial year (out of a total of 42 new dwellings completed at the scheme in March 2023).</p>										
15.15	Average 'key to key' re-let time in calendar days including time spent in major works	Info	103	88	n/a	n/a	210	125	n/a	n/a
15.16	Number of previously occupied council homes re-let (general needs and seniors)	Info	126	106	n/a	n/a	472	560	n/a	n/a
15.17	Number of new council homes let for the first time (general needs and seniors)	Info	16	22	n/a	n/a	43	79	n/a	n/a
15.18	 Empty general needs and seniors council homes (includes new homes)	Info	144	180	n/a	n/a	251	180	n/a	n/a
15.19	Empty council owned temporary, NSAP and RSAP accommodation homes (includes new homes)	Info	30	22	n/a	n/a	21	22	n/a	n/a

Please note the figures for the first three indicators in the table below are provisional as there are currently issues with reporting of repairs data arising from the switchover of our main housing management IT system since the start of July 2021. At present two IT systems are being used and it is not yet possible to fully integrate reporting between them, meaning that performance data is currently being extracted and manually combined.

 Council housing – repairs and maintenance		Target	Q3 2022/23	Q4 2022/23	Status against target	Trend since Q3	2021/22	2022/23	Status against target	Trend since 2021/22
16.1	 Emergency repairs completed within 24 hours	99%	98.3% (3,431 of 3,490)	96.3% (3,181 of 3,303)			96.0% (10,611 of 11,052)	97.8% (11,377 of 11,635)		
16.2	Corporate KPI: Routine repairs completed within 28 calendar days	70%	59.0% (2,959 of 5,014)	50.2% (2,747 of 5,475)			63.5% (9,976 of 15,702)	53.3% (9,863 of 18,518)		
16.3	Average time to complete routine repairs (calendar days)	15	83	81			46	74		
<p>Routine repairs completed during 2022/23 have included jobs from a backlog built up during the previous two financial years (impacted by Covid-19 in particular during 2020/21) and due to reduced staffing levels and availability of contractors. This means that these jobs took longer than their target timescales once they were completed, as well as impacting on capacity to carry out repairs more generally. Although recruitment is challenging, additional resources continue to be recruited to Repairs & Maintenance to address the backlog of repairs and sub-contractors have been mobilised to increase capacity. There have been ten agreed additional posts which are currently being recruited to. There have also been increased pressures in this period owing to significantly higher levels of reported damp and condensation cases following the tragic Rochdale case. Repairs & Maintenance had registered 1,394 live damp and condensation cases at the end of 2022/23.</p>										
16.4	 Calls answered by Repairs Helpdesk	85%	82% (18,303 of 22,242)	78% (18,538 of 23,781)			90% (77,186 of 85,737)	85% (69,333 of 82,030)		
16.5	 Surveyed tenants satisfied with repairs: standard of work	96%	97% (456 of 470)	97% (486 of 502)			98% (1,195 of 1,218)	97% (2,321 of 2,382)		
16.6	Surveyed tenants satisfied with repairs: overall customer service	96%	97% (456 of 470)	98% (491 of 502)			99% (1,211 of 1,218)	98% (2,326 of 2,382)		

 Council housing – investment and asset management		Target	Q3 2022/23	Q4 2022/23	Status against target	Trend since Q3	2021/22	2022/23	Status against target	Trend since 2021/22
17.1	 Corporate KPI: Dwellings meeting Decent Homes Standard	100%	96.8% (10,218 of 11,772)	95.8% (11,323 of 11,819)			95.6% (11,229 of 11,746)	95.8% (11,323 of 11,819)		
There had been a lack of planned installations of new kitchens and bathrooms throughout much of 2020/21 and 2021/22 due to Covid restrictions, shortages of supplies and components. Performance is expected to improve with the Housing Committee decision to approve the appointment of up to two new contractors for kitchens and bathrooms.										
17.2	Corporate KPI: Energy efficiency rating of homes (out of 100)	72.3	74.0	74.1			68.2	74.1		
The increase between 2021/22 and 2022/23 is partly due to the procurement of new energy modelling software, which came into use for reporting this indicator during Q3 2022/23 and involved extensive updates to the underlying data in order to reflect improvements made to the council housing stock, such as boiler replacements and new windows.										
17.3	 Council properties with a valid Landlord's Gas Safety Record	100%	100% (10,104 of 10,104)	99.98% (10,108 of 10,110)			100% (10,044 of 10,044)	99.98% (10,108 of 10,110)		
The target was slightly missed because two checks were overdue on 31 March 2023.										
17.4	 Lifts restored to service within 24 hours	95%	93% (162 of 174)	92% (147 of 160)			92% (954 of 1,038)	91% (530 of 582)		
Difficulties and delays in sourcing spare parts from European supply chains remains a challenge. In response, the council and lift contractor invested £34k last financial year on critical spares and continue to add to this as and when new situations develop. Whilst this does not stop breakdowns through wear and tear we have seen reduced downtime from weeks to hours in a lot of instances.										

 Leaseholder disputes		Q3 2021/22	Q4 2022/23	2021/22	2022/23
18.1	Stage one disputes opened	9	3	17	18
18.2	Stage one disputes closed	12	4	15	20
18.3	Active stage one disputes (end quarter)	29	28	24	28
18.4	Stage two disputes opened	2	3	5	9
18.5	Stage two disputes closed	0	4	3	5
18.6	Active stage two disputes (end quarter)	8	7	3	7
18.7	Stage three disputes opened	0	0	0	1
18.8	Stage three disputes closed	0	0	1	0
18.9	Active stage three disputes (end quarter)	2	2	1	2

Subject: Purchase of Kubic Apartments, Whitehawk Way,
Brighton, East Sussex, BN2 5FH

Date of Meeting: Housing and New Homes Committee 21 June 2023
Strategy, Finance & Regeneration Committee 13
July 2023

Report of: Executive Director Housing, Neighbourhoods and
Communities

Contact Officer: **Name:** Scott Lunn
Diane Hughes
Scott.lunn@brighton-hove.gov.uk
Email: Diane.Hughes@brighton-hove.gov.uk

Ward(s) affected: Whitehawk & Marina

For general release

The public are likely to be excluded from the meeting during consideration of Part 2 of this report as it contains exempt information as defined in paragraph 1 of schedule 12A, Part 1, to the Local Government Act 1972 (as amended). The exempt information is information relating to the financial or business affairs of any particular person (including the authority holding that information).

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The council is committed to increasing affordable housing supply in the city. As well as new build schemes the council has an active acquisitions programme which includes buying back homes lost through the right to buy and seeking opportunities to increase social housing stock by buying off plan from developers.
- 1.2 This report presents to Housing Committee an opportunity to acquire Kubic apartments, a block of 38 flats in Whitehawk. The opportunity enables the council to meet a range of housing need by purchasing a new build development to provide a mix of general needs accommodation.
- 1.3 The proposal aligns to a decision of budget council in February 2021 and February 2022 which agreed a budget of £6.000m to make a substantial one-off property acquisition subject to detailed report of the full revenue and capital financial implications to demonstrate its viability and value for money.

2. RECOMMENDATIONS:

That Housing & New Homes Committee:

- 2.1 recommends to the Strategy, Finance & Regeneration Committee that it agrees the purchase of Kubic Apartments Whitehawk Way, Brighton, East Sussex, BN2 5FH and grants delegated authority to the Executive Director Housing, Neighbourhoods & Communities to negotiate the sale price up to the maximum set out in the Part 2 report.
- 2.2 recommends to the Strategy, Finance & Regeneration Committee that funding is switched and part of the budget from the Home Purchase Policy 2023/24 is used to purchase Kubic Apartments as outlined in paragraphs 3.3. and 3.4 of the Part 2 report.

