



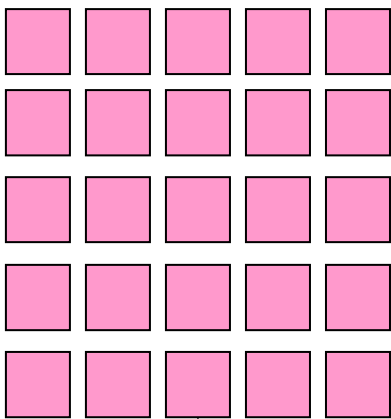
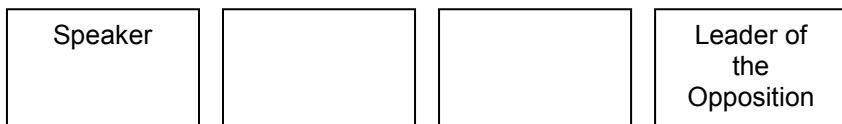
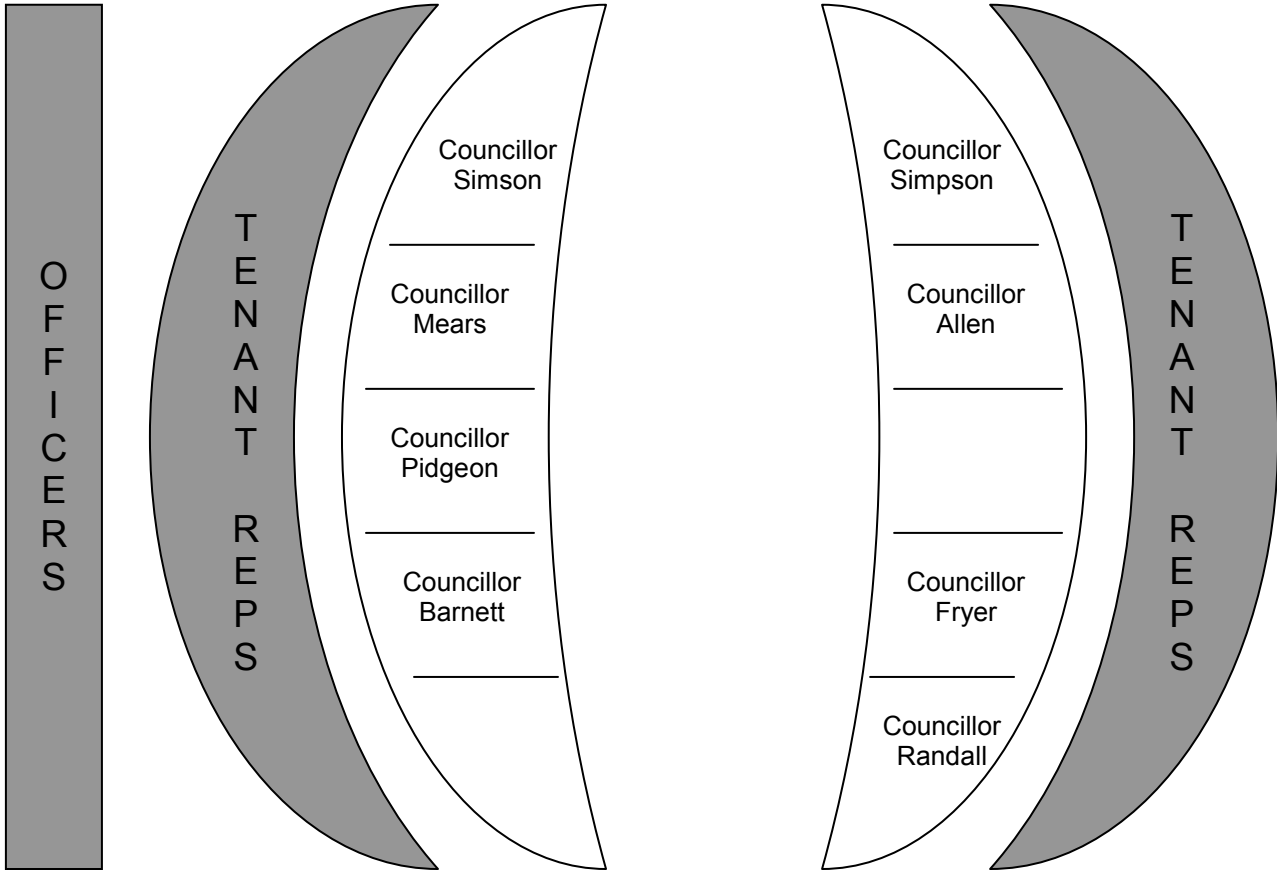
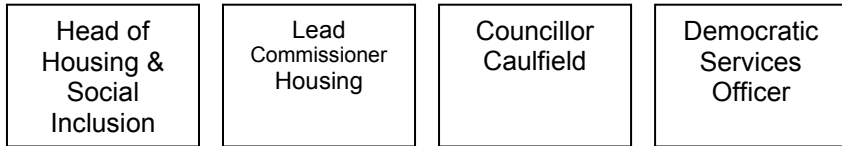
**Brighton & Hove
City Council**

Housing Management Consultative Committee

Title:	Housing Management Consultative Committee
Date:	8 November 2010
Time:	3.00pm
Venue:	Council Chamber, Hove Town Hall
Members:	Councillors: Caulfield (Chairman), Allen, Barnett, Fryer, Mears, Pidgeon, Randall, Simpson (Opposition Spokesperson) and Simson
Contact:	Caroline De Marco Democratic Services Officer 01273 291063 caroline.demarco@brighton-hove.gov.uk

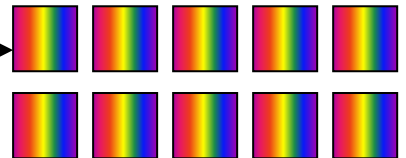
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Democratic Services: Meeting Layout



Public Seating

Members in Attendance



Press



Tenant Representatives:

Ted Harman, Brighton East Area Housing Management Panel

David Murtagh, Brighton East Area Housing Management Panel

Jean Davis, Central Area Housing Management Panel

John Melson, Central Area Housing Management Panel

Stewart Gover, North & East Area Housing Management Panel

Heather Hayes, North & East Area Housing Management Panel

Tina Urquhart, West Hove & Portslade Area Area Housing Management Panel

Beverley Weaver, West Hove & Portslade Area Housing Management Panel

Chris Kift, Hi Rise Action Group

Muriel Briault, Leaseholders Action Group

Colin Carden, Older People's Council

Tom Whiting, Sheltered Housing Action Group

Barry Kent, Tenant Disability Network

AGENDA

41. 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 by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (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 2 of the Agenda states in its heading either that it is confidential or 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 categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

42. MINUTES OF THE PREVIOUS MEETING

1 - 12

Minutes of the meeting held on 27 September 2010 (copy attached).

43. CHAIRMAN'S COMMUNICATIONS

44. CALLOVER

45. PETITIONS

No petitions have been received by the date of publication.

46. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 1 November 2010)

No public questions received by date of publication.

47. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 1 November

2010)

No deputations received by date of publication.

48. LETTERS FROM COUNCILLORS

No letters have been received.

49. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

50. BRIGHTON & HOVE SEASIDE COMMUNITY HOMES - RESPONSE TO FINANCIAL & COMMERCIAL OFFER FROM THE COUNCIL 13 - 34

Report of Strategic Director, Place (copy attached).

Contact Officer: Martin Reid Tel: 29-3321
Ward Affected: All Wards;

51. BUILDING NEW COUNCIL HOMES & HOUSING ESTATE MASTER PLANNING 35 - 42

Report of Strategic Director, Place (copy attached).

Contact Officer: Martin Reid Tel: 29-3321
Ward Affected: All Wards;

52. HOME ENERGY EFFICIENCY INVESTMENT OPPORTUNITIES

Presentation from Head of Housing Strategy and Development

53. HOUSING REPAIRS & IMPROVEMENT STRATEGIC PARTNERSHIP UPDATE AND AUDIT COMMISSION REPORT 43 - 72

Report of Strategic Director, Place (copy attached).

Contact Officer: Glyn Huelin Tel: 01273 293306
Ward Affected: All Wards;

54. ALLOCATIONS POLICY REVIEW 73 - 82

Report of Strategic Director, Place (copy attached).

Contact Officer: Sylvia Peckham, Verity Walker Tel: 293318, Tel: 01273 293130
Ward Affected: All Wards;

55. TENANCY FRAUD POLICY 83 - 90

Report of Strategic Director, Place (copy attached).

Contact Officer: Helen Clarkmead
Ward Affected: All Wards;

Tel: 293350

56. MINIMUM STANDARDS FOR RESPONDING TO REPORTED ANTI-SOCIAL BEHAVIOUR

91 - 96

Report of Strategic Director, Place (copy attached).

Contact Officer: Helen Clarkmead
Ward Affected: All Wards;

Tel: 293350

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 fifth working day before the meeting.

