

**BRIGHTON & HOVE CITY COUNCIL**  
**HOUSING MANAGEMENT CONSULTATIVE COMMITTEE**

**3.00pm 22 JUNE 2009**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Caulfield (Chairman); Barnett, Carden, Fryer, Mears, Pidgeon, Simpson (Opposition Spokesperson), Wells and Randall

**Tenant Representatives:** Muriel Briault (Leaseholder Action Group), Chris El-Shabba (Brighton East Area Housing Management Panel), Stewart Gover (North & East Area Housing Management Panel), Sue Hansen (Tenant Disability Network), Ted Harman (Brighton East Area Housing Management Panel), Chris Kift (Central Area Housing Management Panel), John Melson (Hi Rise Action Group), Beryl Snelling (Central Area Housing Management Panel) and Tom Whiting (Sheltered Housing Action Group)

**PART ONE**

**1. PROCEDURAL BUSINESS**

**1A Declarations of Substitute Members**

1.1 Councillor Bill Randall for Councillor Ian Davey.

1.2 Jean Davis noted that she was in attendance to support Beryl Snelling and would not be taking part in the meeting.

**1B Declarations of Interests**

1.3 Councillor Geoff Wells declared a personal interest in agenda item 10 as a Committee Member of Woodingdean Swimming Pool, which is repaired and maintained by Mears Limited.

1.4 Ted Harman and Councillors Randall, Simpson and Wells declared a personal interest as Board Members of the Housing Local Delivery Vehicle (LDV).

**1C Exclusion of the Press and Public**

1.5 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to

whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

1.6 **RESOLVED** - That the press and public be not excluded from the meeting.

## 2. MINUTES OF THE PREVIOUS MEETING

2.1 **RESOLVED** – That the minutes of the meeting held on 24 March 2009 be approved and signed by the Chairman.

## 3. CHAIRMAN'S COMMUNICATIONS

3.1 The Chairman gave an update on joint tenancies. She noted that the Council are not currently able to grant joint tenancies to existing sole tenants who have a new partner. This is equally applicable to heterosexual married couples, people who have entered a civil partnership and cohabitants of the same or opposite genders. A report on this issue is due to be presented to the Committee later in the year following further consultation with tenants.

## 4. CALLOVER

4.1 The Chairman asked the Committee to consider which items listed on the agenda it wished to debate and determine in full.

4.2 **RESOLVED** - That item numbers 10, 12, 13 and 14 be reserved for debate and determination.

## 5. PETITIONS

5.1 The Chairman noted that no petitions had been submitted for the meeting.

## 6. PUBLIC QUESTIONS

6.1 The Chairman noted that no public questions had been submitted prior to the meeting.

6.2 Stewart Gover made the following public question:

“The Chair will recall that, at the recent meeting of the North Area EBD Group of Elected Tenant Representatives, there was a presentation of the ‘status-quo’ of the proceedings regarding the LDV project and the now famous letter from a Civil Servant that quoted a ‘failed ballot’, which has infuriated both the tenants and the administration. I should like the Leader of the Council to know that the North Area stand firmly behind her in her rebuttal of that comment but feel obliged to remind the Chair of the question which was raised from several representatives concerning the costs to the public purse thus far of the preparation of the submission for approval by the Secretary of State, vis-à-vis Price Waterhouse Cooper, Trows and Hamlin and the secretarial costs incurred by the Council officers and their clerks in the work, including stationery and postage. Also the costs incurred in the travelling expenses to other areas in pursuit of information regarding such a project.

It should be noted that in a few weeks time I shall inspect the corporate seal of accounts for 2008/09 and will, of course, have sight of these costs for that financial period, providing that the District Auditor had sight of them first!"

The Director of Adult Social Care & Housing replied that she would contact Stewart Gover with a full response.

## **7. DEPUTATIONS**

7.1 The Chairman noted that no deputations had been submitted for the meeting.

## **8. LETTERS FROM COUNCILLORS**

8.1 The Chairman noted that no letters from Councillors had been submitted for the meeting.

## **9. WRITTEN QUESTIONS FROM COUNCILLORS**

9.1 The Chairman noted that no written questions from Councillors had been submitted for the meeting.

## **10. HOUSING REPAIRS REFURBISHMENT AND IMPROVEMENT STRATEGIC PARTNERSHIP RECOMMENDATIONS REPORT**

10.1 The Committee considered a report of the Director of Adult Social Care & Housing that detailed the procurement process and outcome for a 10 Year Housing Repairs, Refurbishment and Improvement Strategic Partnership and sought approval to award the contract (for copy see minute book).

