

BRIGHTON & HOVE CITY COUNCIL

PLACE OVERVIEW & SCRUTINY

3.00pm 23 SEPTEMBER 2024

MINUTES

Present: Councillor Evans (Chair) Cattell (Deputy Chair), Fishleigh, Hewitt, Pickett and Winder

Other Members present: Mary Davies (Older Peoples Council)

PART ONE

8 PROCEDURAL BUSINESS

8a) Substitutions: Cllr Sykes for Cllr Mcleay, Cllr Meadows for Cllr Lyons, Cllr Czolak for Cllr Sheard.

Apologies: Cllr Thompson, Cllr Sheard, Cllr Lyons, Cllr Fowler, Mark Strong, Sarah Fulford.

8b) Declarations of interests: There were none.

8c) Exclusion of the press and public: There were no Part 2 items.

9 CHAIR'S COMMUNICATIONS

9.1 The Chair gave the following communication:

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

This meeting has been called in order to give O&S members the opportunity to consider and comment on the council's response to the recent Social Housing Regulator judgement on the city council's performance as a social landlord. The report that we're considering today, and which was circulated to committee at the end of last week, is due to be agreed by Cabinet on the 26th of September.

An extract of the draft minutes of this meeting will be shared with Cabinet Members ahead of their meeting, so any comments or recommendations that O&S members make today will go to inform the Cabinet decision.

The Social Housing Regulator judgement focuses mainly on issues relating to repairs and maintenance, which are within the remit of Place committee. However, the Social Housing

Regulator Report also covers resident engagement, which sits within the remit of People committee. It isn't practical for the report to go to both scrutiny committees, so I have invited members of People O&S committee to attend today's meeting. People members are welcome to ask questions and discuss the report, but if we are required to vote, please note that this will just be for the voting members of Place committee.

As implementation of measures in response to the Housing Regulator judgement progresses, I will expect regular updates at Place committee. I will invite People O&S members to attend for these items also.

10 PUBLIC INVOLVEMENT

10.1 There were no public questions.

11 MEMBER INVOLVEMENT

11.1 There were no member questions.

12 HOUSING REGULATOR JUDGEMENT: REPORT TO CABINET

12.1 Cllr Gill Williams (Cabinet member for Housing and New Homes) spoke to the committee to provide background to the report. Cllr Williams said that this was a very serious issue. She said the council had over 12,500 homes in its housing stock many of which were older, some built in the 60s, and needing attention. Problems were caused by years and years of lack of investment, but now the council was dealing with the issue. She said that from April 2024 new powers to regulate social housing were brought in and she welcomed these, as councils were being held to a higher standard because of the Grenfell tragedy. Cllr Williams highlighted that this issue is not new and was reported through the previous Housing Committee on a regular basis and at area panels. She said that she was not surprised that the regulator found the council wanting in a number of areas, as there was a lot to do in a very short space of time. Cllr Williams reminded the Committee that this is the report of a regulator and not a court, and that they can tell the council what they need to do to get to 100%, as the council is not there yet. She said that the Council had formed a plan to get there as quickly as possible. This included putting in £15m, bringing in more contractors to get to the compliance standard and to stay there. Cllr Williams said that she wanted Scrutiny to oversee this with monthly reports and updates.

12.2 Martin Reid (Interim Corporate Director) said that the health and safety of residents was a priority, as well as those members of staff working on sites. He said that there was a serious backlog of routine repairs. He said that the issue had been brought to the Housing and New Homes Committee four times and that area panels were regularly being updated on the issue. He explained that the report updates on plans in place and on the remaining issues. He said that there was a commitment to provide good and safe homes for residents. Martin Reid said that progress was being made with investment of £15m, fire risk assessments in high rise and medium rise blocks, they were prioritising electrical safety, proactively testing and moving to a five yearly programme by 2025. He said that the council were introducing smoke detection and have a record of water risk assessments, starting with high-risk areas. He said that there was a backlog of 6,000 repairs with contractors, but that this was going down significantly and that 77% of routine repairs were now on time. Martin Reid said that a range of surveys were being carried out to find issues with the housing stock. He said that the regulator had said that

Brighton and Hove City Council needs to know its stock and its tenants and that these surveys will pick up more issues that will be dealt with.