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Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Caroline De Marco, (01273 291063, email caroline.demarco@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Friday, 29 October 2010

HOUSING MANAGEMENT CONSULTATIVE COMMITTEE MEETING

Agenda Item 42

Brighton & Hove City Council

BRIGHTON & HOVE CITY COUNCIL

HOUSING MANAGEMENT CONSULTATIVE COMMITTEE

3.00pm 27 SEPTEMBER 2010

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Caulfield (Chairman); Allen, Barnett, Fallon-Khan, Fryer, Mears, Pidgeon, Randall and Simpson (Opposition Spokesperson)

[**Note:** Councillor Mears chaired the meeting up to and including item 26. Councillor Caulfield chaired the meeting from item 27 onwards.]

Tenant Representatives: Ted Harman (Brighton East Area Housing Management Panel), David Murtagh (Brighton East Area Housing Management Panel), Jean Davis (Central Area Housing Management Panel), John Melson (Central Area Housing Management Panel), Stewart Gover (North & East Area Housing Management Panel), Heather Hayes (North & East Area Housing Management Panel), Tina Urquhart (West Hove & Portslade Area Area Housing Management Panel), Beverley Weaver (West Hove & Portslade Area Housing Management Panel), Chris Kift (Hi Rise Action Group), Muriel Briault (Leaseholders Action Group), Colin Carden (Older People's Council), Tom Whiting (Sheltered Housing Action Group) and Barry Kent (Tenant Disability Network)

Also present: Trish Barnard (Central Area Housing Panel)

PART ONE

25. PROCEDURAL BUSINESS

25A Declarations of Substitute Members

25.1 Councillor Fallon-Khan declared that he was attending as a substitute for Councillor Simson.

25B Declarations of Interests

25.2 Councillors Barnett, Simpson and Randall, Heather Hayes and Ted Harman declared a personal interest in any discussion on the LDV as they are Board Members of Brighton and Hove Seaside Community Homes (the Local Delivery Vehicle).

25C Exclusion of the Press and Public

25.3 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.

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

26. MINUTES OF THE PREVIOUS MEETING

26.1 Councillor Simpson asked for news about the Water Meters Working Group. She was informed that there had been a meeting with Southern Water to consider a pilot for bulk water metering. A further visit to blocks was needed to look at the feasibility of this project. The working group would then be reconvened.

26.2 John Melson informed the Committee that two representatives had been elected by the City Wide Assembly to negotiate with Southern Water. These negotiations would be independent of the council.

26.3 The Chairman reported that the next City Wide Assembly would be held on 20 November 2010 and the matter would be discussed at that meeting.

26.4 Councillor Fryer referred to paragraph 13.11 of the minutes held on 14 June 2010. She queried whether tenants representatives were able to vote on the Committee prior to 2008. The Chairman confirmed that tenants 'representatives had always had an indicative vote.

26.5 Stewart Gover referred to paragraph 12.3 of the minutes of 14 June 2010 in relation to the Tenants' Handbook. He stressed that it was important to ensure that tenants adhered to the rules set out in the handbook. Meanwhile, he was pleased to report, that following his petition to the Queen, he had now received a reply setting out clear rules relating to the succession policy for council properties. The rules were very fair. The Chairman thanked Stewart for his work on sending the petition to the Queen. She agreed that the Tenants' Handbook rules needed to be adhered to. Chris Kift concurred and stressed that it was a legal document.

26.6 **RESOLVED** – That the minutes of the meetings held on 14 June and 1 September 2010 be approved and signed by the Chairman.

27. CHAIRMAN'S COMMUNICATIONS**Housing Local Delivery Vehicle**

- 27.1 The Chairman reported that she was pleased to report that "Brighton & Hove Seaside Community Homes" had formally responded to the council's offer in regard to setting up a housing local delivery vehicle.
- 27.2 Their proposals would give the council a capital receipt and additional investment to help refurbish the housing stock. The Chairman was very grateful for the hard work the Board had undertaken to reach this position. Housing staff were now carefully reviewing the offer and the council was now prepared to negotiate on all aspects of the proposed deal. This was a big step nearer to achieving the goal of securing additional investment in the housing stock. There would be a report to HMCC and Cabinet on the progress made in reaching a deal with funders.

28. CALLOVER

- 28.1 The Chairman asked the Committee to consider which items listed on the agenda it wished to debate and determine in full.
- 28.2 **RESOLVED** - That all items be reserved for debate and determination.

29. PETITIONS

- 29.1 There were none.

30. PUBLIC QUESTIONS

- 30.1 There were none.

31. DEPUTATIONS

- 31.1 There were none.

32. LETTERS FROM COUNCILLORS

- 32.1 There were none.

33. WRITTEN QUESTIONS FROM COUNCILLORS

- 33.1 There were none.

34. TENANCY VISITS

- 34.1 The Committee considered a report of the Acting Director of Housing which explained the rationale and process for undertaking tenancy checks. The report explained that regular visits to all tenants were an expectation of the Tenant Services Authority, and nationally accepted good practice in tenancy management. The purpose of tenancy checks was to ensure tenants were complying with tenancy conditions and to identify

support or welfare needs; to ensure the property was occupied by the legitimate tenant(s) and to inspect the condition of the property and identify any work that tenants or the council needed to carry out. The standard letter sent to tenants with a questionnaire was circulated as Appendix 1 to the report.

- 34.2 The Housing Manager reported that feedback had been received regarding identification. The request for bank/building society statements as forms of identity had not gone down well and would be removed from the list.
- 34.3 Councillor Fryer said she completely supported tenancy visits but it could be recognised that it could be a very sensitive area. She suggested that ID might be asked for later in the visit in a more sensitive way. Councillor Fryer referred to paragraph 3.2 in the report and asked how many unmet support needs had been identified. The Chairman suggested that a report could be submitted to a future meeting setting out the value of visits with statistical information.
- 34.4 Councillor Pidgeon stressed that the letter should have stated that it was also available in Braille or audio as many tenants were blind or partially sighted. He thought that the person checklist should not ask people about life insurances and other personal matters.
- 34.5 The Chairman stressed that the only objective was to receive a form of identity. The Council would be looking at acceptable forms of identity in the future. In the meantime, checking ID was the only evidence the council had in preventing tenancy fraud.
- 34.6 The Assistant Director, Housing Management reported letters were available in Braille and large print. There were Braille and large print versions of the Tenants Handbook. Tenants' checks could update officers on information about people's needs.
- 34.7 John Melson mentioned that he had just had a Tenancy Visit. He had not found it intrusive. Officers had not been interested in the content of documents, and were only using them as a form of ID. This was not made clear in the letter. Mr Melson considered that the letter could be worded in a friendlier manner. Meanwhile, he stressed that there was also a problem with leaseholder fraud and that problem should be addressed.
- 34.8 Chris Kift noted that the circulated letter was different from the original letter that had been sent out. No complaints had been received after it was changed. He made the point that the letter should state which officer would be calling. He suggested that instead of making a list of possible ID, the letter should simply ask for printed formal ID. Many older people were frightened by such a long list. He thought the letter and questionnaire should be reconsidered.
- 34.9 The Chairman reported that there was an item on Tenancy Fraud on the next HMCC agenda in November. Suitable forms of ID could be discussed at that meeting. She made the point that officers should wear ID, and that the wording in the letter should be reconsidered. However, she considered tenancy visits were valuable.
- 34.10 Councillor Simpson suggested that it would be helpful if the letter was printed in size 14 font or above. She made the point that tenancy visits should be carried out in a

sensitive way and if works had been carried out to a property, officers should acknowledge people's age and disabilities, and not charge tenants for unauthorised works carried out under a previous tenancy.

- 34.11 Councillor Randall felt that tenancy checks were a good way of collecting information about vulnerable tenants. He also recognised that fraud was a serious issue. Councillor Randall thought the tone of the letter needed some consideration, but it was important to carry out this work.
- 34.12 Councillor Mears stressed that tenants had signed up to have tenancy visits in their tenancy agreement.
- 34.13 **RESOLVED** – (1) That the rationale and process for undertaking tenancy visits be noted.

35. HOUSING REVENUE ACCOUNT 2009/10 FINAL OUTTURN AND FORECAST OUTTURN FOR 2010/11 AS AT MONTH 4

- 35.1 The Committee considered a report of Acting Director of Housing which presented the Housing Revenue Account 2009/10 Final Outturn and Forecast Outturn for 2010/11 as at Month 4.
- 35.2 Councillor Randall was pleased to note that money had been spent on long term empty properties. He referred to paragraph 3.2.4, which reported that leaseholder service charges income was projected to underachieve. He asked for more information. The Head of Financial Services reported that bills were sent to leaseholders in August each year. Officers had to make estimates for works and it was difficult to judge accurately.
- 35.3 The Chairman stressed the importance of maintaining reserves for emergencies. The Assistant Director, Housing Management agreed that it was prudent to keep a level of reserves as it was not known if there would be unforeseen expenditure.
- 35.4 Councillor Mears highlighted the need to invest in housing stock. It was important that the council had the resources to improve people's homes.
- 35.5 **RESOLVED** - (1) that it be noted that the final outturn for the HRA for 2009/10 was an overspend of £0.280 million. This represents a variance of 0.58% of the gross revenue budget of £47.949 million. General HRA revenue reserves have reduced by £0.280 million to £3.622 million as at 31 March 2010.
- (2) That the forecast outturn position for 2010/11 as at Month 4, which is an overspend of £0.038 million, be noted.