10.2 The Chairman invited the Asset Management Panel to give a presentation to the Committee on their involvement in the evaluation of the submitted bids.

10.3 Councillor Mears clarified that she has no connection with the company Mears Limited.

10.4 John Melson commented that the evaluation of bidders should include the conduct of the workmen on site and noted that he had recently witnessed some scaffolders shouting and using offensive language.

10.5 Councillor Randall thanked the Panel for their thorough presentation. He noted that there was some still dispute regarding the transfer of staff and asked to be kept informed on this issue. He also suggested that, as a highly important issue and the Council's largest piece of contract work, this decision should go before full Council for consideration, rather than Cabinet.

10.6 Stewart Gover congratulated Mears Limited on having built a successful company and, on behalf of the North Area, gave his support for the assessment process and for the recommendation for Mears Limited as the preferred bidder. He also noted that Mears Limited do not employ scaffolders.

- 10.7 Councillor Wells commented that Mears Limited had a proven track record on working in partnership with the Council. He stated that he was impressed by the company's community regeneration work such as the recruitment of apprentices. He thanked officers and the Asset Management Panel for their work on this item.
- 10.8 Councillor Simpson noted that this issue was of huge long-term importance to the Council and fundamental to the wellbeing of tenants and congratulated the Asset Management Panel on their hard work. She expressed disappointment that the in-house option had not been successful and expressed concern regarding the TUPE transfer of staff, noting that this must be managed in a sensitive and supportive manner.

Councillor Simpson went on to comment that the performance of Mears Limited had not always been excellent but that it had improved greatly over the last 12 months. She was pleased to note that the company was proposing to introduce 5 posts for Clerks of Works. She concluded that standards must be maintained over the 10 year term of the contract to ensure a quality service for tenants and value for money for the Council.

- 10.9 Councillor Mears highlighted the importance of the contents and wording of the final contract with the approved partner, including effective break clauses and penalties, to ensure that the Council is in a positive position to maintain continuity in the standard of service for tenant's homes.
- 10.10 John Melson commented that he had no objection to the noise made by workmen but rather the content of their language. He noted that Asset Management Panel had done a very good job in their assessment of the bidders but asked that the Council work to ensure that the approved partner does not become complacent with time. He also commented that he did not think it was necessary for the decision to be put to full Council.
- 10.11 Councillor Fryer reiterated Councillor Randall's suggestion that the recommendation be put to full Council to strengthen the decision. She also expressed disappointment that it had not been possible to pursue an in-house option.
- 10.12 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Housing Management Consultative Committee accepted the following recommendation:
- That Housing Management Consultative Committee recommend to Cabinet to:
- (1) Approve the selection of Mears Limited for the Repairs, Refurbishment and Improvement Strategic Partnership contract covering the whole city.
  - (2) Authorise the Director of Adult Social Care & Housing in consultation with the Director of Finance & Resources and the Cabinet Member for Housing to develop and implement a partnering contract over time to deliver the target pricing framework as outlined in 3.11.4 to 3.11.9 of this report.
  - (3) Authorise the Director of Adult Social Care & Housing in consultation with the Cabinet Member for Housing to take all steps necessary or incidental to the implementation of recommendations 2.1 and 2.2 including those necessary to effect the commencement of this

contract on 1 April 2010, to run for up to ten years, and any staffing issues associated with the proposals.

#### **11. HOUSING REVENUE ACCOUNT BUDGET 2009/10 REDUCTION IN RENT INCREASES**

- 11.1 The Committee considered a report of the Director of Adult Social Care & Housing and the Director of Finance & Resources that provided information on the Housing Revenue Account Budget 2009/10 and the reduced rent increases in line with the Government's revised Subsidy Determination.
- 11.2 **RESOLVED** – That the report be noted.