12.3 Justine Harris (Acting Assistant Director Housing) said that the council were taking this very seriously and understood that these were peoples' homes being discussed.

12.4 Cllr Anne Meadows said that the regulator expects this plan to be shared with tenants and asked how much this would cost. She warned that if one or two flats in a block did not have smoke detectors or sprinklers then that would endanger the rest of the block. She asked a question about why there was 100% compliance on carbon monoxide alarms but not smoke alarms. She said that she had previously asked at Housing and New Homes Committee about electrical safety testing but had been told it was not needed, and now it is needed. Cllr Meadows spoke of a sheltered accommodation block in her ward that had contaminated water and why weren't the council testing more for legionnaires. She said that the council have known since Covid that there was a backlog of repairs and highlighted the case of an 82-year-old in her ward who had been waiting five years for repairs. She asked how many in the backlog were repeat visits. Cllr Meadows ask questions around EPC certificates, saying that the council should have them for all properties and that they should be a minimum rating of D, but many were E or even F and deemed not suitable for habitable living. Cllr Meadows said that if private landlords were housing people like the council is, they would be taken to court. Cllr Meadows asked questions on the budgets mentioned on page 15 of the report and said that she could not marry up the figures being spent on the issue with the funding agreed at the budget in February and believed that there was discrepancies. She asked where the money was coming from and what would be stopped to pay for it. Cllr Meadows suggested that the council had been too busy attacking private landlords and taking them to court when the council are the biggest landlord in the city. She asked why the council wasn't taking itself to court over the issue. The Chair replied that the council would not be taking itself to court but that the regulator could do so. Martin Reid replied that the cost was within the budget, the full costs in the cabinet report and that no capital or planned works would be set back by it. He said that post-Grenfell the council knew that Housing Revenue Account would need to be protected to pay for these works. Regarding smoke detectors he said that the council had to show validated figures, which were at 84%, but that there could be more that the council are unaware of. He said that they had asked tenants to let them know if they had smoke detectors and that they were fitting both battery-operated ones as well as hard wired ones. He said that the council is making sure that they meet compliance on fire safety and that sprinklers were not an obligation, but the council is fitting them in new builds and older people's homes. Martin Reid went on to say that with leaseholders the council have fitted new fire doors with no charge post Grenfell, and that they look at other charges on a case-by-case basis, only charging where they have to. Regarding electrical safety he said that the council are repeating electrical testing in communal areas and homes, reiterating that the council wants to get to a five-year testing cycle. He said that the council had set out how they would deal with community supplies to high rise blocks by December and that it was not just a case of getting to compliance but staying there. Regarding water he said that additional testing found issues and that the council are dealing with them. He said that no cases of legionella had been found. The issues were in communal areas and not in people's homes. Martin Reid said that the more testing the council does the more issues it will find and have to deal with. Martin Reid gave statistics that 95% of urgent repairs had been completed, in quarter 1 of 2024 97%. He said that they were bringing in additional staff to deal with the repairs backlog which had reduced by over 1,000. Regarding energy efficiency he said that the council were investing in solar panels, doors, and windows to make sure that people live in good homes. Cllr Meadows said that she

agreed with most of what Martin Reid had said but that she still could not marry up the figures in the report with the budget. The Chair suggested that Cllr Jacob Taylor, the cabinet member for finance and city regeneration could possibly provide Cllr Meadows with a written response on that point.

12.5 Cllr Pickett asked how the comments from the committee would be going to cabinet, if this would be a report or if Cllr Williams would be taking them back. The Chair answered that the minutes of the meeting would be added to the agenda for the upcoming Cabinet meeting, and that the committee would also be regularly updated.