36. CONSULTATION DRAFT OF RESIDENT INVOLVEMENT STRATEGY

- 36.1 The Committee considered a report of Acting Director of Housing which provided an update on the progress to adopt a revised Resident Involvement Strategy first reported in June 2020.

- 36.2 The Head of Customer Access & Business Improvement informed the meeting that the Tenant Compact Monitoring Group had met on 13 August 2010 to consider the responses received to the strategy. Their conclusions were set out in the report.
- 36.3 John Melson made the point that the strategy set out what officers would do for the tenants; but it did not set out what tenants had to do in return. He felt it was necessary to show how tenants should be accountable to the council. Mr Melson considered that the council should have a Residents' Overview and Scrutiny Panel. Many other local authorities had such panels.
- 36.4 Mr Melson considered that the consultation should be wider. Meanwhile, there was a need to look at the functions of the current residents' groups.
- 36.5 Tom Whiting agreed that there should be a Residents' Overview and Scrutiny Panel. He asked if there was an organisation chart and hoped someone would produce one, with formal communication lines. Chris Kift replied that there was a chart in the Tenants' Handbook.
- 36.6 **RESOLVED** – (1) That the endorsement of the broad framework of the Resident Involvement Strategy, as proposed by the Tenant Compact Monitoring Group be noted, subject to the continuing work set out below.
- (2) That it is noted that the Tenant Compact Monitoring Group is recommending that the groups, while organised by officers, should be "Tenant/Leaseholders Only" with officers attending only by invitation.
- (3) That the proposal from the Tenant Compact Monitoring Group, that four smaller working groups be established to examine, in detail, the consultation responses to the four objectives within the Resident Involvement Strategy, be endorsed, namely:
- **Objective 1** Provide a wide range of opportunities for residents to be involved in their housing.
 - **Objective 2** Develop, a framework for agreeing local offers and priorities with our residents.
 - **Objective 3** Involve residents in the development of housing policy and the design and delivery of housing services.
 - **Objective 4** Involve residents in monitoring and scrutinising our performance in delivering housing services.
- Each working group will examine the comments and suggestions received in the consultation process and will determine what further consultation with all customers might be required.
- (4) The Tenant Compact Monitoring Group is recommending that the groups, while organised by officers, should be "Tenant/Leaseholder Only" with officers attending only by invitation.

37. CUSTOMER ACCESS PHASE 2

- 37.1 The Committee considered an update report of the Acting Director of Housing concerning the review of customer access arrangements for the Housing Management Service and presented a number of proposals for consideration by Committee Members.
- 37.2 Councillor Fryer asked whether sharing space with the Children and Young People's Trust was purely office sharing or if there would be a particular benefit in having the CYPT staff in the office. The Head of Customer Access & Business Improvement reported that the CYPT staff needed accommodation. Space had become available in Lavender Street as housing teams were working more closely together at the Supercentre.
- 37.3 John Melson mentioned that there was already a free phone number for Mears. He asked why this number could not be used as the basis for the proposal in the report. The Assistant Director, Housing Management agreed that it would make sense to eventually have a single number. Initially, there would be a number for repairs and another number for the remainder of tenant management matters.
- 37.4 Chris Kift pointed out that many lines were still 292929. He stressed that there was no point in phoning this number as there was often no response. This needed to be sorted out. Councillor Mears felt that Mr Kift had made a good point. Freephones were useful as long as someone answered them.
- 37.5 Councillor Simpson agreed that it was a good idea to reduce the number of different telephone numbers. This was more efficient. However it could be a problem for older tenants. A sizable proportion of older tenants were not happy with new telephone systems. Councillor Simpson was worried that the option would be lost for face to face contact.
- 37.6 The Chairman stressed that it was not proposed to close services in local offices, or to reduce face to face contact.
- 37.7 The Head of Customer Access & Business Improvement reported that the council now had specialist teams and wanted to highlight how residents could access services in a better way, if they chose to. The council wanted more staff out on the estates and for them to work more effectively.
- 37.8 Stewart Gover made the point that tenancy management was an entirely different matter to repairs and maintenance. He considered that one number would not be appropriate.
- 37.9 Beverley Weaver referred to 2.1 of the report regarding a single point of contact. She mentioned that tenants were not notified when officers were moved to another office. She also questioned how officers would be able to spend more time out of the office, and how older tenants would access their housing officer. The Chairman stressed that the housing officers would stay the same and the service would be accessible. The Head of Customer Access & Business Improvement agreed that there were no plans to change that aspect of the service. The proposals would bring about more effective working and would enable officers to make visits to tenants such as the elderly.

- 37.10 Chris Kift considered the report to be good and supported the idea of a single point of contact. However, he pointed out that some people still had dial phones. He hoped that even with one point of contact, it would still be possible for people to contact individual officers.
- 37.11 Beverley Weaver questioned whether one point of contact would reach all tenants.
- 37.12 The Head of Customer Access & Business Improvement informed the Committee that trials at Selsfield Drive had shown that 80% of queries could easily be dealt with by Housing Management Advisors. She hoped that residents would trust Housing Management Advisors to be effective. The idea was to deal with the majority of queries at the first point of contact. Face to face contact in housing offices would not change and was likely to improve.
- 37.13 David Murtagh confirmed that tenants using Selsfield Drive were receiving answers to questions and were happier as a result.
- 37.14 Tom Whiting informed the meeting that he had no problem with Selsfield Drive. He had not noticed any change, but confirmed he had always received a good service.
- 37.15 **RESOLVED** – That the following proposals that are being considered by Phase 2 of the Customer Access Review be noted, along with the above comments of Members.
- (1) A single point of contact is established for all Tenancy Management telephone calls, emails and written enquiries.
- (2) That one free phone and one local number is introduced for Repairs and Tenancy management and telecoms technology is utilised to route calls to the correct destinations.
- (3) That some Children & Young People's Trust services are provided from the Lavender Street Housing Office as part of a co-location arrangement with local housing area staff continuing to be based at that housing office.
- (4) That work continues on looking at providing access to housing management services through 'Community Contact Points' in libraries.

Note: Stewart Gover abstained from agreeing resolutions 1 & 2 above.

38. MOBILITY SCOOTER STORAGE

- 38.1 The Committee considered a report of the Acting Director of Housing concerning proposals to ensure the safe storage of mobility scooters. Officers and tenant representatives had explored a number of storage options for residents to ensure residents had access to mobility aids whilst ensuring that neighbouring residents were safe in the event of a fire.
- 38.2 The Chairman reported that there had been an increasing number of mobility scooters used by tenants in recent years. There was a need to be responsible in the way they

were stored. The report was before members for comment and feedback. There would be further reports to the HMCC.

- 38.3 The Housing Manager reported that a project working group had been set up to look at this issue. There were many matters to consider such as the planning process for the building of mobility scooter stores, the electricity supply and how to pay for scooter storage.
- 38.4 The Chairman mentioned a suggestion that the Homemove website should have a symbol to show if a block was scooter friendly. She acknowledged that the cost of electricity in communal areas could be high due to people recharging scooters. The Chairman mentioned a shared scooter scheme and suggested this model could be used across the city.
- 38.5 Councillor Simpson welcomed the report, which was addressing a problem and was looking at different solutions for different blocks. She hoped that the council could share the results of the research with housing associations.
- 38.6 The Chairman asked the Assistant Director to take the report to the Social Housing Landlords' Forum.
- 38.7 John Melson referred to the expense of charging mobility scooters. He suggested that people should be metered individually for this service rather than imposing a community charge. Scooter users could use their mobility allowance to pay for the charge. However, he did not agree with charging for scooter storage, as no-one had chosen to use a scooter. It was the equivalent of using a bus pass.
- 38.8 Councillor Simpson asked if the identification of blocks for scooter stores was phase 1 of the project, and suggested that there must be other areas where there was a demand for storage.
- 38.9 The Housing Manager replied that the first phase was to look at common ways in blocks, where there was a fire risk. These were the areas that needed to be tackled immediately.
- 38.10 Barry Kent referred to paragraph 5.1.1 in the report which stated that a typical scooter would use an expected £5.00 per month in electricity charging. He questioned the amount and said that he had an electrician friend who thought that £1 - £3 was a more likely figure. Meanwhile, the letter from the East Sussex Fire & Rescue Service had stated that, if scooters could not be charged in an outside area, all charging should be carried out inside the flat by removing the battery. Mr Kent stressed that large scooters had bulky batteries. He also stressed that the storage sheds needed to have enough space for the scooter and for the user to exit the store.
- 38.11 Ted Harman also referred to the letter from East Sussex Fire and Rescue Service. The letter suggested that mobility scooters should be charged in the day and should not be charged at night. Mr Harman stressed that if mobility scooters were not charged at night, they would not be ready for use during the day. Barry Kent agreed and stated that it took a number of hours to charge a mobility scooter. The Chairman replied that she could not comment on the letter from the Fire Service, but agreed that some of their

suggestions were not practical. There was a balancing act between having safe blocks and meeting the needs of tenants.