That Strategy, Finance & Regeneration Committee:

- 2.3 agrees the purchase of Kubic Apartments Whitehawk Way, Brighton, East Sussex, BN2 5FH and grants delegated authority to the Executive Director Housing, Neighbourhoods & Communities to negotiate the sale price up to the maximum set out in the Part 2 report.
- 2.4 agrees that funding is switched and part of the budget from the Home Purchase Policy 2023/24 is used to purchase Kubic Apartments as outlined in paragraphs 3.3. and 3.4 of the Part 2 report.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Taking a strategic approach to open market acquisitions will help the council meet key priorities of increasing affordable housing supply and enable the council to benefit from well-designed housing development by working alongside private developers to bring forward schemes.
- 3.2 The council's Home Purchase Policy includes options to undertake off plan purchases where viable. Off plan (also known as off the shelf) means properties already built or in the process of being built by a developer rather than those built by the council itself through its direct delivery programmes.
- 3.3 This development at Kubic Apartments, Whitehawk Way was granted planning permission in 2018 including an affordable housing element of 15 flats (40%). No Registered Providers (Housing Associations) expressed an interest in purchasing these homes. The developer Martin Homes therefore reviewed options for the scheme and entered into discussions with the council to complete a whole block purchase.

The flats are arranged as follows: -

Schedule of accommodation						
Type	1 bed-/P: 44m2	1 bed-/2P: 54m2	2 bed/2P: 63 m2	2 bed/3P: 72m2	3 bed -4P :80m2	Total
Basement car park (18 spaces)	2 x disabled bays					
Ground floor	4	1		2	1	
First floor	4	1		2	1	
Second floor	4	1		2	1	
Third floor	4	1		2	1	
Fourth floor	3	2	1			
	19	6	1	8	4	38

- 3.4 The development includes two wheelchair accessible homes on the ground and first floor. The scheme meets Part M of the building regulations and Lifetime homes requirements with a disabled accessible lift and two communal stair cores. Homes can be adapted to suit current and future demand for disabled residents throughout the scheme.
- 3.5 The Council commissioned an independent 'Redbook' valuation (a valuation report that adheres to the Royal Institution of Chartered Surveyor's Valuation Professional Standards). The details of the valuation are set out in the Part 2 paper. The council's Estates Team have also reviewed the valuation.
- 3.6 An independent technical condition survey and specialist reports have been commissioned to support a decision. They focused on the critical areas of fire safety and compliance, mechanical and electrical systems, and drainage. Enquiries are also being made with approved inspectors to establish that the building is statutory compliant. The building is being sold with a ten-year structural warranty. Investigations will be ongoing however no significant concerns have been raised at this stage and we are confident that the developer will work to resolve any unforeseen issues should they arise prior to purchase.
- 3.7 It is proposed to use the block for general needs housing providing new permanent social housing in the city. A lettings plan will be considered to ensure these homes can be used for instance as an option for tenants under occupying and wishing to transfer and downsize alongside other council interest queues.

4. ANALYSIS & CONSIDERATION OF ANY OPTIONS

4.1 The following analysis of strengths, weaknesses, opportunities and threats concerning the purchase.

SWOT (strengths, weaknesses, opportunities and threats) Analysis

Strengths:

- Purchase good quality, sustainable accommodation to lifetime home standards
- Social value – sense of security and improved wellbeing through being managed by the council
- Strategic fit - an off-market acquisition increases social housing in the city
- Ensures affordable housing provided through Planning (S106) are maintained on site
- Valuation and financial assumptions have indicated this purchase would provide value for money
- 38 new council owned homes within a single block enabling efficient management
- 10 year structural warranty on the building.

Weaknesses:

- Blocks with a large proportion of one-bedroom accommodation can be more intensive to manage. A Lettings Plan will be used to mitigate any issues.

Opportunities:

- Flexibility to change provision to reflect changing priorities e.g., wheelchair accessible homes
- Council gaining and retaining a freehold asset
- For current tenants it provides an opportunity to transfer or downsize releasing other stock
- New permanent council housing provides an opportunity to reduce the number of households in TA and resolve overcrowding for some households on the Housing Register.

Threats:

- Latent defects emerging in modern methods of construction. However a 10 year structural warranty will be in place and defect liability will remain with the contractor for 12 months
- Securing the right level of grant funding to support the purchase.

4.2 The council could decide not to proceed with a purchase. This would then require the developer to find another buyer for the property. With no Registered Provider interest in taking on the affordable homes within the wider scheme there is a risk that affordable housing would not be provided on site.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Statutory consultation has been undertaken as part of the planning process by the developer. Ward members will be notified.

6. CONCLUSION

- 6.1 The purchase of Kubic Apartments enables the Council to pursue its aims to increase affordable housing in the city. It provides an opportunity for the council to purchase affordable homes secured through the planning process. Financial viability assumptions have demonstrated that this purchase will provide value for money as outlined in Part 2 of this report.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Financial Implications:

The main financial implications are provided in Part 2 of this report..

Finance Officer Consulted: Craig Garoghan

Date: 08/06/2023

7.2 Legal Implications:

Section 120 of the Local Government Act 1972 [the 'Act'] enables a local authority to acquire by agreement any land for the purposes of its functions. Once acquired the intention is to use the property for a mix of predominantly general needs accommodation which satisfies the requirement of the Act.

The Council's constitution requires that a decision to acquire land taken by the Strategy, Finance & Regeneration Committee must first be considered by the relevant service committee. Therefore, this acquisition shall be considered by the Housing & New Homes Committee before being passes on to the Strategy, Finance and Regeneration Committee for a decision.

Lawyer Consulted: Hannah Bassett Date: 05/06/23.

7.3 Equalities Implications:

There are no direct equalities implications arising from this report.

7.4 Sustainability Implications:

The flats have an EPC rating B, this scheme exceeds the EPC rating of C which is the minimum standard set for energy efficiency by the emerging Asset Management Strategy and Energy Strategy for the existing council owned stock.

This means the homes are future proofed and will not require any retrofitting measures in the long term. This will assist in budget setting and the targeted

budget management of the medium-term financial plan to invest in existing homes to tackle fuel poverty throughout the current housing stock.

Any Other Significant Implications:

7.5 None

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1: Images of Kubic Apartments

Documents in Members' Rooms: None

Background Documents: None

Appendix 1: Images of Kubic Apartments



Figure 1: Kubic Apartments Whitehawk Way



Figure 2: Kubic Apartments Whitehawk way - front elevation

Document is Restricted

Brighton & Hove City Council

Housing & New Homes Committee

Agenda Item 10

Subject: Housing, Health & Safety Update.

Date of meeting: 21st June 2023

Report of: Executive Director, Housing, Neighbourhoods & Communities

Contact Officers: Name: Martin Reid;
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Wards affected: All

For general release

1. Purpose of the report and policy context

- 1.1 The health & safety of our residents and those who visit and work on our homes is our key priority. In light of significant changes in management and maintenance of council housing and in anticipation of forthcoming legislative and regulatory changes impacting social housing landlords following the Grenfell Tower tragedy, the Housing service have commissioned and are working with our consultants, Ridge, to review our approach to health & safety compliance and assurance for council homes. This is part of our long-term service improvement plan. This started with bringing the repairs & maintenance service in house, and is now moving toward a more comprehensive, proactive and integrated Housing Management service for our residents.
- 1.2 This report updates Committee on the key outcomes, actions to date, and resourcing plans arising from our Housing health & safety review against the following six areas of compliance and assurance: fire safety; asbestos; electrical safety; gas / fuel safety; lifts and lifting equipment; water safety.
- 1.3 The Housing Revenue Account Budget & Capital Investment Programme 2023/24 and Medium-Term Financial Strategy reported to Housing Committee in January 2023, anticipated that the investment required from the building safety and fire safety regulations would be significant and will impact upon capital and revenue budgets. The 2023/24 HRA budget proposals sought to address this and prudently included substantial budget provision, both revenue & capital, in the baseline budget in anticipation of investment in the areas of compliance and assurance covered by this review. This includes expected new duties and investment requirements arising from the new Building Safety Act, Fire Safety Regulations and Social Housing Regulation Bill.
- 1.4 Housing & New Homes Committee area asked to note the key outcomes and actions arising from the Housing health & safety review to date. A

detailed Health & Safety Action Plan is being developed. This is identifying and prioritising agreed actions, responsibilities and timelines for completion. We propose to share this Housing health & safety update report with tenants at Housing Area Panels. We also propose to bring a further report with Action Plan & final review to September Housing & New Homes Committee. This will allow for inclusion of any further detail we have on regulatory and legislative requirements anticipated to be published over the next few months.