12.6 Cllr Hewitt asked Cllr Williams if the lack of investment that she mentioned was from central government and if she could put a figure on it. He also asked if the regulator could carry out mock inspections such as CQC and OFSTED to find areas needed improvement before a full inspection. Cllr Williams said that the figure for a lack of investment probably could not be quantified but that central government had starved councils of funding for years and years and that with an aging housing stock this has caused a serious problem. She said that Brighton and Hove was not the only council to be in this situation, with Bristol, Derby and Hackney all in a similar place. She said that if the council had had more funding in the past then they could have made improvements but said that these are new standards post-Grenfell. She said that although £15m was being invested it would probably take more as they don't just need to reach compliance but to stay there. Martin Reid said that these are new regulations post-Grenfell and that the council had been engaging with the regulator since October. He said that this report was not based on inspections but that there would be one every four years. He said that officers would plan for mock inspections and peer reviews. Martin Reid also said that they would learn lessons from those inspected before Brighton and Hove and that the council would also look to run its own mock inspections.

12.7 Cllr Cattell asked what is in place to stop the backlog rebuilding, if she could wave a magic wand and make the current backlog disappear overnight. She asked if the council had the right IT systems to help make repairs run more smoothly and efficiently. She also asked if it would be possible to have a report on regeneration works. The Chair said that she would be happy to have a report on regeneration. Cllr Williams said that regeneration was a good point, and that the council was hiring a new Director for regeneration starting soon. She said that the council would need to do a lot of regeneration work because of the age of the stock, but that they would need to find out what needs regeneration, what tenants want, and where the money would come from. Martin Reid said that the council wants to clear the backlog and is currently doing 2,500 to 3,000 repairs a month. He said the council needs more planned preventative repairs as this would stop the backlog building up. He gave the example of more planned maintenance being done on windows. Regarding IT he said that the council have made good progress but had a mixed system inherited from Mears. He said they would be getting a better system soon to improve data, and that this was something the regulator said was poor. Cllr Cattell asked if staff were part of the culture change and happy doing this. Cllr Williams said that Cllr Robinson was in charge of contract management and procurement and that the council needed to make sure that the customer was happy and did not keep having to come back for repairs. Martin Reid said that the council were not just relying on contractors but had a significant apprenticeship scheme to train up our own staff. Cllr Cattell said that growing our own staff and training them up would help going forward.

12.8 Cllr Sykes asked how the council got into this situation? He said that the council didn't want to end up doing a patch response and then getting back into the same situation. He said

that he felt record keeping and data collection had been an issue, as well as Covid and the lack of access to properties. He said that it was a very useful report but light on the learning and how the council had got to this point. Martin Reid said that it was a good point, and that the council would need to continue improving. He said that the council have additional resources and have hired a programme manager to ensure that the council does not end up in the same situation. He said that learning was happening going forward. He said that insourcing has seen high satisfaction. He said that they wanted to do more preventative work instead of urgent work. Cllr Williams agreed that it was a good point and said that going forward regeneration projects would help as because of the age of the housing stock once one issue was resolved often another would start. She said that most important was the residents who would be affected and that she hoped the new government would be generous and help.

12.9 Cllr Czolak said that up-to-date data on homes is brilliant news and would be valuable to solve these issues. He wanted to be kept up to date on this. He said that on page 17 9.7 says that the regulator expects the council to develop a plan and share this with tenants. He asked if we had an expected delivery for this or a goal to inform people. Cllr Williams said that they had carried out over 460 one-to-ones with tenants in buildings where issues had been found, to make sure that they know as meetings and letters don't always work. She said that the council needs to take tenants with them and keep them informed. Martin Reid said that engagement was such a big issue going forward and that they would be increasing tenant visits. He said that a plan had gone to the Housing and New Homes Committee in September last year but that they would reflect on it and improve it. He said that there was other things coming up including Awaab's Law around damp and mould. Justine Harris said that point 7 on page 14 onwards in the report talks about engagement. She said that as well as in writing, in quarterly Homing In magazine that is posted out to tenants, at meetings, at drop in, they would look at different engagement methods to improve engagement levels.