- 38.12 Councillor Randall suggested that new housing schemes should have provision of scooter storage designed into the scheme. He liked the idea of sheds for scooters.
- 38.13 Beverley Weaver agreed with John Melson that there should not be a charge for scooter storage. People with mobility scooters were often Blue Badge holders.
- 38.14 The Assistant Director, Housing Management stressed that every case would be assessed individually. The key to the report was that one size did not fit all.
- 38.15 The Chairman asked tenants in the public gallery for their views. Faith Matyszak reported that she would be discussing the report at the Tenants' Disability Group. Maggie King agreed that everyone needed to be treated as an individual. Valerie Paynter asked how the priority site list was compiled. The Housing Manager explained that high rise properties in the city were the priority. This was where there were problems with mobility scooter storage.
- 38.16 **RESOLVED** – (1) That the following proposals be noted, along with the above comments of members of the HMCC.
- Build external stores where planning considerations allow and where there is known demand.
 - Convert, where appropriate, miscellaneous rooms for scooter storage in consultation with local residents.
- (2) That it be noted that a policy on the use of mobility scooters for residents of Council housing is being developed. A draft policy will be presented to a future meeting of Housing Management Consultative Committee.

39. HOUSING MANAGEMENT PERFORMANCE REPORT (QUARTER 1)

- 39.1 The Committee considered a report of the Acting Director of Housing which set out the Quarter 1 report for Housing Management performance for the financial year 2010/11. As a result of a review of benchmarking by HouseMark and the introduction of a new single National Club, comparative data was not available in the format used to date. How best this new data might inform future reports was being investigated and would be commented on in the Quarter 2 report.
- 39.2 The Head of Customer Access & Business Improvement reported that the July figure for rent collection had improved and was 98.41%. This was the highest collection rate in the South East.
- 39.3 Councillor Allen congratulated officers on the rent collection figures. He asked why the % of rent lost due to voids was rising. He also asked why there was a reduction in the total former tenant arrears (exclusive of Temporary Accommodation).
- 39.4 The Head of Customer Access & Business Improvement explained that the increase in rent lost due to voids was due to the number of empty properties. The current rate of

empty properties was 1.4%. The Chairman reported that reserves were being used to bring empty property back into use.

- 39.5 Councillor Allen was informed that he would be given a written response with figures as to why there had been such a big reduction in tenant arrears.
- 39.6 Beverley Weaver referred to paragraph 3.1.3 and asked for an explanation about re-charges. The Head of Customer Access & Business Improvement explained that the £37,000 referred to the amount charged to people. The amount collected had increased and the amount charged to people had also increased.
- 39.7 Stewart Gover referred to the average recharge debt being £649. He considered this figure to be low and stated that it could cost between £3,000 to £6,000 to put right a trashed property.
- 39.8 Heather Hayes supported the recharging of tenants who had vandalised properties but expressed concern that tenants who had improved properties by putting in good doors and kitchen units had been recharged after they had agreed to be downsized to smaller properties.
- 39.9 **RESOLVED** – (1) That the report be noted.

40. CONTRACT FOR COMMUNAL DIGITAL TV SYSTEM FOR COUNCIL HOUSING

- 40.1 The Committee considered a report of the Acting Director of Housing which explained that presently most of the council's blocks of flats had analogue communal TV aerial systems. The South East (including Brighton & Hove) analogue signal would be switched off in January 2012. The majority of TV sets and aerials not converted to digital by the switchover date would no longer be able to view TV programmes. To meet this deadline a contract needed to be awarded as quickly as possible.
- 40.2 Stewart Gover made the point that most of the Lewes Road corridor was in the shadow of the Downs and might need repeaters for good reception. He was concerned that money should not be spent on a digital system until it became clear that people could receive the system.
- 40.3 The Chairman agreed that reception was an issue and she had been discussing this matter with the Assistant Director, Housing Management. Mark Dennison would be the point of contact for tenants.
- 40.4 The Head of Property & Investment informed members that the council had to invest in the digital switchover. By 2012, there would be no provision for communal aerials. The onus was on the providers to overcome problems of reception, and this was matter was being considered.
- 40.5 **RESOLVED** – (1) That the report be noted.

The meeting concluded at 5.49pm

Signed

Chairman

Dated this

day of

HOUSING MANAGEMENT CONSULTATIVE COMMITTEE

Agenda Item 50

Brighton & Hove City Council

Subject: Brighton & Hove Seaside Community Homes –
Response to Financial & Commercial Offer from the
Council

Date of Meeting: 8th November 2010

Report of: Strategic Director of Place

Contact Officer: Name: **Martin Reid** Tel: **293321**
E-mail: martin.reid @brighton-hove.gcsx.gov.uk

Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1. At the meeting in September 2008, Cabinet agreed to set up a housing company (Local Delivery Vehicle, LDV) to deliver key strategic housing and corporate priorities and to generate funding for investment in the Housing Revenue Account to improve council homes and assist the council in meeting the decent homes standard. In particular, the housing company aims to provide a stable supply of accommodation for people with particular needs and to whom the council owes a housing duty.
- 1.2. The purpose of the LDV is:
 - To bring in additional investment to improve council homes and thus to meet Decent Homes Standard and tenant aspirations
 - for improvement of the stock
 - To meet strategic housing and corporate priorities. In particular, to provide accommodation for people with particular needs to whom the council owes a housing duty
 - To refurbish the leased stock.
- 1.3. The proposal complies with the following parameters, which were set in the light of tenants' overwhelming rejection of the stock transfer proposal in 2007:
 - No RSL involvement
 - No freehold transfer
 - No transfer of tenanted properties
 - Maximum transfer of 499 properties within a period of 5 years.

- 1.4. On 11th November 2010, the Cabinet will consider recommendations to bring about completion of the Local Delivery Vehicle (LDV) project. The LDV, known formally by its company name, Brighton & Hove Seaside Community Homes (BHSCH), will need to secure a funder and negotiate a loan in order to purchase, via lease, property from the council in exchange for a substantial capital receipt subject to a final decision for leasing which meets the 'Best Consideration' test. The funds received by the council will be used to support the decent homes programme and meet tenants' aspirations for improvement to their homes. Cabinet's approval of the recommendations will provide BHSCH with the assurance it needs to conclude negotiations with their selected funder.

2. RECOMMENDATIONS:

- 2.1 That the Housing Management Consultative Committee consider the report for the Cabinet meeting on 11th November 2010 (Appendix 1)

SUPPORTING DOCUMENTATION

Appendices:

1. Brighton & Hove Seaside Community Homes – Revised Financial and Commercial Offer from the Council. Part 1 Report to Cabinet, 11 November 2010

Subject:	Brighton & Hove Seaside Community Homes - Response to Financial & Commercial Offer from the Council Part I Report		
Date of Meeting:	11 th November		
Report of:	Strategic Director of Place		
Contact Officer:	Name: Geoff Raw	Tel: 290726	
	E-mail: geoff.raw.@brighton-hove.gcsx.gov.uk		
Wards Affected:	All	Forward Plan No. CAB18729	

1. SUMMARY:

- 1.1. At the meeting in September 2008, Cabinet agreed to set up a housing company (Local Delivery Vehicle, LDV) to deliver key strategic housing and corporate priorities and to generate funding for investment in the Housing Revenue Account to improve council homes and assist the council in meeting the decent homes standard. In particular, the housing company aims to provide a stable supply of accommodation for people with particular needs and to whom the council owes a housing duty.
- 1.2. Cabinet is being asked to approve the recommendations detailed in section 3 of this report in order to bring about completion of the Local Delivery Vehicle (LDV) project. The LDV, known formally by its company name, Brighton & Hove Seaside Community Homes (BHSCH), will need to secure a funder and negotiate a loan in order to lease, property from the council in exchange for a substantial capital receipt subject to a final decision for leasing which meets the 'Best Consideration' test. The funds received by the council will be used to support the decent homes programme and meet tenants' aspirations for improvement to their homes.
- 1.3. In September 2010, the council received a response and revised offer from BHSCH, which detailed an indicative capital receipt based on certain assumptions on income and expenditure levels. Officers and advisors have assessed this provisional proposal and have produced this report accordingly. Cabinet is asked to approve the key components of this revised offer and delegate authority for completion of the required suite of documents as explained in paragraph 1.5 below. Paragraphs 5.12-5.16 summarise both BHSCH's proposals and the council's revised response.
- 1.4. Cabinet's approval of this report will provide BHSCH with the assurance it needs to conclude negotiations with their selected funder. It is paramount that BHSCH negotiates in the knowledge that the council has accepted the main risk parameters of the project and that the council is comfortable with the income and expenditure details on which funder lending will be based.
- 1.5. It is acknowledged by council officers that whilst Cabinet is being asked to approve the revised commercial and financial offer as it currently stands, a number of issues may

CABINET

change through the course of negotiations, particularly income certainty risk. It is on this basis that Cabinet is being recommended to agree the financial and commercial offer, subject to negotiations, and that the decision on financial, commercial and legal close rests with the Chief Executive, the Strategic Director of Place and the Director of Finance in consultation with the Leader of the Council, the Cabinet Member for Housing and the Cabinet Member for Finance.