- 1.5 In anticipation of the forthcoming increase in regulatory powers with enactment of Social Housing Regulation Bill, it is proposed that this Housing & New Homes Committee report is shared with the Regulator of Social Housing (RSH). This is in order to seek assurance on the steps being taken by the Council in preparation for the new regulatory framework becoming law, expected in Spring 2024.

2. Recommendations

- 2.1 That Housing & New Homes Committee note the key outcomes, actions and resourcing plan arising from the Housing health & safety review to date and that a final report and an Action Plan will be brought back for consideration at September Housing & New Homes Committee following engagement with tenants at Housing Area Panels.
- 2.2 That Housing & New Homes Committee agree that this Committee report is shared with the Regulator of Social Housing.

3. Context and background information

- 3.1 The Council's teams responsible for the management of housing assets have been through a period of significant change over the past three years. The commissioning of Ridge to support the Housing service with a review of health & safety compliance was aligned to:
 - The end of the ten-year Term Partnering Contract with Mears Limited to provide repairs, refurbishments and improvements for the for the council's Housing Revenue Account stock across the city, March 2020.
 - In-sourcing of the Housing Repairs & Maintenance service from Mears during the pandemic, April 2020.
 - Procurement of new contractors for the provision of planned improvement programmes and a new multi- contractor framework agreement for major capital projects, after April 2020.
 - Covid recovery, including a backlog of repairs, empty council homes and pandemic related delays in procuring new planned and major works and other contracts.
 - Housing Senior Management restructure, the creation of the Housing Management Service and appointment to new Assistant Director and Heads of Service roles (fully operational from June 2022).
 - Anticipation of significant post Grenfell Tower tragedy changes to the legislative & regulatory framework concerning Housing. In particular, to enable the service to respond to new duties under building and fire safety

regulations and the Social Housing Regulation Bill, including strengthening of Regulator of Social Housing powers.

- Establishment of a new Building Compliance and Services team within the new Housing Investment & Asset Management service to enable BHCC to respond to post Grenfell building safety priorities and other emerging challenges. The new service commenced from 1 April 2022, albeit with key posts remaining subject to recruitment.

- 3.2 The agreed core health & safety compliance areas for review were as follows: asbestos; water safety; fire risk, including fire risk assessments; electrical; gas & fuel safety; and lifts and lifting equipment. The key priority actions, with an update on progress to date and resource plan aligned to these are outlined in this report. A detailed Health & Safety Action Plan is being currently being developed, identifying and prioritising agreed actions, responsibilities and timelines for completion. We propose to share this Housing health & safety update report with tenants at Housing Area Panels. We also propose to bring a further report with final Action Plan and review to September Housing & New Homes Committee.

Regulator of Social Housing

- 3.3 The Regulator of Social Housing (RSH or “the Regulator”) sets consumer and economic standards for social housing providers and can take action if these are breached. Under the existing powers the Regulator expects registered providers to identify problems and take effective action to resolve them. The Regulator will consider the use of regulatory, enforcement and general powers if that approach has failed.
- 3.4 There is precedent for local authorities as social landlords proactively sharing with the Regulator where they have identified there are deficits in meeting the expected standards, and this approach has been welcomed by the Regulator. If a registered provider takes responsibility for self-improvement, is able to identify the problems, and the Regulator concludes it has the capacity and capability to respond to those problems, the Regulator has indicated in current guidance that they will work with the provider to achieve the necessary corrective actions, unless the issues are so serious this is deemed inappropriate.
- 3.5 After many years of being mandated to take a light touch approach the powers of the Regulator are in a transition stage. It is anticipated that the regulator will be expected to take a more robust approach following the enactment of the Social Housing Bill. The purpose of this Bill is “*a stronger and more proactive regulatory regime to drive up standards in the sector and hold landlords to account for the service they provide to their tenants*”. The clear message from the Regulator to the social housing sector has been to prepare early for a new era of proactive inspection.
- 3.6 The RSH is also currently reviewing their Consumer Standards and Code of Practice. RSH engagement and consultation on revised Consumer Standards and Code of Practice is expected over the summer ahead of publication and implementation in April 2024. Along with the Social Housing

Act, this review may include revisions which are material to our ongoing Housing health & safety review.

General - Data & ICT systems

- 3.7 Key to emerging regulatory guidance is ensuring improvements in the quality, analysis and use of data held by social housing landlords in order that we have robust information on the condition and quality of our homes and the needs of our tenants. Our current ICT systems don't integrate and provide challenges around gathering, managing, analysing and prioritising information, risk and actions arising from key data streams.
- 3.8 As previously reported to Housing Committee (15th January 2020), in order to enable the insourcing of the Housing Repairs & Maintenance Service to proceed on schedule and to ensure service delivery, efficiency and customer experience were maintained, BHCC contracted use of key Mears ICT systems for the delivery of the service. This includes the Mears works management system (MCM) & materials supply chain system (MEPOS). In addition, the Housing service also currently use a separate Asset Management ICT system, APEX. The providers of the core Housing Management System are NECH.
- 3.9 The Housing service have committed to significant investment in new Housing ICT infrastructure, including moving toward a one-system approach. This is being achieved through aligning our new Works Management (WMS) and Asset Management (AMS) systems to our existing Housing Management Systems, given the intrinsic link of both WMS & AMS to the council's current, NEC Housing database (NECH). Housing Committee (22 September 2021) approved a report on procurement of a new asset management IT system for Housing.
- 3.10 This one-system Housing ICT approach to create one dataset within Housing Management meets the golden thread for property datasets. This will result in a single point of storage for key information. This will assist in areas such as fire safety management, enabling a single source of information to assure building systems, data and emergency information that supports incident management. Developing such processes and systems will help ensure compliance with building regulations and revised Building Safety Act requirements and importantly support resident safety and engagement in collectively managing and controlling fire risk in buildings.
- 3.11 Requirements for the new Asset Management System have been specified to ensure properties meet current legislative, compliance, regulatory and corporate standards. Implementation of the first phase of the NEC AMS is anticipated by February 2024. In the meantime, we remain under contract with the existing provider until 31 March 2024. The new Works Management System and supply chain arrangements are due to commence by March 2025.
- 3.12 Accuracy of data transferred into, held by and updated within these new ICT systems is crucial. Data cleansing and transfer and staff training,

information and instruction will form a key part of our mobilisation and deployment plans.

General - Policies, procedures and risk management

- 3.13 Our review has identified that a suite of Housing policies, strategies and procedures need to be put in place relating to the six main compliance areas. Gap analysis and resultant development of policies, procedures, Strategic Management Plans, Quality Assurance Framework, action plans and KPIs are underway and being progressed by the Housing teams.
- 3.14 Our review has identified the need to update and develop risk registers, including the Corporate Risk Register to reference identified risks associated with Housing health & safety. Development of risk assessments will be taken forward in partnership with colleagues from relevant corporate teams. It is proposed to request an additional action against Strategic Risk SR32 – *‘Challenges in ensuring robust and effective H&S measures leading to personal injury, prosecution, financial losses or reputational damage’*, to track and report progress against the action plan arising from the Housing health & safety review as well as through established oversight routes.
- 3.15 An officer Housing Health & Safety Compliance Governance Board is being established to oversee and report on progress on actions and compliance arising from the review.

Key areas of compliance & assurance, update & resource plan

Fire Safety

- 3.16 Following the Grenfell Tower tragedy, there has been a significant strengthening of legal and regulatory measures relating to building safety and fire safety and accountability, including in relation to social housing. The Housing health & safety compliance review identified the key actions outlined below. The Housing service is developing policies, processes, Fire Safety Management Plan, Quality Assurance Framework and KPIs.

Risk Assessments

- 3.17 With regard to existing Fire Risk Assessments (FRA), our review has confirmed that that blocks with internal communal areas have Fire Risk Assessments. An action arising is to review, prioritise and contract out outstanding FRA actions. Commissioning of resources to complete more extensive Type 4 fire assessments for our high-rise blocks now required has been completed. The Type 4 FRA will be undertaken on each block as the current FRA expires and will continue across the housing stock as required.
- 3.18 Recording, management, prioritisation, and analysis of FRA data is an area identified for action. Our new Asset Management System (AMS) will improve system interface, integration compliance measurement and reporting and is anticipated to be in place by the end of March 2024. Interim arrangements currently in place pending mobilisation of the new AMS.