#### **12. AUDIT COMMISSION - ADVICE & ASSISTANCE VISIT**

- 12.1 The Committee considered a report of the Director of Adult Social Care & Housing that set out the results of the advice and support work provided by the Audit Commission during March 2009 and an action plan to take forward their recommendations.
- 12.2 Councillor Fryer commented that the appendices to the report contained a high number of acronyms and abbreviations, which made the information difficult to understand. The Chairman clarified that the documents which formed the appendices had been produced by the Audit Commission but that this comment would be relayed to them.
- 12.3 Councillor Fryer referred to the 'areas for improvement' relating to 'Diversity' listed on page 48 of the agenda and noted that these highlighted to the Council how it must work to promote engagement of a wider tenant base.
- 12.4 The Assistant Director of Housing Management explained that the recommendations from the Audit Commission would be addressed through the Residents Involvement Strategy, currently being developed by the Tenant Compact Monitoring Group and through the overall Housing Improvement Programme.
- 12.5 The Chairman thanked the Housing Manager for her work on this report and noted that there were no unexpected areas for improvement raised by the Audit Commission.
- 12.6 **RESOLVED**
- (1) That the contents of the report be noted;
  - (2) That the action plan to meet the recommendations arising from the Audit Commission visit during March 2009 be endorsed.

#### **13. LOCAL LETTINGS PLAN FOR SHELTERED HOUSING**

- 13.1 The Committee considered a report of the Director of Adult Social Care & Housing that outlined the proposed Local Lettings Plan for Sheltered Housing with the aim of making more efficient use of the Council's housing stock and improving support for vulnerable people.

- 13.2 Tom Whiting referred to paragraph 3.5 of the report and recent problems with anti-social behaviour. He commented that these are often linked to residents with high medical needs and asked for greater support to be provided.
- 13.3 Councillor Wells asked for clarification on what happens to residents who are excluded from Council housing because of a history of anti-social behaviour. The Head of Housing Management replied that the Council will not knowingly house residents with a background of anti-social behaviour. The Assistant Director of Housing Management added that the Council will support them to meet their housing needs in other ways, for example by advising on the wider range of housing options available.
- 13.4 Beryl Snelling queried the proposal to allow 2 bedroom Sheltered Housing properties to be let to tenants with a live-in carer under 60. She suggested that if these residents already benefited from a dedicated carer the benefits of Sheltered Housing would add little to this.
- 13.5 Stewart Gover was pleased to note the upcoming proposal to rehouse the six residents remaining at Ainsworth House and thereby release the property for a more valuable purpose.
- 13.6 Councillor Randall commented that tenants may live as long as 40 years within a Sheltered Housing property and therefore should receive continual support and ongoing assessment of their changing needs throughout their tenancy. He queried whether the proposals in the report would also apply to Housing Association properties.
- 13.7 Councillor Mears gave a brief update on the position regarding the Anchor Trust Sheltered Housing property in Saltdean. She expressed concern regarding the company's proposal with regard to that scheme, noting that there were currently 4 residents aged over 90 living at the property, and informed the Committee that officers are currently working on this issue.
- 13.8 Chris Kift was pleased to note that at a recent meeting of HomeMove and the Choice Based Lettings team it was agreed that a Registered Nurse will now sit on the Assessment Panel.
- 13.9 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Housing Management Consultative Committee recommend to the Cabinet Member for Housing that:
- (1) The proposed Local Lettings Plan for Brighton and Hove City Council Sheltered Housing is adopted;
  - (2) That when allocating vacant Brighton and Hove City Council sheltered housing units, priority is firstly given to BHCC sheltered housing tenants who need to move within the same scheme and secondly to existing BHCC sheltered housing tenants who need to move to another scheme. Where a flat has significant disabled adaptations, the incoming tenant must be in need of these. This would apply with up to 30 units of sheltered accommodation in the 12 months following implementation, after which a review will take place. The review would include equality impact assessment of this local lettings policy.

- (3) That where there are no bids for two bedroom sheltered housing from eligible households assessed as needing two bedrooms then the unit can be offered to qualifying two person households with an assessed need for one bedroom. Where no such households bid, then the unit may be offered to a single person eligible for sheltered housing.
- (4) That the restriction preventing letting of sheltered flats to people with resident younger carers is removed. A sole tenancy would be offered to the person who is eligible for sheltered housing.
- (5) That a new process of assessment to better ensure risk is appropriately managed, that support needs of new residents can be met fully and promote greater balance of support need within and between schemes, is introduced in September 2009.

#### **14. LOCAL LETTINGS PLANS - GENERAL STOCK**

- 14.1 The Committee considered a report of the Director of Adult Social Care & Housing which proposed a pilot Local Lettings Plan with the aim of making more efficient use of the Council's general housing stock
- 14.2 The Chairman thanked officers for their report and the work put into the consultation exercise, noting that the proposed changes to the lettings practice and policy, if implemented, would be reviewed in 12 months to ensure there are no unforeseen negative effects.
- 14.3 Stewart Gover felt that the proposals in recommendations (1), (2) and (4) were superb but expressed concern that recommendation (3), regarding a proposal to let a proportion of homes to working families on low incomes, was highly discriminatory and a breach of human rights.