- 1.6. The appended Options Assessment reiterates why this proposed transaction with the LDV remains the preferred option. (see appendix 1)

2. POLICY CONTEXT

- 2.1. As at the 30th September 2010 a third of all council homes in Brighton & Hove fell below the decent homes standard and do not meet tenants' aspirations for improvements to their homes. The financial situation is such that the authority cannot, under its own resources within the existing subsidy system, achieve the standard for all homes. The Housing Revenue Account (HRA) 3 year Capital Programme approved at Cabinet on February 2010 highlighted a need to fund £77m over this period, of which £44.6m is to meet the decent homes standard by 2013. The capital programme is funded from a mixture of capital receipts from the LDV, borrowing, reserves and the major repairs allowance (provided through housing subsidy).
- 2.2. Following the outcome of the tenants' stock transfer ballot in 2007, officers reviewed strategic housing options by reference to the decision that the stock will be retained by the council. They identified a strategy to fund the investment gap to achieve the decent homes standard and meet tenants' aspirations for improvement to the stock. Two key approaches have been followed to meet the investment gap.
- 2.3. Firstly, the development of a procurement strategy for the repair and maintenance of the council's housing stock which was approved by the Policy and Resources Committee on 3rd April 2008 with the support of Housing Management Sub-Committee and Housing Committee. As a result of the strategy, the council has awarded a ten-year Repairs, Refurbishment and Improvement Strategic Partnership contract to Mears at a contract value of approximately £20 million per annum. This contract is anticipated to save approximately £46 million on capital works over 30 years compared to previous costs. In addition, Mears' commitment to continuous improvement and Value for Money should enable the council to meet the target reduction in unit rates for responsive repairs, voids and cyclical maintenance as detailed in the 30-year HRA Business plan.
- 2.4. Secondly an asset management plan, including the creation of the Local Delivery Vehicle sitting outside the council to utilise HRA assets. These assets would require reinvestment and once refurbished would be occupied by non-secure tenants. The net result would be to lever in additional investment to improve council housing stock.
- 2.5. As part of this review , options set out in the Housing Green Paper, "Homes for the Future: more affordable, more sustainable", provided local authorities with the platform to set up local delivery or similar special purpose vehicles to make the most of existing homes and land to bring in investment. In September 2008 Cabinet agreed to set up such a vehicle and develop this initiative.

3. RECOMMENDATIONS:

That Cabinet:

- 3.1. Accepts in principle the revised financial and commercial approach set out in the provisional offer from BHSC, as set out in paragraphs 5.1 – 5.9 of this report and detailed in the Part 2 report, subject to the effects of the council's and funder's due diligence;
- 3.2. Accepts the revised risk table in appendix 2 and that this table is subject to a final review of the risks relating to income streams and additional funder requirements.
- 3.3. Gives delegated authority to the Chief Executive, Strategic Director of Place and Director of Finance, in consultation with the Leader of the Council, the Cabinet Member for Housing and the Cabinet Member for Finance to take all necessary steps to conclude the matter and bring about financial, legal and commercial close, including the completion of any and all documents as necessary.
- 3.4. Approve additional budget provision of £250k (as detailed in paragraph 6.4 & 6.5) to the Strategic Director of Place to allow development of the project to financial and commercial close.
- 3.5. Notes the revised timetable detailed in paragraph 6.3.

4. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

Background Information

- 4.1. The revised financial and commercial offer provides a total investment package of £30.1m towards the investment and improvement of council housing. The amount includes a capital receipt of £18m to fund decent homes work to retained stock together with refurbishment costs of £12.1m for leased stock.
- 4.2. Cabinet is advised that the figures quoted are based on a number of assumptions which may change following negotiations with the selected funder; however the key principals on which the LDV was agreed at the September 2008 Cabinet meeting remain consistent.
- 4.3. These principles, endorsed by HMCC, allowed for the setting up of a local delivery vehicle to bring in additional investment to improve council homes, to assist in meeting decent home standards and tenant aspirations for improvement of the council stock, so as to meet strategic housing and corporate priorities. In particular the proposals will accommodate people with particular special needs, to whom the council owes a housing duty, as well as refurbish the leased stock.
- 4.4. In March 2009 the LDV was incorporated as Brighton & Hove Seaside Homes (BHSC), a company limited by guarantee. It was registered as a charity with the Charity Commission in January 2010. The company board consists of 12 members grouped into thirds, each third coming from a particular constituency, i.e. the tenant body endorsed by the city's area panel, councillors approved by the governance committee and independent members from within Brighton & Hove. The board meet regularly to set policy and progress the company's objectives, including its main aim to

CABINET

lease properties from the council for occupation by vulnerable households in housing need.

- 4.5. In January 2010 Cabinet was asked to and did approve the General Consent financial model in order to progress the project following an inconclusive response from CLG to the council's request for Express Consent. On the 12th October 2009 HMCC endorsed approval to proceed to the use of General Consent in circumstances where Express Consent had been refused or was unreasonably delayed. As requested by Cabinet, HMCC discussed these matters and voted unanimously in favour of developing the alternative consent route.
- 4.6. The general consent route is subject to the parameter that best consideration can be demonstrated. Cabinet should note that:
- the leasing of properties remains in line with the decisions of full Council in October 2008 and the decision made by Cabinet on the 14th January 2010, that the leases shall be for terms of 30-50 years;
 - the HRA properties to be leased comprise properties already used as temporary accommodation and other HRA properties which meet the criteria for leasing agreed by Cabinet and Council, as follows:
 - that the property is not tenanted;
 - that the property has a negative Net Present Value (NPV) to the HRA (i.e. the anticipated cost of new investment and ongoing maintenance cannot be recovered from projected future rental streams) and a requirement for investment;
 - that the property is not an adapted dwelling;
 - additional resources need to be allocated to develop the proposal.
- 4.7. Approval to proceed with General Consent paved the way to the council developing and issuing a formal financial and commercial offer to BHSCH. The council issued its offer to BHSCH on the 13th February 2010 and received a response from BHSCH on the 6th September 2010. Details can be seen in paragraph 5.1 – 5.9.
- 4.8. Baker Tilly, an accountancy firm, was appointed in May 2010 by the Board to provide financial advice. They have developed the business case and financial model on the Board's behalf in order to respond to the council's financial and commercial offer and to develop a robust proposal which can be submitted to funders.
- 4.9. The council has reviewed and assessed the BHSCH proposal in order to provide a response. As part of its review, it has refined the property investment and operational costs by contrasting the average costs for all properties against the specific properties projected to be leased to BHSCH. This has enabled both refurbishment and operational costs to reduce, enabling the threshold amount for best consideration purposes to be achieved. The net impact is that the council's key principles of setting up an LDV for the purposes of bringing additional investment, improving council homes and assisting in the decent homes programme are closer to being realised.

5. SUMMARY OF THE COUNCIL'S OFFER AND THE RESPONSE FROM BHSC

- 5.1. It is important to note that the key financial conditions associated with the council's offer have not been altered. Thus the revised proposal (a) is made on the basis that the best consideration test will be met, (b) supports the HRA funding gap and property investment programme and (c) assumes that sufficient revenues can be generated to enable the company to meet its running costs and funding obligations.
- 5.2. The Council's offer is based on the lease of 106 temporary accommodation units at various values and 393 empty council properties scattered across the city which the council have assessed are at a negative net present value (NPV). The properties, in varying condition, require investment to bring them to modern day decent homes standards and the tenants' aspirations for improving the stock.
- 5.3. The set of income and expenditure assumptions are summarised below. The council's proposal was developed on a cash flow model that, once funded from private sector funders, will generate a sizeable capital receipt. The cash flow model detailed the net cash flows that would be available to the BHSC over a 30-year period on which funds can be raised. The assumption built into the model is that the loan will be completely paid up at year 30.
- 5.4. BHSC will be reliant on Local Housing Allowance, this being the applicable benefit to cover the rent for tenants occupying private sector landlord accommodation. The financial offer is based on the company's only source of income, being revenue collected from the rent. Funders will want to test and ensure that the numbers supporting income assumptions are sound, given that BHSC is reliant on this income stream to fund any loan.
- 5.5. Rent levels will be set at the prevailing Local Housing Allowance (LHA) rate at the time the tenancy is drawn up. Rents will usually be reviewed on the anniversary of the tenancy start date, or sooner if the tenant moves.
- 5.6. BHSC's response includes modelling to mitigate any risk arising from government proposals to use CPI as the inflation measure for increasing Local Housing Allowance (LHA) rates. The adjustments show the measurement against market rents which from April 2011 will reflect the 30th percentile of market rates instead of the median rate and from 2013 will attach any increases in the LHA rates to the Consumer Prices Index (CPI) which is a lower than the Retail Price Index (RPI), the current inflation indicator.
- 5.7. The rental income is supported by a 100% council nominations agreement and a management agreement with the council to ensure that occupancy is at least 94% and therefore rental flow is maintained. The financial model includes a provision for void periods and bad debts which in the original offer totalled 9% of the gross rent.
- 5.8. Revenue expenditure is comprised of four property specific operating costs. These consist of:
 - management costs
 - repairs & maintenance charges
 - cyclical maintenance and
 - capital costs

CABINET

all of which are subject to VAT at the standard rate.