3.19 As previously reported to Housing Committee (28th September 2022), we have a programme in place to replace non-compliant flat entrance doors (Manse Masterdors), this is progressing well. It is anticipated that this programme will be complete by the end of March 2024. Assessment of other composite doors installed under the Mears contract is also required. We are aiming to achieve this assessment by the end of the current financial year.

3.20 The Fire Safety (England) Regulations 2022 have made it a legal requirement that a landlord check the condition of common area fire doors four times per year and flat entrance doors on an annual basis. To achieve this, procurement of additional surveying resource is underway. This resource will undertake regular inspections of our existing fire doors in the common parts of our blocks of flats. We are also going through a process of training and upskilling with our existing staff on fire door inspection, fitting and repair. We are procuring external consultants and specialists to undertake the fire door inspections initially, following which we will consider in house resources for future years if practical.

Maintenance of Fire Safety Equipment

3.21 Implementation of servicing & maintenance and contractor KPIs for sprinklers, dry-risers and fire dampers will be taken forward by the service, this will be reflected in our Action Plan.

Function testing – fire safety equipment for general needs homes.

3.22 This includes fire alarms, automatic opening vents and emergency lighting. We are required to reach a position of equivalence between measures already in place in our 23 Seniors Housing schemes in our general needs housing stock. Implementation of this action is to be taken forward by the service and will be reflected in our Action Plan.

Building Safety Act (BSA) Compliance.

3.23 The BSA identifies new responsibilities for people and organisations who are responsible for the safety of high-rise residential buildings, the definition of high-rise buildings being those of more than 18m or 7 storeys or more. Those responsibilities include registering high-rise residential buildings with the Building Safety Regulator. Actions underway to register our 44 high-rise residential buildings with the Building Safety Regulator by end of September 2023 are outlined below:

- Digital floor plan surveys as part of our BSA compliance, plans are being prepared.
- The Large Panel System (LPS) structural investigation survey of 8 HRA blocks (St James House, Nettleton and Dudeney, Swallow, Kestrel, Kingfisher, Heron and Falcon) are underway. This is to ensure we have the required structural information to register these blocks with the Building Safety Regulator.
- Commissioning and delivery of external wall surveys to high-rise blocks is underway.
- Engagement with and information to residents required under BSA and fire safety regulations has commenced and will continue as we come closer to

completion of building safety cases and registration of blocks with the Building Safety Regulator.

Fire Safety- financial Implications

- 3.24 Investment required to support the fire safety compliance works is currently estimated to total £2.808m per annum over the medium term of which £2.654m is already within approved HRA budgets for 2023/24. This investment will result in the recruitment of a Fire Safety Manager (existing establishment post) and a Fire Safety team totaling £0.218m of which 50% of this will be considered to be capitalised. In addition to this investment fire door inspections and replacements with an estimated total of £1.600m and the door replacement programme was reported to Housing Committee in September 2022 with a total budget of £0.990m included in the 2023/24 capital investment programme.

Asbestos

- 3.25 Following a review of asbestos management arrangements, we have identified a need to combine all of our asbestos information into one data base. The aim of this is to provide a simple and robust source of asbestos information in our properties. Work on this is underway with the sourcing of an asbestos management module. This will work with our asset management ICT system and provide a single asbestos register.
- 3.26 We currently hold significant quantities of asbestos information but spread over a number of systems. By combining this information into a single place, we will reduce the risk of a release of asbestos fibre. We have in place a robust management systems to minimise the risks to staff and tenants whilst works are being undertaken. The vast majority of asbestos found in our properties is either considered low or very low risk. We have a risk adverse policy when working with asbestos and only use registered asbestos companies for working with or removing asbestos containing materials.
- 3.27 The guidance from the Health & Safety Executive has long been that asbestos containing materials which are low risk, such as most material that may be found in our council homes, are best left in place and only removed if works require or their condition deteriorates. Tenants are also advised in their Tenant Handbook not to undertake alterations without seeking our permission, at which time we will work with them to minimise any risk from asbestos.
- 3.28 A Strategic Management Plan (SMP) for asbestos is being produced, incorporating the asbestos policy, strategy, management plan and procedures. The SMP will clearly indicate what arrangements are currently in place and what arrangements are programmed with a target date.

Asbestos surveys

- 3.29 Our current position is that all asbestos surveys are ordered in response to planned or responsive works and for all void properties. All common ways have had a management survey. Contractors are engaged to undertake surveys for both responsive repair works and common ways, including an annual common way re-inspection programme.

3.30 There is currently no planned asbestos survey programme for domestic properties. While not a legal requirement, following the Housing compliance review it is agreed that it would be prudent to have one so that all properties have a management survey. A management survey is a non-intrusive survey of a property that identifies and records any asbestos containing materials, their location and condition. A survey programme is allowed for in our resource plan and will be planned during this financial year.

3.31 Any removal/treatment costs that will follow the commencement of the asbestos survey programme are not currently included in the resource plan. Such potential costs are difficult to quantify at this stage. We will have more information once additional the asbestos resource is engaged, and data analysed.

Asbestos Register

3.32 The Control of Asbestos Regulations require that we hold a register of asbestos containing material for all of our common ways in blocks of flats. Whilst we hold this information, it has been held on the APEX asset management system. This system does not give us the ability to interrogate the information and therefore we cannot review asbestos information in a strategic way. Whilst each report will contain management information and recommendations, we cannot review the estate as a whole. This information is adequate if we are undertaking works in a property or reviewing the condition of the asbestos containing material. However, it does not allow us to organise planned asbestos works. Due to this lack of overview across the estate we do not feel that we can demonstrate that we are adequately managing asbestos containing material.

3.33 Our communal asbestos surveys and domestic asbestos surveys are currently stored on different ICT systems, Apex (BHCC system) for common ways & MCM (the Mears legacy system) for dwellings. Comprehensive information held on both systems is up to date with no significant gaps.

3.34 BHCC operatives work to a risk assessment for “Working in Properties Containing Asbestos” last updated 15th March 2022. The operative’s PDA device notifies them of their jobs. If asbestos is present at the address, this is linked to information held on MCM. All operatives receive asbestos awareness training. While external contractors do not have direct access to asbestos survey reports, Housing provide pre-works information to contractors. This includes asbestos report before work starts on site.

3.35 Implementation of the first phase of the NEC Asset Management System which will have the required functionality is anticipated by March 2024. In the meantime, a new module on NECH is being implemented to provide an asbestos register and a repository for asbestos survey reports and removal data. The council’s two new asbestos contractors, surveying for common ways inspections and responsive repairs work respectively, are required to upload data onto the new Asbestos Module. The intention is to upload historic data on common ways and dwellings to an archive data base, the means of doing this are currently being explored.

Asbestos Manager

3.36 In light of our health & safety review we have agreed the appointment of a dedicated Asbestos Manager to manage all requirements relating to the non-domestic (communal ways) and the domestic stock, including: agreement and implementation of the SMP, all training requirements for staff and contractors; and, for the implementation of a compliant Asbestos Register. We will also be recruiting to an Asset Management Officer post to undertake management of the asbestos register.

Asbestos – financial implications

3.37 Investment required to enhance the asbestos safety compliance and assurance works is currently estimated to total £1.755m per annum over the medium term none of this is included within approved HRA budgets for 2023/24. This investment will result in the recruitment of an Asbestos Manager and an Asset Management Officer totalling £0.092m of which 50% of this will be considered to be capitalised. In addition to this an asbestos survey programme will be required with an estimated total of £1.663m, this does not include any costs associated with the removal and remediation works arising from the surveys.

Electrical

Electrical Testing Programme

3.38 The Council responds to electrical repair requests and carries out electrical checks at a change of occupation in our homes. Between 1 April 2022 and 31 March 2023 the Housing Repairs & Maintenance Service undertook 1377 electrical tests (EICRs) on domestic dwellings. This included Temporary Accommodation and Seaside Homes, encompassing 823 EICRs at change of tenancy (700 where a home became void and 123 at Mutual Exchange).

