

BRIGHTON & HOVE CITY COUNCIL

ADULT SOCIAL CARE & HOUSING OVERVIEW & SCRUTINY COMMITTEE

4.30PM 10 MARCH 2011

COMMITTEE ROOMS 2/3, BRIGHTON TOWN HALL

MINUTES

Present: Councillors Meadows (Chairman); Wrighton (Deputy Chairman), Allen, Davey, Janio, Kemble, Older and Pidgeon

Co-opted Members: Steve Lawless

PART ONE

51. PROCEDURAL BUSINESS

51A Declaration of Substitutes

51.1 There were none.

51B Declarations of Interest

51.2 Steve Lawless said that in relation to item 59 (the Panel report on services for Adults with Autistic Spectrum Conditions) he managed Aspire, one of the two Asperger Syndrome services in the City. Aspire which delivers training and provides mentors and groups for people with Autistic Spectrum Conditions.

51C Declarations of Party Whip

51.3 There were none

51D Exclusion of Press and Public

51.4 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.

51.5 RESOLVED – that the press and public be not excluded from the meeting.

52. MINUTES OF THE PREVIOUS MEETING

52.1 These were approved.

53. CHAIRMAN'S COMMUNICATIONS

53.1 There were no communications.

54. PUBLIC QUESTIONS

54.1 There were none.

55. LETTERS FROM COUNCILLORS

55.1 There were none.

56. NOTICES OF MOTIONS REFERRED FROM COUNCIL

56.1 There were none.

57. MEMBER DEVELOPMENT SESSION - HOUSING BENEFITS

57.1 Graham Bourne, Head of Revenues and Benefits, and John Francis, Revenues and Benefits Manager, provided members with an overview of how the Local Housing Allowance (LHA) system operated and a summary of the forthcoming changes to the LHA system. The current LHA maximum levels are due to be reduced under the new regulations; by December 2012 all existing and new claims will be on the lower level.

57.2 Members asked how claimants would be expected to make up the shortfall when the new LHA levels were introduced.

Mr Bourne said that it was not possible to predict all of the factors including landlord and tenant behaviour at present. However Mr Bourne noted that Brighton & Hove had been allocated one of the largest discretionary payment funds in the country, which recognised the importance of the private sector housing market in the city.

57.3 Members asked how much notice claimants would have about LHA changes that affected them.

Mr Bourne said that they tried to allow as much lead in time as possible to introduce changes, and that they would try to communicate changes as much as possible. For example, when LHA was first introduced into the city, the team allowed a twelve month notification period, sending out bulletins every three months.

57.4 Members said that they were concerned about the effect that the LHA changes would have on vulnerable people including those with Learning Disabilities. Had a Risk Assessment been carried out?

Mr Bourne said that the service was working with Housing Strategy to assess the impact on vulnerable clients, in order that they could put as much support in as possible. In

addition, some of the discretionary payment amount had been set aside for vulnerable groups.

- 57.5 Members asked whether the current system was perpetuating the high rent levels being set by landlords, as landlords were able to set rents at whatever level they wished.

Mr Bourne said that they could only speculate about what might happen; housing was a market and landlords will make commercial decisions. It was not possible to predict the changes that might occur; a number of academic modelling studies had been carried out but there was no consistent outcome to the studies.

- 57.6 Members noted that under the new legislation, people under the age of 35 would only be eligible for LHA for a shared room rent level. Members asked whether Brighton and Hove had the accommodation capacity that might be needed for the anticipated extra Houses of Multiple Occupation.

Mr Bourne said that Housing Strategy was working to try and assess the availability of accommodation across various housing types. There were already approximately 1000 people under the age of 35 who were claiming LHA and living in shared accommodation, and approximately 1000 others who were in self contained accommodation. It was recognised that the changes in LHA legislation would change the pressure of accommodation demands for the city.

- 57.7 Members asked whether people on DLA would be exempt from the changes in LHA levels.

Mr Bourne said that people who received middle and higher rates of DLA would be exempt from the changes.

- 57.8 Mr Bourne was thanked for his presentation and the information provided.