- 5.9. Brighton & Hove Seaside Community Homes will also be responsible for its company overheads including costs associated with the initial set-up of the project and the company's operational running costs such as insurance, tax liabilities and the like.
- 5.10. The council's proposal recognised that the company's charitable status afforded it a number of tax benefits that minimise its tax liabilities and have therefore accounted for this in its financial modelling.
- 5.11. BHSCH was asked to respond directly to the council's proposal and submitted their provisional response in September 2010. This response reflects changes made to LHA rates and inflation assumptions. The key changes in the BHSCH response are as follows :
 - A 1% per annum reduction in the inflation indicator. In the council's formal offer, income revenues were increased by the Retail Price Index (RPI) from 2011. Now revenues will increase by the Consumer Price Index (CPI) which, by excluding housing costs, is a lower inflation indicator.
 - Reductions in LHA rates comprised of reduced benefit for each property size and reductions in rent due to measurement against the 30th percentile of market rents instead of the current median measure.
 - LHA rents are set every three months against market rents. As detailed above the measure is taken at the median rental values in the market place. From 2011 rents will be measured against the 30% percentile of market rents. In effect LHA rents will be set against rents at the lower end of the rental spectrum rather than at the middle. The combined effect of this and the rent changes detailed above have resulted in an average reduction of 25% of the total projected revenues.
- 5.12. BHSCH's financial model has taken account of the changes summarised in 5.11. Their response also proposed different property specific operating costs resulting in a lower unit property rate. Other changes include modelled costs for insurance and staffing which have been developed further than that detailed in the council's proposal.
- 5.13. Risk allocation detailed in the BHSCH counter proposal changed the risk share. Indicative soundings taken from a number of funders have helped the council understand funder requirements and therefore the revised proposal which Cabinet is being asked to approve takes the external funder perspective into view and refocuses the risks to the parties best able to manage this.
- 5.14. The revised offer takes a realistic view of all of the variables including the project's risks and presents information that the council believes will secure funding.
- 5.15. In summary, the revised offer from BHSCH:
 - Reflects the revised LHA changes.
 - Reflects the revised inflation indices.
 - Revises the initial refurbishment costs and reduces these from those detailed in the offer document.

CABINET

- Revises the property specific operating costs and reduces these from the details detailed in the offer document.
- Updates the insurance and staffing costs.
- Revises the risk matrix to reflect funder approach and changes to income levels.

- 5.16. The requirement to pass the best consideration test, as referred to in the report to Cabinet on 14th January 2010, remains unchanged. However best consideration will only be determined at the point when each group of properties is due to be leased. Each group in its own right will need to achieve best consideration for the council.
- 5.17. The risk table details the council's revised risk allocation which Cabinet is being asked to accept subject to negotiations regarding certainty over the income stream. The part 2 report details the risk matrix alongside the mitigation strategies regarding income certainty and the legislative framework which supports these strategies.

6. PROJECT REQUIREMENTS, STRUCTURE, TIMETABLE AND BUDGET

- 6.1. A formal internal structure for development and delivery of the LDV has been in place since inception of the project. The project structure remains flexible to accommodate the different requirements in the project cycle and is likely to change to reflect the next phase of the project's journey.

- 6.2. The project team has needed to take account of external issues that have affected the project's timetable. The dates provided below indicate key points of project progression, leading to project close.

6.3. Key Dates

Member approval to proceed to the final stage	11 th November	2010
Preferred funder selected	20 th December	2010
Due diligence phase	3 rd January – 4 th March	2011
Commercial & Financial close	31st March	2011

- 6.4. The project timetable has been extended to take account of external factors such as the issue of consent. The time delay has meant that additional budget requirements are needed in order to conclude the project. Cabinet are being advised that the Leader of the Council, the Cabinet Member for Housing and the Cabinet Member for Finance will be consulted prior to the due diligence stage. These Members will have the opportunity to consider the strength of offers from funders before funder's costs start to be incurred. The funder's costs will be for the appointment of their lawyer's valuers and surveyors.
- 6.5. All such costs are envisaged to be front funded by the council and reimbursed at project close, however in the event that the project does not achieve commercial and financial close the council will need to fund these costs at its own expense. Cabinet is being asked to note that additional budget provision will only be awarded to the project once the Chief Executive, Strategic Director of Place and the Director of Finance in consultation with the Members detailed above are satisfied that the principles of this project, as detailed in this report, can be achieved.

CABINET

7. CONSULTATION

- 7.1. From the outset, this project has proceeded on the basis of tenant and leaseholder involvement and approval. This has been facilitated through consistent updates to Housing Management Consultative Committee (HMCC) and Area Panels.
- 7.2. The four tenant board members of BHSCCH have kept council tenant and leaseholder representatives informed of progress with the project through written and oral updates to all Area Housing Management Panel meetings. Non-confidential minutes of BHSCCH's board meetings have been sent regularly, as requested, to members of the council's tenant and leasehold Tenant Compact Monitoring Group. Articles in the tenant and leaseholder magazine Homing In have regularly updated all the council's tenants and leaseholders. The Audit Commissions' recent review of the council's new repairs and improvement partnership states that consultation with residents on the LDV is good.

8. FINANCIAL & OTHER IMPLICATIONS:

- 8.1. The report sets out the benefits for the Council of achieving a substantial capital receipt to invest in the council housing stock and securing temporary accommodation units to support its strategic housing objectives. The financial modelling undertaken by the council produces a capital receipt figure broadly consistent with the figure of £18m calculated by the LDV. The changes to the inputs in the financial model are set out in more detail in the Part 2 report alongside an assessment of the associated risks.
- 8.2. Detailed information on best consideration is set out in the Part 2 report.

Finance Officer Consulted: Mark Ireland

Date: 26.10.10

Legal Implications

The legal issues are referred to in the main body of the report and in the Part 2 report. It is assumed that the best consideration criteria set out in paragraph A5.4.1 of the General Housing Consents 2005 being relied on, will be satisfied. In the event that it is not satisfied, Express Consent will be required.

Lawyer Consulted: Bob Bruce

Date: 20.10.10

Equalities Implications:

The LDV would provide settled accommodation for households with particular needs including physical and learning disability. Eventual actions in regard to the LDV will be taken with regard to equalities issues. An equality impact assessment had been undertaken.

Sustainability Implications:

The proposal to set up an LDV, enabling access to funding to refurbish properties and meet housing needs, would contribute to achieving council priorities to address

CABINET

sustainability as an integral part of all service delivery and contribute to the UK's Sustainable Development Strategy.

Crime & Disorder Implications

There are no crime and disorder implications

Corporate / Citywide Implications:

The proposals to set up an LDV giving access to funding to refurbish up to 499 properties in need of investment would support the following council corporate priorities:

- Protect the environment whilst growing the economy
- Make better use of public money
- Reduce inequality by improving opportunities

Securing additional funding to meet Decent Homes Standard and carry out improvements to the council's stock in consultation with tenants and leaseholders is a key element to achieve a viable 30-year HRA business plan.