3.39 For the 2022/23 financial year the service commenced a proactive electrical inspection programme for council homes, undertaking 554 EICRs under our new planned testing programme. This programme has initially focused on Seaside Homes and higher risk properties being actioned first. In addition, 16 EICRs were produced for communal areas,

3.40 In light of the review and anticipated changes in legislation and regulation, implementation of a 5 yearly inspection cycle for domestic council dwellings has commenced. Resources and recruitment are agreed and establishment of the expanded inspection programme is underway.

3.41 Recent Government consultation (June 2022) on extending mandatory electrical testing (introduced in the private rented sector in 2020) to social landlords identified varied practices across the sector, a '*patchwork of legislation*' and that '*At present social landlords are legally obliged to keep their electrical installations in repair but not inspect them*'. The Regulator's Home Standard requires that homes be free of high risk (Category 1) electrical and fire hazards (as defined by the Housing Health & Safety Rating System).

3.42 Government consultation on extending the requirement of testing electrical installations sought comments on the following proposals:

- Mandatory checks on electrical installations for social housing at least every 5 years.
- Mandatory Portable Appliance Testing (PAT) on all electrical appliances that are provided by social landlords as part of a tenancy.

3.43 In light of the health & safety review, anticipated legislation on mandatory checks on electrical installations for social housing and regulatory requirements, the 2023/24 HRA Budget includes a significant uplift in resources to support the permanent expansion of our electrical testing programme, embedding and extending the initial funding agreed in 2022/23. This is in order to ensure that electrical installations are in working and safe condition both at the start of any tenancy and throughout that tenancy.

3.44 Resources and recruitment have been agreed. This will enable the service to set up and mobilise a dedicated Electrical Testing and Compliance Team to manage a full cyclical reinspection programme. This is in addition to existing electrical team resources. The team aim to fully test the housing stock, domestic and communal, within 3 years and permanently maintain a 5-year testing cycle. Progress and resources required in meeting this aim will be kept under regular review. Resource planning also included procurement of a contractor resource to renew recently expired EICRs.

Portable & Fixed Appliance Testing.

3.45 In light of the review and in anticipation of legislation on Mandatory Portable Appliance Testing (PAT) on electrical appliances provided by social landlords, our arrangements for testing are being reviewed. A policy and procedure for PAT testing is currently being produced.

Risk analysis

3.46 A full review of available reports on the present position regarding electrical safety & EICRs is underway, with a programme for high-risk installations established.

Electrical works resulting from testing.

3.47 Planned electrical upgrades have been carried out on communal areas by contractors on a long-term contract. This is currently reported as 80% complete. Consideration of any further resource requirements is underway.

3.48 To support the three-year test programme, completion of a Strategic Management Plan (SMP) to incorporate the electrical policy, strategy, procedures and specifications is underway. This plan will set out our analysis of risk and how this will inform priority setting for the programme of works. The SMP will confirm the measures being taken to ensure unsatisfactory reports are monitored and kept under review.

Financial Implications

3.49 The EICR investment is estimated to total £5.261m per annum over the medium term of which £3.114m is already within approved HRA budgets for 2023/24. This investment will result in the recruitment of the EICR compliance team to support an expansion of our planned electrical testing programme totalling £0.826m of which 45% of this will be capitalised. It is also proposed

that this team will take forward the installation of carbon monoxide detection and smoke detection measures. This resource requirement will be reviewed after 6 months.

- 3.50 In addition to this an additional contractor resource estimated to be £0.166m will be required to continue the current testing for those properties. As well it is estimated that materials and testing for EICR compliance will cost £3.154m per annum over the medium term. Finally, any resulting rewires will be funded from the £1.115m capital budget already approved and included in the medium term capital investment programme.

Gas / Fuel Safety

- 3.51 Our existing Corporate KPI 'council properties with a valid Landlord's Gas Safety Record' is measured and reported quarterly to Housing Area Panels and Housing & New Homes Committee. The 2022/23 out-turn is slightly below 100% target at 99.98% (10,108 of 10,110). The target was slightly missed because two checks were overdue on 31 March 2023 owing to access issues. In both instances, a tailored approach was needed to gain access. This was due to high vulnerability and other concerns in relation to the tenants.

Smoke and Carbon Monoxide alarms

- 3.52 Recent regulations, effective from October 2022, require social landlords to install carbon monoxide detection in their homes. Some installation had been undertaken in our council homes, including as part of domestic electrical rewires, however this has not been consistent or well recorded. Carbon Monoxide detector (battery powered) installation is being undertaken by our Heating & Hot Water contractor, currently K&T Heating and is to be continued by PH Jones, our new contractor currently being mobilised. Since the new regulations came into force on 1st October 2022, K&T Heating have installed 4,383 CO alarms. By month: Oct 22, 492; Nov 22, 460; Dec 22, 449; Jan 23, 526; Feb 23, 537; Mar 23, 714; April 23, 528; May 23, 677.
- 3.53 Recent regulations, also effective from October 2022, require social landlords to install smoke detection measures in their homes. We have smoke detection installed in our higher risk homes, including all 23 of our Seniors Housing schemes, two high rise blocks (St James House & Dudeney Lodge), all house in multiple occupation conversion style blocks and any property subject to a recent electrical re-wire.
- 3.54 Installation of hard-wired Smoke Detection and Carbon Monoxide Alarms detection in accordance with the requirements of Smoke and Carbon Monoxide Regulations will be taken forward by the new Electrical Testing and Compliance Team. Our Heating & Hot Water contractor will continue to install battery powered Carbon Monoxide detectors.

Homes with isolated gas supplies

- 3.55 Our review has identified that the council should implement a procedure for homes identified with no gas supplies to determine any at risk vulnerable residents and potential options for providing additional support. A review and analysis is underway to identify vulnerable residents, and any support needs

and alternative sources of heating & hot water. Systems are to be updated and records to be maintained.

Regular BHCC Audit cycle.

- 3.56 A regular audit of gas safety management and review is to be implemented by the service. This will be included in the Action Plan to be reported to September Housing & New Homes Committee.

Financial Implications

- 3.57 The HRA already completes a programme of gas safety certification with the cost this being included in the HRA 2023/24 approved budget of £1.722m.

Lifts & lift maintenance

Database & Data Validation

- 3.58 The review identified that there is currently no database identifying service and maintenance liabilities. Rather there are separate records for each asset. We are taking forward an action to establish one database with data including details of all assets, service schedules and reporting. Once the database is established, we will be taking forward a regular audit to ensure all assets are included in maintenance programmes, including updating and management of systems.

Sample Reports

- 3.59 In light of our review, we are establishing procedures for the reporting and management of lifts inspected by Zurich the insurer (LOLER reports).

Lift Systems Testing

- 3.60 Emergency lift alarm function tests are carried out annually by Zurich, our insurer, and 6 monthly by our contractor Liftec Lifts Limited. Following our review, we are currently considering implementing a more frequent testing programme for lift alarm function, including exploring market options for automatic/remote 3-day testing of housing stock lifts emergency alarm functions.

Financial Implications

- 3.61 Work on lift maintenance and replacement is already accounted for within the current HRA 2023/24 approved budget of £1.008m.

Water

Water Risk Assessments (WRA) and site monitoring.

- 3.62 Water safety in Housing stock is subject oversight as part of the Corporate Annual Statement of Compliance for the Control of Legionella. The Statement of Compliance includes a 'reasonable assurance' opinion in relation to Housing. Our contractor HSL undertake WRA for all BHCC premises. The same company also undertake monitoring, system flushing and some remedial works. The review identifies a need to clarify the structure of BHCC assets held on the HSL portal, to categories, asset types and responsibilities aligned to management responsibilities. The review also identifies that consideration should be given to separating the WRA function from delivery and monitoring of

remedial works to address any potential conflict of interest arising with the same company providing both services. This is to be considered ahead of the re-procurement of the current contract at the end of this financial year.