58. SCRUTINY PANEL REPORT LOOKING AT LETTING AGENTS

- 58.1 Councillor Paul Elgood, who chaired the Panel, presented the report to the Committee.

The Panel had been established to look at the charges made by letting agents in the city. This was in response to a national report published by the Citizens' Advice Bureau. The Panel had heard from letting agencies and tenants and had heard about good and bad practice that was being carried out.

The Panel had made six recommendations, all of which could help to provide a low-cost solution to a problem that affected a great many tenants in Brighton and Hove.

The Cabinet Member for Housing had taken part in the Panel and had agreed with the recommendations made.

- 58.2 Committee Members asked Councillor Elgood questions about the report. Members asked whether there was already a national landlord accreditation system.

Councillor Elgood said that there were some voluntary schemes but that this would not help with the non-accredited and unmonitored letting agents that were operating in Brighton and Hove.

58.3 Members asked a procedural question about the route of the scrutiny report once it had been to ASCHOSC. The Committee would like to know the Executive's response to the report as well as the resource implications of each recommendation. This was agreed as good practice and it was agreed that the report would come back to ASCHOSC with the additional information.

58.4 Members asked whether the Panel had considered recommending that the Private Sector Housing Forum be reinstated. They felt that if the Forum was still in existence, it would have been able to address a number of the excessive charging problems that tenants had raised with the Panel at an earlier stage rather than allowing problems to escalate.

Councillor Elgood said that he would be happy to go back to the other Panel members to ask whether they would be happy to include a recommendation suggesting that the Private Sector Housing Forum be reinstated. He was happy for the report to be postponed whilst amendments were made. This was welcomed by Committee Members.

58.5 Members asked whether the Panel had considered issuing a set list of fees for letting agents.

Councillor Elgood said that this had been considered by the Panel but that they had agreed that it was more useful to start with an accreditation scheme; there ought to be further discussion about issuing a set list of fees. The Panel had heard from a number of tenants who had paid fees because of fears of losing their properties.

58.6 Resolved- agreed to note and endorse the recommendations and report, but to agree to the extra points raised in the discussion today. It will then come back to ASCHOSC with the extra comments before being referred on to the Executive.

59. SCRUTINY PANEL REPORT LOOKING AT SERVICES FOR ADULTS WITH AUTISTIC SPECTRUM CONDITIONS

59.1 Councillor Steve Harmer Strange, Chairman of the Scrutiny Panel looking at services for Adults with Autistic Spectrum Conditions, presented the report to the Committee on behalf of the Panel. He said that this was a starting point, and that more research needed to be done in order to get the fullest possible picture of local services. It would be useful to speak to colleagues in the criminal justice system and Speech and Language Therapists for more information as it had not been possible to speak to them during the Panel's investigation.

Councillor Harmer-Strange said that, notwithstanding this, the report was a very strong piece of work and had been very well informed by a wide range of agencies and council officers. A large number of the recommendations were being taken forward in the Joint Strategic Needs Assessment, and would help to shape the direction of work for the future.

59.2 The Chair of ASCHOSC said that a member of the public had brought a number of comments and recommendations about the report to the attention of the Committee today. The comments had also been presented as a formal complaint. It was decided that it was therefore not appropriate to discuss the comments at ASCHOSC.

59.3 Members asked what would happen with the report now. The Senior Scrutiny Officer said that due to the tight timescales in the national guidance, it had been agreed to try and expedite the Panel's final report as much as possible. It was noted that this should have been made more explicit in the report or covering report.

Councillor Ken Norman, Cabinet Member for Adult Social Care (check) said that the report had already been seen by the Executive and that work was underway on the Executive response. Partner agencies had also been involved, including the work being carried out on the Joint Strategic Needs Assessment. In addition, stakeholder groups were being established.

59.4 Committee Members took the opportunity to discuss the content of the report. Steve Lawless, who manages Aspire, a service for adults with Asperger Syndrome, said that Aspire welcomed the report but had a few comments. He said that there was still a great many people who do not qualify for help from the council; they will continue to rely on the third sector for assistance. Mr Lawless welcomed the mapping of what services were available, but it was necessary to look at the funding and viability of third sector organisations.