CABINET

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1; Table 1 Options Assessment

Appendix 2; Table 2 Key Issues & Risk Table

Documents In Members' Rooms

Background Documents

1. Brighton & Hove City Council - LDV Options - Stage 2 Report - September 2008
2. Cabinet Report – Agenda Item 75 – Brighton & Hove City Council – Local Delivery Vehicle 24th September 2008
3. Cabinet Report September 2009
4. Cabinet Report January 2010 - Brighton & Hove Seaside Community Homes Ltd – Funding options and consents

Appendix 1 – Options Table

No.	Option	Opportunity/Challenge	Impact
1.	Do Nothing	<p>Demand remains the same – accommodation is supplied from private sector landlords</p> <p>Continued shortfall of supply</p> <p>Affordability risk of being unable to convert unsuitable and unpopular shared facilities</p> <p>Additional cost of keeping properties secure</p>	<p>Private sector landlord supply is diminishing – which results in pressure on existing availability for spaces. The increased demand therefore has to be met by using expensive and unsuitable B&B accommodation.</p> <p>Statutory target to move vulnerable families, from B&B within 6 weeks is at a higher risk of not being achieved.</p> <p>Increased spot purchase to procure B&B accommodation can be acquired but HB rent for this type of accommodation is lower.</p> <p>Gap in HRA 3 year business plan remains</p>
2.	Fund Gap via Prudential Borrowing	<p>Under the current subsidy regime this is unaffordable. However, following the implementation of self financing, borrowing is likely to become affordable, but this is subject to the final self financing proposals which have not been timetabled.</p> <p>Prudential Borrowing is also being considered to fund new housing development in keeping with the councils</p>	<p>Increased cost from the financing of borrowing.</p> <p>£4 - £6k additional cost for each £10k borrowed over a 15 to 25 year period respectively.</p>

CABINET

No.	Option	Opportunity/Challenge	Impact
		strategic aim of increasing housing supply	Use of PB to support the LDV project will limit the council's ability to fund other schemes that promote the council's housing strategy.
3.	Fund investment gap via LDV-private sector borrowing	<p>Assists in meeting housing need/demand</p> <p>Brings back into use properties that are currently hard to let</p> <p>Property standards and quality are improved and meet decent homes standards</p> <p>Converts properties with shared facilities into suitable and popular self contained units of accommodation</p> <p>Supports the stabilisation of vulnerable households and provides a platform towards full social integration and the acquisition of permanent secure accommodation.</p>	<p>Project front funded by the council to be reimbursed at project close. Funds to be borne by the council in the event the project is closed down or is unable to be concluded</p> <p>A number of operational risks are borne by the company</p> <p>The council retains the freehold to property that is reinvested and improved which formerly was hard to let or were un-invested due to a shortage of funds</p>

CABINET

Appendix 2 - Risks

	Risk	Risk Mitigation	Council' s Original Risk Allocation	Brighton & Hove Seaside Community Homes Risk Allocation	Change/Revision
1.	Rent levels				
1.1	Rent collection – risk that rent is not received		Council – if appointed under management agreement, otherwise BHSCH	Council – if appointed under management agreement, otherwise BHSCH	No change
1.2	Rent collection where properties let direct by BHSCH at market levels	Risk mitigated by rent payment direct to BHSCH where special circumstances exist – direct payments are assessed individually	BHSCH	BHSCH	No change
1.3	LHA rate – risk that LHA rises by less than inflation	An analysis of LHA rates since 2004 indicates that LHA rates have increased in line with RPIX + ½% (as per the financial model).	BHSCH	Council	Change Agree via negotiation
2.	Demand – Risk that demand falls	Where cheaper accommodation was	Council	Council	No change

	Risk	Risk Mitigation	Council' s Original Risk Allocation	Brighton & Hove Seaside Community Homes Risk Allocation	Change/Revision
		<p>being offered by another party the council would assess the feasibility of either</p> <ul style="list-style-type: none"> ▪ Buying back properties and using cheaper accommodation with another provider, or ▪ Staying with BHSCH. <p>There may be an opportunity to have a value for money provision in the agreement</p>			
3.	Property allocation – Risk that less than 499 properties transfer to BHSCH:	Council has identified some 2,000 properties that would currently satisfy the criteria for lease to BHSCH where they become vacant. It is unlikely that 499 properties suitable for lease to BHSCH can not be identified.	Council	Council	No change

CABINET

	Risk	Risk Mitigation	Council' s Original Risk Allocation	Brighton & Hove Seaside Community Homes Risk Allocation	Change/Revision
3.1	Where council fails to identify 499 properties		Council	Council	No change
3.2	Council identifies 499 properties but BHSCH rejects		Council if BHSCH can demonstrate properties are not "financially viable"; otherwise BHSCH	Council	No change
4.	Property mix – Risk that property mix varies from model and reduces income Where Council requirement does not match property mix	Nomination agreement provides for Council to place clients in BHSCH accommodation Linked to Demand risk	Council Council	Council Council	No change No change
5.	Voids – Risk that void levels are higher than anticipated	Council to manage nominations process efficiently	Council – at 6% and above (i.e. up to 94% of gross rent) Council / BHSCH to	Council – at 6% and above (i.e. up to 94% of gross rent) Council / BHSCH to	No change

	Risk	Risk Mitigation	Council' s Original Risk Allocation	Brighton & Hove Seaside Community Homes Risk Allocation	Change/Revision
			share equally financial gain where void levels fall below 6%	share equally financial gain where void levels fall below 6%	
6.	Bad debt – BHSCH own tenants – Risk that bad debts are higher than anticipated	Council has robust procedures in place to minimise bad debts	<p>Council – at 3% and above</p> <p>Council / BHSCH will share equally financial gain where bad debt levels fall below 3%.</p> <p>Council will only accept risk if appointed under management agreement. If not, the risk of bad debts fall on BHSCH</p>	<p>Council – at 3% and above</p> <p>Council / BHSCH will share equally financial gain where bad debt levels fall below 3%.</p> <p>Council – Council will only accept risk if appointed under management agreement. If not, the risk of bad debts fall on BHSCH</p>	No change
7.	Housing management – Risk of under-pricing and inflation higher than anticipated	Pricing based on management specification	Pricing – Council RPI – BHSCH	Pricing – Council RPI – Council	Change Pricing – Council CPI inflation indicator BHSCH –

CABINET

	Risk	Risk Mitigation	Council' s Original Risk Allocation	Brighton & Hove Seaside Community Homes Risk Allocation	Change/Revision
8.	Reactive maintenance – Risk of under-pricing and inflation higher than anticipated		Council if appointed under management agreement; otherwise BHSCH	Council	No change
9	Planned/Cyclical maintenance – Flats – Risk that works are understated and increase by more than inflation	Sufficiency of fund to be reviewed every 5 years. Annual sum from BHSCH to be adjusted if insufficient funds available.	Structural – Council (BHSCH paying an annual sum) Non-structural – council (BHSCH paying an annual sum) RPI – BHSCH	Structural – Council (BHSCH paying an annual sum) Non-structural – Council (BHSCH paying an annual sum) RPI – Council	No change RPI – BHSCH
10.	Planned/cyclical maintenance – Houses – Risk that works are understated and increase by more than inflation	It is usual for a technical advisor to issue a planned works programme for the project properties. This profile, together with a look-forward reserve account, would be integrated into the financial model. In this case, this forecast is likely to be possible (or	Structural – BHSCH Non-structural – BHSCH RPI – BHSCH	Structural – Council Non-structural – Council RPI – Council	No change

CABINET

	Risk	Risk Mitigation	Council' s Original Risk Allocation	Brighton & Hove Seaside Community Homes Risk Allocation	Change/Revision
		practical) only for the internal works.			
11.	BHSCH overheads – Risk that these are higher than anticipated	BHSCH board to put robust systems in place to regularly review operating costs	BHSCH	BHSCH	No change
12.	Interest on cash balances – Risk that investment returns are lower than anticipated	BHSCH to ensure cash balances are managed to minimise capital risk.	BHSCH	BHSCH	No change
13.	Tax – Risk that tax payments are higher than anticipated	Tax is minimised by operating as a charity with a VAT shelter put in place.	BHSCH	BHSCH	No change
14.	Insurance – Risk that insurance costs are higher than anticipated		BHSCH	Council	Revision BHSCH
15.	Surpluses – Risk that surpluses are not used effectively or become taxable	Funder may expect BHSCH to set aside surpluses to cover debt servicing costs in the	BHSCH	BHSCH	No change

CABINET

	Risk	Risk Mitigation	Council' s Original Risk Allocation	Brighton & Hove Seaside Community Homes Risk Allocation	Change/Revision
		event BHSCH fails to achieve income levels. Surpluses above this requirement to be shared with the council.			
16.	Inflation Risk – Risk that inflation is higher than anticipated	Risk of inflation is with BHSCH. Inflation allowance included within financial model.	BHSCH	Council	Change BHSCH to be negotiated
17.	Refurbishment Cost		BHSCH	Council	Revision BHSCH

Subject:	Building New Council Homes & Housing Estate Master Planning		
Date of Meeting:	8 November 2010		
Report of:	Strategic Director, Place		
Contact Officer:	Name: Martin Reid	Tel: 29-3321	
	E-mail: martin.reid@brighton-hove.gov.uk		
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT

- 1.1 At Housing Management Consultative Committee the Cabinet Member for Housing reported that the Council is committed to take forward opportunities to build new council homes on Housing Revenue Account sites. A commitment was given to make sure that tenants are fully consulted and engaged in plans from the start and that any development would be council led with the new homes delivered owned and managed by the Council.
- 1.2 This report provides details the Building New Council Homes Tenant Working Group and the Housing Revenue Account (HRA) Estates Master Plan work being undertaken to identify sites and properties across the City that have potential for development, refurbishment or regeneration.
- 1.3 This work has been commissioned against the key priorities of the Citywide Housing Strategy 2009-2014: to identify opportunities to improve and develop deprived neighbourhoods; increase the number of affordable homes; and, make best use of the city's assets by investing in and improving the stock.
- 1.4 This mapping of HRA land and master planning will enable Councillors and tenants to have an informed view of the whole range of opportunities for best use of HRA assets going forward and better inform priorities for action and future investment options. It will also enable the Council to clearly identify, support and deliver our development priorities and investment needs to meet strategic housing commissioning priorities.