Financial Implications

3.63 Work on water maintenance is already accounted for within the current HRA 2023/24 approved budget of £0.290m.

Progress against other current key performance measures

- 3.64 **Dwellings meeting Decent Homes Standard.** This Corporate KPI is measured and reported quarterly to Housing Area Panels and Housing & New Homes Committee. The 2022/23 out-turn is below the 100% target, at 95.8% (11,323 of 11,819). There have been capacity issues with our kitchens & bathroom contractor. Housing Committee (16th November 2022) agreed appointment of additional contractor resource, in order to help increase the number of replacements delivered and contribute toward achieving our Corporate KPI of 100% of dwellings meeting the Decent Homes Standard.
- 3.65 In anticipation of emerging regulatory guidance, we are enhancing our proactive stock condition survey programme to add to the information obtained from our most recent stock condition survey undertaken in 2020. Two asset surveyors are being appointed (these are establishment posts within the service) in order to undertake a rolling programme of stock condition surveys to improve information and data we hold on our homes. This is in order to identify issues and prioritise and direct investment to address concerns that may arise within our stock, including in relation to property types that may be more prone to issues such as poor energy efficiency, damp and condensation.
- 3.66 As part of the current national review of legislation and regulation, a review of the Decent Homes Standard is also anticipated. In light of this, we are also reviewing how we currently measure Decent Homes in order to prepare for anticipated changes.
- 3.67 The Council holds asset information for each property on its Asset Management System (APEX). This includes the age and condition of the individual elements such as kitchens, bathrooms and windows. This information is used to determine if a property meets the Decent Homes Standard. It also helps the delivery teams prioritise planned improvement works. Properties can potentially become non-decent on the 1st of January each year when the age of each asset element is updated, as reflected in the quarterly figures. The budget for Decent Homes work is set in accordance with the Council's current Housing Asset Management Strategy priority of "investing in homes and neighbourhoods". The team running our programmes will undertake detailed surveys of homes ahead of the works programme as required to agree exactly which homes meet the detailed replacement criteria.
- 3.68 **Average 'key to key' relet time for previously occupied homes.** This KPI is measured and reported quarterly to Housing Area Panels and Housing & New Homes Committee and continues to reduce, down to 76 calendar days for March 2023 from 96 calendar days in February 2023 and 188 in April 2022. The overall figure for 2021/22 was 210 calendar days and the overall

figure for 2022/23 was 125 calendar days, so performance has improved over the last financial year.

3.69 Housing Repairs

- Challenges remain regarding overall number of works in progress with the team, remaining high, and not meeting the Corporate KPI of 70% of routine repairs being completed on time. As of 7th June 2023, the Housing Repairs & Maintenance Service have 12,036 Works in Progress, which will include both backlog jobs and those within time. We are currently undertaking analysis of the age and nature of these jobs to ensure accurate recording, prioritisation and action being undertaken and whether works are still required.
- During 2022/23, 97.7% (11,377 of 11,635) emergency repairs were completed within 24 hours. This was against a target of 99%.
- Customer satisfaction remains high against all measures. For 2022/ 23 satisfaction with the standard of repair work was 97% (based on 2,382 telephone surveys for completed emergency and routine repairs).
- For 2022/23 the service has completed an average of 7,538 repairs per quarter (2,909 of which are emergency and 4,630 of which are routine repairs) and answered 17,328 phone calls per quarter during 2022/23.
- Overall, 274 more (emergency & routine) repairs were completed in Q4 2022/23 (8,778 jobs) when compared to Q3 (8,504 jobs). This continues on the upward trend which saw 1,745 more (emergency & routine) repairs completed in Q3 (8,504 jobs) when compared to Q2 (6,759 jobs).

3.70 Damp & Condensation. There have been increased pressures on the service owing to significantly higher levels of reported damp and condensation cases following the tragic Rochdale case. As of the 2nd May 2023 the Housing Repairs & Maintenance team have registered 1337 damp and condensation cases. The service has appointed additional specialist contractors to address this issue and have re-prioritised resources within the team to focus on damp and condensation cases. As of 7th June 2023 this figure had fallen to 897 cases registered with the team as we have completed jobs and also reconciled works completed and invoiced by our contractors.

4. Analysis and consideration of alternative options

4.1 The Housing health & safety review, key priority actions and resource plan have been taken forward in anticipation of and in order to ensure that we are prepared for forthcoming legislative and regulatory changes impacting social housing landlords following the Grenfell Tower tragedy. A detailed Health & Safety Action Plan is being developed, identifying and prioritising agreed actions, responsibilities and timelines for completion. We propose to share this Housing health & safety update report with tenants at Housing Area Panels. We also propose to bring a further report with final Action Plan and review to September Housing & New Homes Committee.

5. Community engagement and consultation

- 5.1 Engagement with our tenants and residents will be essential to enable the Housing service to progress key elements of the review. This will include residents being included within our Fire Risk Assessment process, including sharing information on fire safety assessments in high-rise blocks, and also communication with tenants and residents to enable access to homes for essential inspections.
- 5.2 Resident engagement will be taken forward via established communication routes such as Homing In and resident consultation meetings. This includes Housing Area Panels, City Wide Conference, Home Group, Involvement & Empowerment Service Improvement Group and Tenant Disability Network. We will also reach out to residents and communities as part of our wider proposals to expand resident engagement.
- 5.3 East Sussex Fire & Rescue Service are a key stakeholder and regulator, supporting the Council by attending our formal strategic and tactical meetings, whilst working closely with us operational on a day to day basis with shared inspections, exercises, incident management, investigations and remediation work.

6. Conclusion

- 6.1 Housing & New Homes Committee members are asked to note key outcomes, actions and resourcing plan arising from the Housing health & safety review to date and that a final report and an Action Plan will be brought back for consideration at September Housing & New Homes Committee following engagement with tenants at Housing Area Panels. Also, that we propose to share this Committee report with the Regulator of Social Housing to seek assurance on the steps being taken by the Council in preparation for the new regulatory framework becoming law, expected in Spring 2024.

7. Financial implications

- 7.1 The initial annual investment required to bring the council up to the required levels of compliance and assurance relating to Fire Safety, Asbestos safety, Electrical safety, Gas & fuel safety, Lift maintenance and water safety is estimated to total £12.944m of which £8.778m (68%) has prudently already been included in the base line 2023/24 HRA budget (revenue and capital). This is in anticipation of forthcoming regulatory and legislative changes. The current level of investment outlined is the cost for one year only it will be required on a recurring basis over the medium term and as such will form part of the base budget from 2024/25. Investment will be kept under review as part of the Medium Term Financial Strategy for the HRA as it is anticipated that investment will reduce after a period of time.

Revenue

- 7.2 After considering those elements of staffing costs that can be capitalised, the total revenue resource requirement is estimated to be £2.678m of this only £0.266m is not already included in the current 2023/24 budget. Recruitment to

the roles identified may prove difficult in the current climate and may require a market supplement to be applied which could increase the investment required, so will be kept under review and updates supplied accordingly.

7.3 Due to the timing of recruitment to these posts there will not be a full year effect during 2023/24. therefore the additional resource of £0.110m can be managed within the approved budget for additional health & safety resource approved in February 2023.

7.4 For the fire safety manager and asbestos manager and asset management officer this additional investment of £0.156m can be managed within the underspend against the apprenticeship programme which is expected to not be fully operational until September 2023.

7.5 For 2024/25 and beyond the estimated additional revenue resource of £0.266m will be included in the identified service pressures forming part of the base budget in the 2024/25 budget paper. This will allow a review of all available resource for the HRA for the medium term to be undertaken, ensuring value for money continues to be maintained.

7.6 If after the resource review of revenue, there is still a requirement to include a pressure for 24/25 and beyond, it will be funded from existing revenue resources. The use of reserves is a one off decision that could be considered but as this is a longer term investment it would only delay the pressure being recognised, therefore would not be considered a prudent decision.

Capital

7.7 The annual capital investment to meet the six areas outlined in the report is estimated to be £10.166m (including those elements of staffing costs which are assumed to be capitalised) of which £6.376m has been allowed for in the 2023/24 budgets. Similar to the revenue budgets the additional capital resource required of £3.800m won't have a full year effect for 2023/24 and therefore will be manageable within the current budget envelope and reported as part of the council's Targeted Budget Monitoring (TBM) process.

7.8 For 2024/25 and beyond, the estimated additional capital resource of £3.800m will be included in the identified service pressures for the 2024/25 budget paper. Ensuring value for money is maintained will require a full review of the HRA capital programme over the medium term to assess where projects can be reprofiled without impacting tenants but will enable the delivery of these key investment areas.