12.10 The Chair asked a question on behalf of the community and voluntary sector reps who could not make it to the meeting. They asked if the council housing department were the right people to rebuild trust with tenants. Martin Reid said that as the landlord they had to rebuild trust with tenants, and that they would be reaching out to more people in different ways and in different settings. He said that they wanted to make engagement more diverse.

12.11 Cllr Winder asked if the preventative programme was linked with the repairs programme and also if those carrying out repairs were looking at the condition people were living in to find any other issues requiring repairs or that needing raising with others. Martin Reid said that staff are looking at the backlog of repairs to see what preventative work could be done. He said that there were 16,000 calls to the repairs desk in quarter 1 of this year. Justine Harris said that housing officers and repair operatives are now working much more closely to raise issues found such as struggling to cope or hoarding and that this was a much more efficient way of working. She said that everywhere there is reporting of more isolation and more issues because of the cost of living. Martin Reid added that the council are encouraging staff to report things that they are concerned about when visiting properties.

12.12 Mary Davies (Chair Older Peoples' Council) asked a question around the assessment of risk and equalities implications and health and wellbeing, including fuel poverty and chronic health conditions and if the council was integrating the risk analysis of properties with the vulnerability of tenants such as those in seniors housing. Martin Reid said that the council risk assesses both and that there was a priority for fire and water in older peoples housing. He said that they carry out risk assessments on both the property and the vulnerability of the tenant

and match them to make sure that nothing is missed. Cllr Williams said a good example is recent visits carried out to help know who is a vulnerable resident who would need evacuating.

12.13 Cllr Shanks asked about the role of ward members as the report said that they would be essential. She said councillors get lots of emails on housing and she didn't think that they get answers quick enough, and often answers are defensive. She said that tenants don't feel looked after or that that they are being listened to. She said that she wanted to see a much more collaborative approach with empowered tenants. Cllr Shanks went on to say that places like Theobald house in her ward used to have a caretaker who knew the residents, now they don't. She said that it was worth thinking more radically about the issue, as CVS had said, is the council the best to deal with the engagement. Cllr Shanks said that she would like the report and the response sent to all members, not just the committees, as all members deal with residents with housing issues, possibly in the form of a council briefing. Martin Reid said that he was open to more ways of engagement, and that the engagement team are not part of the housing department but corporate. He said he was sorry that residents don't feel that they get responses and would look into this. He said he wanted to make sure that people feel heard. He went on to say that tenants want to get more involved as they live in these homes and can help.

12.14 Cllr Fishleigh asked about the two contractors who were employed to tackle the backlog, asking for their names, how many staff were employed, and if they were on fixed term contracts or rolling contracts. Martin Reid said that 6,000 jobs had been given to two contractors, United Living and Axis Europe. He said that they were doing lower level jobs while the in house team were doing urgent repairs.

12.15 The Chair spoke about statistics that she had learnt as Chair of the East Sussex Fire Authority, that East Sussex (including Brighton and Hove) was 6th in the country in term of the number of high rises. She said that when including medium rise Brighton and Hove is second only to London. She said the Fire Authority was concerned that they were not adequately funded even on the current funding method and would be lobbying for increased funding.

12.16 The chair put the following recommendations to the committee:

- 2.1 That Place Overview & Scrutiny Committee note the contents of the Cabinet report on the Social Housing Regulator Judgement (Appendix 1).
- 2.2 That Place Overview & Scrutiny Committee consider and comment upon the proposed Overview & Scrutiny oversight recommendations as set out in section 6 the Cabinet report and outlined below. Comments or recommendations on these arrangements to be shared with Cabinet members ahead of the Cabinet meeting on 26 September.

These were agreed unanimously.

The meeting concluded at 4.22pm

Signed

Chair

Dated this

day of