Mr Lawless also said that it was important to look at preventative work at an early stage; buddying and mentoring were very good examples of schemes that worked. If people with Asperger have some training about how to see the world from the perspective of someone without Autism, that can be a very liberating experience.

Mr Lawless said that adult bullying should have been given more emphasis. People with ASC tend to have a lack of empathy and they do not know why people react in the way that they do. They are often bullied as adults but they do not know why. This can lead to people with ASC losing employment and affecting their entire lives.

Councillor Harmer-Strange agreed to discuss the above points with the Panel members and include them in the Panel report as needed.

59.5 Members thanked the Panel for their hard work on the report. It was very welcome.

59.6 Resolved- agreed to note and endorse the recommendations and report, and agreed to refer it on the Executive for endorsement. It should then come back to ASCHOSC.

60. UPDATE ON CVSF'S PERSPECTIVE ON PERSONALISATION

60.1 Sally Polanski and Geraldine des Moulins presented a report on behalf of the CVSF on the progress with personalisation, updating the Committee on progress in the last six months. They said that nothing had really moved on in the last six months, problems included: nothing had happened since a review meeting in October 2010. There was no

linking between the CVSF and the council. User involvement was central to successful personalisation but support for the CVSF was not forthcoming. The council had missed out by not using user-led intelligence.

In comparison, East Sussex County Council had just launched a large programme for personalisation including £9 million for the third sector. This was a very stark contrast with Brighton and Hove.

The CVSF has concerns about the level of savings that the council's budget has forecast will be made through personalisation. They worry that savings will negatively affect service users and providers.

They are desperate to see development work taking place. There has been a three year transformation process in place; we are now at the end of this but it has not been effective.

Ms Polanski said that, from their perspective, there had been a lot of work that had needed to be done within and without the council; the work within the council had happened but it was the external work that had not happened to such an extent.

There was a need for more communication, particularly with smaller organisations.

60.2 The recently appointed Head of Adult Assessment Services, Brian Doughty, said that he was happy to facilitate a meeting to discuss the issues that had been raised, including commissioners, the third sector, and other officers. He said that the projected budget savings reflected the reshaping of Adult Social Care generally, and were not solely based on the personalisation budget.

60.3 Councillor Norman said that he was due to meet colleagues from East Sussex to discuss their system. He felt that a lot had been put into place over the last three years although it was fair to say that things had slowed down in the last few months due to problems setting up meetings. Councillor Norman confirmed that he was committed to getting things back on track and consulting with the CVSF. He would take all of the comments raised into account.

60.4 The Committee thanked Ms Polanski and Ms des Moulins for their report and hoped that progress would be made shortly.

61. ESTATES SERVICES MASTERPLAN

61.1 Martin Reid gave a presentation updating the committee on the Estates Masterplan. (See minute book for copy of the presentations).

61.2 The Estates Masterplan is a plan for building new homes, and was being delivered by tenants. The first development that had been commissioned was on the site of Ainsworth House, in Wellington Road, Brighton. It uses the site of a decommissioned sheltered scheme. The bulk of funding comes from the Housing Revenue Account. The Ainsworth House scheme was a catalyst for wider estates development work. Mr Reid said that the Estates Masterplan planned to deliver up to 800 homes over ten years.

There was no list of sites yet, it was planned to be a step by step process. Tenants were focussing on Ainsworth House now, and would then look at other options.

61.3 Mr Reid responded to questions from Members regarding the proportion of affordable housing on new developments. Mr Reid said that the rates of housing remained the same. Ainsworth House will all be rented accommodation; rent levels would be kept at the same level as other council accommodation.

61.4 The presentations were noted and Mr Reid thanked for his time.

62. ITEMS TO GO FORWARD TO CABINET OR THE RELEVANT CABINET MEMBER MEETING

62.1 The Scrutiny Panel report on services for adults with Autistic Spectrum Conditions will be going forward to Cabinet as part of the decision making process.

63. ITEMS TO GO FORWARD TO COUNCIL

63.1 There were none.

The meeting concluded at 6.30pm

Signed

Chair

Dated this

day of