7.9 Following the review, if there is a requirement to include a new budget then by its nature this can be funded from borrowing or through the use of reserves. Using reserves will be considered as a final point of call as these are one off resources that will be difficult to replenish in the current economic environment. The use of reserves would be more beneficial for one off capital costs as opposed to an on-going commitment.

7.10 Both the revenue and capital investment is an estimate only and is subject to change as surveys are completed, as this is also a medium term investment it will be included within the HRA's Medium Term Financial Strategy. Once the initial cycle of investment is complete it is anticipated that the requirement will drop to just a maintenance cycle and therefore this investment level should reduce.

7.11 The Health & Safety compliance and assurance is a significant risk for the HRA, with close monitoring of the financial impacts being undertaken on a regular basis via the councils TBM. This will include a need to monitor the impacts of this investment on other areas of investment in the HRA and whether this will need to be reduced or paused in order to maintain the integrity of the HRA finances particularly over the medium term.

Name of finance officer consulted: Craig Garoghan Date consulted 9th June 2023.

8. Legal implications

8.1 The Council needs to be satisfied that it maintains a safe environment to live and work by managing and maintaining assets according to statutory and regulatory requirements.

8.2 As identified in the report the Housing service, alongside consultants Ridge, have reviewed the approach to health & safety compliance and assurance for council homes. This ongoing review has already identified a significant number of key areas of risk summarised in the report which require priority action to address to be fully compliant with current legislation, and in order to be confident of the Council's ability to meet its core health and safety obligation to tenants and employees in civil law, and statutory regulation.

8.3 The council already has legal obligations in relation to mould and damp, but those obligations are likely to become more stringent in the near future. Damp and mould are potential hazards under the Housing Health and Safety Rating System; failing to address them could lead to failure of the Decent Homes Standard and our Home Standard. The Housing Regulator of Social Housing identified that all providers should have systems in place to ensure that their homes are free from hazardous levels of damp and mould, and to identify and deal with cases promptly and effectively. The government has subsequently tabled amendments to the Social Housing (Regulation) Bill to introduce 'Awaab's Law', will require landlords to fix reported health hazards within specified timeframes, so requiring social housing landlords to investigate and fix damp and mould in their properties. The guidance in relation to damp and mould is expected to be updated this summer, and under the Bill it is anticipated that the Ombudsman will be able to instruct landlords to measure their service against guidance on issues such as damp and mould, to help drive improvements following complaints from tenants.

8.4 The report also identifies the scale of outstanding repairs, which leaves the Council susceptible to a growing number of housing disrepair claims where

tenants may be entitled to compensation if they are entitled to a repair which is not done in a sufficiently timely manner.

8.5 As a Registered Provider (RP) of social housing the Council must meet the consumer standards set by the Regulator. This includes the tenant involvement and empowerment standard, which amongst other things requires RPs to consult with tenants, as envisaged by the report.

8.6 There is no obligation in law to share the Council findings with the Regulator but the Regulator has previously welcomed this type of transparent approach. Currently the regulator has a duty under the 2008 Act to exercise its functions in a way that minimises interference and (so far as is possible) is proportionate, consistent, transparent, and accountable. The current 2019 'Guidance on the regulator's approach to intervention, enforcement and use of powers' confirms the regulator expects registered providers to identify problems and take effective action to resolve them. The regulator will consider the use of regulatory, enforcement and general powers if that approach has failed. As indicated in the report it is anticipated that the approach to the enforcement of consumer standards and use of powers of the Regulator are likely to become more proactive following the enactment of the Social Housing (Regulation) Bill, expected some time later this year.

Name of lawyer consulted: Natasha Watson Date consulted 12th June 2023:

9. Equalities implications

9.1 The HRA budget funds services for people with a range of needs, including those related to age, vulnerability or health. All capital programme projects undertaken include full consideration of various equality issues and specifically the implications of the Equality Act. To ensure that the equality impact of proposals included in this report are fully considered, equality impact assessments will be developed on specific areas as required.

9.2 In terms of engagement with our residents. It is clear from the current equality monitoring of participation, that there is under representation from minoritised communities. The Housing service continue to work with Community Engagement Team colleagues on proactively seeking the voice of underrepresented groups in line with the Public Sector Equality Duties placed on the council to advance the equality of opportunity, to foster good relations and eliminate discrimination for marginalised communities.

10. Sustainability implications

10.1 Helping residents to live in well-insulated, efficiently heated, healthy homes addressing fuel poverty issues remains a key long-term objective, which is supported through the work of our health & safety review.

11. Other Implications

Social Value and procurement implications

- 11.1 Any procurement process will be undertaken in conjunction with Procurement colleagues and in accordance with the Council Contract Standing Orders, including application of relevant Social Value criteria in the evaluation of bid quality.
- 11.2 Through any procurement process, we will seek to secure support for local business, optimise opportunities for community wealth building, engage with local contractors and help provide employment opportunities for the city's residents. Other options to include in our procurement processes could include, but are not limited to; community projects, volunteering and providing apprenticeship opportunities in the city. limited to; community projects, volunteering and providing apprenticeship opportunities in the city.

Brighton & Hove City Council

Housing & New Homes Committee

Agenda Item 11

Subject: Rough Sleeping & Single Homeless Services Commissioning

Date of meeting: 21st June 2023

Report of: Executive Director Housing, Neighbourhoods and Communities

Contact Officer: Name: Adam Salmon
Tel: 07912 064780; Email: adam.salmon@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 Twenty of the council's core funded commissioned rough sleeping and single homeless services, listed in Appendix 1, are due for recommissioning.
- 1.2 This report lays out a recommended process for the commissioning of the services and requests permission to initiate their procurement with an intended start date for their delivery of the beginning of April 2024.

2. Recommendations

Housing Committee agree to:

- 2.1 Delegate authority to the Executive Director of Housing, Neighbourhoods and Communities to take all steps necessary to procure and award contracts for the rough sleeping and single homeless services listed in Appendix 1.
- 2.2 A Housing Committee Member workshop will take place prior to the stage 2 tender exercise. This will provide detail of the needs analysis, how contracts will be specified in order to drive better performance, and actions available to the local authority to improve performance (if necessary).

3. Context and background information

- 3.1 These core funded services that constitute BHCC's Rough Sleeper and Single Homeless Pathway were last recommissioned in 2017 and 2018. The services covered in this report are part of a wider range of commissioned and grant funded services delivering the single homeless and rough sleeper pathway.
- 3.2 There are currently 20 services commissioned (see Appendix 1). Part of the commissioning exercise will determine what services will continue, what the expectations will be, and any new services required to meet these aims. This will be needs based, and where available, supported by evidence.
- 3.3 The current total contract values is £3,196,464 per annum. It is important to note that these contract values were last re-evaluated in 2017-2018.
- 3.4 The commissioning principles will be shaped by:

- 3.4.1 Delivering the aims and principles of Brighton & Hove City Council's Homelessness and Rough Sleeping Strategy 2020-25, and that instances of rough sleeping are prevented, rare and non-recurrent.
- 3.4.2 Future commissioning being based upon evidenced need, so that accommodation and support for people sleeping rough and/or single homeless is focused on those in the greatest need, or likely to suffer the greatest detriment.
- 3.4.3 Performance measures and/or incentives and/or sanctions are introduced into future contracts to address the issue slow move-on through the pathway and silt-up of commissioned accommodation.
- 3.4.4 Performance measures and/or incentives and/or sanctions are introduced into future contracts to reduce unplanned evictions.
- 3.4.5 Accommodation models should be reflective of what is likely to achieve the best outcomes and of appropriate standards.
- 3.4.6 Working collaboratively in collecting and reporting data, demonstrating effectiveness in preventing homelessness, relieving homelessness and ensuring instances of rough sleeping are brief and non-reoccurring.
- 3.4.7 Where feasible and appropriate, there should be a rationalisation of the number of contracts issued, and variation between contracts.

4. Analysis and consideration of alternative options

- 4.1 The aim of this procurement exercise is to recommission the services of the Rough Sleeper and Single Homeless Pathway, in a manner that ensures quality of provision and best value, while recognising that in some instances circumstances dictate that this can't be achieved by a simple competitive tendering process.
- 4.2 To achieve this, it is recommended a two-stage procurement process is adopted, where the initial stage is used to identify if any services can only be provided by a single provider. Where this is the case, we can directly negotiate with this single provider provided we ensure compliance with the Procurement Regulations. Where the initial stage identifies the potential for multiple providers a competitive tender process will be undertaken. There are no suitable Framework Agreements for this procurement.