The Chairman clarified that the intention of the proposal was to encourage uptake by working tenants, with the aim of improving the overall community mix, not to exclude non-working tenants.

The Senior Lawyer clarified that, as the proposal was time limited, it did not constitute a breach of Human Rights legislation.

- 14.4 Councillor Fryer suggested that Tarner be included in the list of areas for the pilot application of the proposal at recommendation (3). She also commented that, if the pilot proved successful, the scheme should be rolled out to include 2 bedroom flats as well as houses.
- 14.5 Chris Kift gave his support for the proposals in the report and felt that recommendation (3) would help to create a 'mixing pot' of different backgrounds within housing communities. He was also pleased to note the proposal to allow priority for tenants wishing to move within their current block, as set out in recommendation (4).
- 14.6 Councillor Simpson commented that, given the potential benefits of the proposal, she supported the pilot scheme set out at recommendation (3) and asked whether this would also apply to Housing Associations. The Chairman replied that other Registered Social

Landlords have their own Local Lettings Plans which often include similar policies regarding working families.

- 14.7 John Melson expressed reservations about reaching the target in recommendation (3) of 25% but supported the principle of building more sustainable communities and suggested that the proposal should apply to all areas and also be extended to 2 bedroom flats if successful.
- 14.8 Councillor Randall commented that the offer of a new tenancy agreement can be linked to an offer of support into work and suggested that the Council could do more to maximise the use of housing tenancies as a gateway to employment and educational opportunities.
- 14.9 Councillor Mears expressed support for the pilot proposals and reiterated the aim to create a mixed community.
- 14.10 John Melson raised concerns regarding housing children in high rise blocks and suggested that the Council should undertake a safety audit on this issue. He also commented that the effects of anti-social behaviour can often be exasperated by structural issues, such as poor noise insulation. He felt that there was still more work to be done on the Local Lettings Plan to allow greater flexibility.
- 14.11 The Assistant Director of Housing Management noted that, as a result of private tenancies or growing families, some children already live as part of families in high rise blocks, but welcomed the suggestion of a safety audit. In relation to noise issues, he noted that the Council was working to address this through an improved induction process for new tenants and greater enforcement of tenancy agreements.
- 14.12 Chris Kift noted that the tenancy agreement had recently been rewritten and, if properly adhered to and enforced, problems such as noise transfer between properties, should be greatly reduced.
- 14.13 The Chairman offered her thanks, on behalf of the Committee, to the officers involved in this piece of work.
- 14.14 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Housing Management Consultative Committee recommend to the Cabinet Member for Housing that:
- (1) That the restrictions favouring households without young children are removed. Where problems associated with child density exist in a specific block or estate, then temporary Local Lettings Plans of up to 12 months may be agreed by the Cabinet Member for Housing. The impact of this will be reviewed after 12 months operation.
  - (2) That all restrictions preventing letting of one bedroom property to single people are removed. This policy, no longer implemented, still formally applies to a few blocks and therefore should be formally revoked.
  - (3) That a pilot Local Lettings Plan of 12 months duration be agreed whereby up to 25% of property with two bedrooms or more in eight key deprived areas are designated for



households where at least one adult has been in paid employment for a minimum of 16 hours a week for at least three months. Mobility standard flats are excluded. The nine areas are: South Whitehawk, Central Whitehawk, North Whitehawk, Central Moulsecoomb, East Moulsecoomb, Knoll, Hangleton, Hollingdean and Tarnar (see appendix for data). This will help increase economic balance within the most deprived communities where few people work and benefit dependency is viewed as the norm.

- (4) That a pilot Local Lettings Plan over a 12 month period be agreed whereby up to 20 ground and first floor flats are identified as lets where preference will be given to tenants in the same block who need to move to a lower floor to meet needs associated with lessening mobility and/or for personal safety as part of a Personal Evacuation Plan. Mobility standard flats are excluded unless the transferring tenant has a specific need for that type of property. This will be reviewed after 12 months.

**15. HOUSING MANAGEMENT PERFORMANCE REPORT (END OF YEAR REPORT)**

- 15.1 The Committee considered a report of the Director of Adult Social Care & Housing and the Director of Finance & Resources that provided the end of year performance results for Housing Management areas of service.
- 15.2 **RESOLVED** – That the report be noted.

The meeting concluded at 4.50pm

Signed

Chairman

Dated this

day of