5. Procurement and Route to Market

- 5.1 The proposed route to market is procurement compliant. An initial exercise will establish services which can only be delivered by a single provider. Where this is the case, lots will be procured via direct negotiation. Where lots can be delivered by more than one provider, these will then be subject to a competitive tender.
- 5.2 This will allow us to test the open market for responses without giving the full criteria to potential bidders and the resources required to evaluate bids before knowing if there are potential multiple bidders, enabling the maximum number of potential bidders to respond.

- 5.3 We are currently using needs evidence to formulate specification for the services, batched into 15 proposed lots. Specifications will be designed taking into account the commissioning principles set out above (para 3.4) and verification, including referencing, background experience and (where possible) performance against other contracts will be taken into account.
- 5.4 As well as designing clear specifications, which feed into robust performance measures, the success (or failure) of commissioned services will largely be determined by how the contracts are monitored. With respect to this, Housing Needs & Supply have increased capacity in order to improve the service delivered through commissioned services and hold providers to account.

6. Milestones and Indicative Timescales

Milestone	Indicative Timescale
Finalise contract budgets and specifications	July 2023
Commence Stage 1 Tender Exercise	July 2023
Conclude Stage 1 Tender Exercise	September 2023
Housing Committee Member Workshop	September 2023
Commence Stage 2 Competitive Tender Process	September 2023
Conclude Stage 2 Competitive Tender Process	November 2023
Conclude Stage 2 Competitive Tender Evaluation	December 2023
Award announcement	January 2024
Mobilise new contracts	April 2024

Table 1: Milestones and Indicative Timelines

- 6.1 Table 1 (above) provides details of key milestones and indicative timelines. A Housing Committee Member workshop is planned prior to the stage 2 tender exercise. This will provide detail the needs analysis, how contracts will be specified in order to drive better performance, and actions available to the local authority to improve performance (if necessary).

7. Community engagement and consultation

- 7.1 Two pre-consultation events have been undertaken, in partnership with Just Life, and incorporating a broad range of Brighton and Hove community and voluntary sector organisations. Two further consultation events have been undertaken with current key stakeholders and providers of the Rough Sleeping and Single Homeless Pathway.
- 7.2 At all four events, partners were consulted on the presenting challenges to the Rough Sleeper and Single Homeless pathway to be addressed in this commissioning round and the proposed procurement methodology and timescales.
- 7.3 Discussion has also taken place with Common Ambition, with regard to how best utilise their lived experience. It was agreed this would be most beneficial when determining the mobilization of the new contracts and to build into the future operation of the pathway more regular and longitudinal engagement and consultation with service users. Common Ambition agreed to support this consultation.

8 Conclusion

- 8.1 A compliant procurement exercise will take place between July-December 2023. Where this exercise identifies a single provider for a lot, this lot is procured by direct negotiation with that provider.
- 8.2 Lots for which stage one identifies multiple potential providers are put out to competitive tender. A Housing Committee Member Workshop, in September, will provide further details of specifications, performance monitoring and contract management, prior to invitations to tender being published. New contracts would be agreed at the end of January 2024, with these contracts being mobilised from the beginning of April 2024.

9. Financial implications

- 9.1 The current cost of the services included in this procurement is £3.196m per year. The cost of these services has largely been fixed for 5 years and therefore it is anticipated that costs could increase substantially from 1/4/2024 as a consequence of the current high level of inflation in the economy.
- 9.2 The budget for these services is included within the Housing General Fund Service. Although council budgets have been subject to modest year on year increases over the last 5 years, current budget levels are unlikely to be sufficient to cover all of the new increased costs. Once new contract prices are established, any costs over budget levels set for 2024/25 will either require additional service pressure funding, as part of the budget setting process for 2024/25, or there will need to be a prioritisation of the services commissioned to allow the costs to be managed within budget.

Name of finance officer consulted: Monica Brooks; Date consulted: 08/06/2023

10. Legal implications

- 10.1 The Council is required to comply with the Public Contracts Regulations 2015 in relation to the procurement and award of contracts above the relevant financial thresholds for services. The procurement process must be structured in a way so that it is at least sufficient to ensure compliance with the principles of transparency and equal treatment set out in the Regulations.

Name of lawyer consulted: Wendy McRae-Smith; Date consulted: 09/06/23

11. Equalities implications

- 11.1 The procurement process documents will include questions that ensure interested parties address all equalities considerations, both organisationally and through evaluation of how they will engage with service users to ensure they give consideration to the diversity and specific diversity related needs of the client group.
- 11.2 A full Equalities Impact Assessment will be conducted on these recommissioning proposals for this recommissioning once they have been finalised, with relevant findings and mitigations being presented to the Housing Committee Member Workshop in September.

12. Sustainability implications

- 12.1 Sustainability criteria for this recommissioning will be included in the procurement requirements, including the council's target of Carbon Net Zero by 2030.

13. Social Value and procurement implications

- 13.1 The majority of these services are contributors to the key areas of the Social Value framework outcomes and therefore the standard model of 10% of the quality evaluation will not be used in evaluating their responses. All of these services are supported by voluntary staff and voluntary overtime. We will request the number of voluntary hours committed and worked by staff supporting these services and report on these as a key performance indicator for Social Value against the providers delivery of the contract.

Where and the procurement exercise identifies only a single candidate, the suppliers social value commitment will form part of the contract negotiation which may include the commitments of voluntary staff / hours of paid staff time.

14 Crime and Disorder Implications

- 14.1 None arising directly from this report.

15 Public Health Implications

- 15.1 None arising directly from this report.

Supporting Documentation

1. Appendices

1. Services to be recommissioned.

Appendix 1 - Core Funded Rough Sleeper and Single Homeless Pathway Services Due For Recommissioning

Service	Current Provider	
Phase One - 52 bed-space high support hostel.	BHT	
Saint Pats - 29 bed-space high support hostel.	YMCA DOWNSLINK	
Saint Pats Nightshelter - Winter Provision Night Shelter.	YMCA DOWNSLINK	
First Base day centre reconnection workers.	BHT	
High Support Supported Accommodation - 23 bed-spaces at William Collier House.	BRIGHTON YMCA	
Medium Support Supported Accommodation - 71 bed-spaces at William Collier House and 25 bed-spaces at George Williams Mews, 96 in total.	BRIGHTON YMCA	
Low Support Supported Accommodation - 37 bed-spaces at George Williams Mews, 31 bed-spaces at Stanley Court, 29 bed-spaces at Fred Emery Court and 11 (women specific) bed-spaces at Leslie Best House. 108 in total.	BRIGHTON YMCA	
Step By Step - work and learning vocational guidance and support service.	BHCC Adult Learning	
Evolve - work and learning vocational guidance and support service.	BRIGHTON YMCA	
Peer Mentoring - a peer mentoring scheme.	CGL	
Womens' Service - 9 bedspace women specific hostel and satellite 10 bedspace women specific supported housing stepdown. 19 bed-spaces in total.	EQUINOX	
Stopover One - 9 bed-space, women specific, high support supported accommodation scheme.	IMPACT INITIATIVES	
Stopover Two - 9 bed-space, women specific, medium support supported accommodation scheme.	IMPACT INITIATIVES	
Kestrel Court Training Flat, 1	KESTREL COURT	
Brighton and Hove Foyer, 50 bed-space foyer.	SANCTUARY	
Sussex Nightstop, 10 bed-space young peoples' emergency lodgings scheme.	SUSSEX NIGHT STOP	
Young Peoples' High Support Supported Accommodation - GS/LH, 36 bed-spaces.	YMCA DOWNSLINK	
Young Peoples' Medium Support Supported Accommodation - GS/LH, 23 bed-spaces.	YMCA DOWNSLINK	
YAC (Youth Advice Centre) - young peoples' housing advice and family mediation service.	YMCA DOWNSLINK	
Young Families Project - 17 bed-spaces.	YMCA DOWNSLINK	