2. RECOMMENDATIONS

That the Committee recommends that Cabinet:

- 2.1 Approves the development of a comprehensive estates masterplan in partnership with tenant representatives to inform best use of HRA assets and identify opportunities to build new Council homes.

2.2 Approves the development of procurement, design and delivery options for new Council housing on identified sites.

2.3 Delegates authority to Lead Commissioner for Housing in consultation with Cabinet Member for Housing to further develop options to enable delivery of estate masterplan objectives and building of new Council homes.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS

3.1 The citywide Housing Strategy 2009-2014 has 3 overall strategic priorities:

- Improving housing supply: to ensure that the city has the type of housing to meet the needs of residents. Our strategic goals under this priority include: Identifying opportunities to improve and develop deprived neighbourhoods.
- Improving housing quality: to make sure that residents are able to live in decent homes suitable for their needs.
- Improving housing support: to make sure that residents are supported to maintain and increase their independence. Our strategic goals under this priority include: Contributing to the wider city agendas of reducing worklessness, improving community cohesion, reducing anti social behaviour and reducing inequality.

3.2 At HMCC the Cabinet Member for Housing reported that the Council wished to take advantage of potential investment opportunities, including those offered through the Homes & Communities Agency National Affordable Housing Programme and the HRA 'self financing' review, to build new Council homes.

3.3 HMCC were advised that officers were in the process of mapping land. The Ainsworth House site was vacant and was being investigated as a potential development opportunity and that proposals are being developed in partnership with a Tenants Working Group on Building New Council Homes Chaired by Cabinet Member for Housing and consisting of representatives from the Repairs & Maintenance Monitoring Group and Asset Management Panel.

3.4 The aim of the Tenant Working Group is to 'To work together to provide quality new council homes that meet the needs of our residents'. The objectives are to:

- Identify suitable sites for development
- Advise on acceptable design and unit mix for sites
- Assist with the tender process to identify a suitable build contractor
- Assist with the design of a local apprenticeship programme
- Monitor the contracts to ensure the necessary standards are achieved
- Advise and assist with promotional activity for any new scheme
- Advise and assist with local lettings plans for new developments
- Help with the official opening and welcoming new tenants onto new schemes

3.5 In planning to build new Council homes officers are working with the Tenant Working Group to consider:

- Best use of existing Council housing, land & buildings

- Future use of and investment in Council housing, land and buildings
 - Any Council land with development potential
 - Any regeneration opportunities which will take account of poor stock condition
 - Any regeneration opportunities which take account of social factors that need addressing
 - Estates that would benefit from regeneration for other reasons
 - Mapping of Council land and priorities for action
- 3.6 In order to support the work of the Tenant Working Group officers have undertaken an initial high level review of the councils HRA properties and surrounding land to inform development of an estates masterplan. Working in partnership with the Tenant Working Group the estates masterplan will be developed and finalised to include mapping HRA land and consideration of:
- Any land with development potential
 - Current stock condition & future Capital cost of repairs to the Housing Revenue Account
 - Size suitability of housing, in particular the importance of family homes
 - Reducing Inequality Review, area's with particularly high levels of deprivation
 - Popularity of areas by Homemove bidding activity
 - Levels of RTB / home ownership in the area
 - Areas where stock is of non-traditional construction or is in a block with shared facilities

4. DEVELOPMENT OF THE MASTERPLAN

- 4.1 In order to support the Tenant Working Group officers have commissioned initial studies to identify areas and property within the following categories
- areas with development potential
 - estates that would benefit from regeneration
 - property that could be a basis for stock selection to the Local Delivery Vehicle (LDV)
- 4.2 As a result of the master planning exercise we have developed a robust base model that: can sort data; creates a selection of measurable factors that can be used to prioritise any development or estate regeneration opportunities through a scoring matrix and the ability to rank opportunities against set criteria; can identify case studies that may be subject to further exploration.
- 4.3 The model was developed to enable maximum flexibility and can be updated and modified to suit prevailing population and demand trends. It can also be adapted to reflect local preferences and expectations.
- 4.4 The model is not driven by increasing housing numbers. It measures: development potential (where appropriate / applicable); current stock condition by Net Present Value, capital cost of repairs to the HRA over 10 years and size suitability of the housing - giving additional weighting to the importance of family homes. The model also takes into account socio economic factors such as Reducing Inequalities Review information; popularity by Homemove bidding

activity; the level of Right to Buy / home ownership in the area and whether the stock is of non-traditional construction or is in a block with shared facilities.

- 4.5 The initial findings identified a number of small plots of land, disused garages sites and small areas of land suitable for infill development that could offer quick wins and pave the way for larger developments.
- 4.6 In all, development sites with potential for over 800 units were identified. Of this number:
- 212 have been identified as being developed within 1-3 years
 - 315 have been identified as being developed within 3-7 years
 - 296 have been identified as being developed in 7+ years

Ainsworth House

- 4.7 Currently an older style sheltered housing scheme the Council has de-commissioned recognising that the standard of accommodation falls below today's standards and tenants' expectations. The scheme was fully decanted December 2009.
- 4.8 In the 2009 Budget the Government announced £200M funding available to local authorities to deliver new council housing, create jobs in construction and maximise opportunities for local labour schemes and creating apprenticeship. Ainsworth House was identified as the best site to develop with grant funding. A proposal to develop 15 new affordable homes for rent was submitted to the Homes and Communities Agency in October 2009. The scheme had support of Members & was a good fit with our local priorities and housing need. The scheme provided: 15 new affordable homes, including 3 x four Bedroom houses & 2 fully wheelchair accessible homes; Code for Sustainable Homes Level four.
- 4.9 The bid was not successful in what was a very competitive process. In the Chair's Communication at HMCC, the Chair informed the Consultative Committee that the Council would continue to explore development funding opportunities for the vacant Ainsworth House site. Subsequently Housing Strategy has investigated options in relation to the procurement of the proposed residential units and in light of the consultation on reform of the Housing Revenue Account (HRA) which includes the possible offer of new-build funds.
- 4.10 It was been recommended via the 14th June HMCC meeting that the procurement options and tender process for building new council homes at Ainsworth House be a priority scheme to be developed with the Tenant Working Group made up of members of the Asset Management Panel and the Repairs & Maintenance Monitoring Group.

5. CONSULTATION

- 5.1 At HMCC, the Chairman reported that the council was planning to build more council properties. Officers were in the process of mapping land. The Ainsworth House site was vacant and was being investigated and proposals would be developed with a Tenants Working Group to discuss the project.

- 5.2 This systematic review of all council housing estates, land and properties acts as a powerful tool for realising the city's housing strategy and supports existing work such as the Ainsworth House proposals.
- 5.3 We want to build on the work of the successful Asset Management Panel and the Repairs & Maintenance monitoring group and involve elected tenants from these groups in the procurement, design & delivery process and firmly establish resident involvement and engagement not just for the Ainsworth House proposals but a structure for any future working on the estates masterplan and building new Council homes.
- 5.4 It is envisaged that wider consultation with HMCC, Area Panels and the wider tenant body will occur along with consideration of this paper by Cabinet.
- 5.5 During the preparation of this background study Planning officers from across the Planning division were consulted at various stages. No 'in principle' issues have arisen as a result of the work undertaken to date and it is anticipated that any issues that do arise can be resolved on a site by site basis. Officers have welcomed the work that has been undertaken and hope to use the final report as a background document and incorporate the findings in emerging Planning policy. The delivery of housing and particularly affordable housing remains one of the highest priorities of the Planning division.

6. FINANCIAL & OTHER IMPLICATIONS

Financial Implications:

- 6.1 This report requests approval for the development of procurement, design and delivery options for new Council housing on identified sites. There are no existing budgets to cover any costs associated with this, so costs will therefore need to be managed within the 2010/11 Target Budget Management process. Future new build schemes will form part of the Council's Capital Programme and will therefore be reported to Cabinet at the appropriate time for project and funding approval.

Finance Officer Consulted: Sue Chapman *Date: 15/10/10*

Legal Implications:

- 6.2 There are no direct legal implications arising from the report's recommendations. However, further through the development process, legal advice may be needed to ensure that the contracts are let in accordance with the Council's Contracts Procedure Rules, and depending on value, EU and UK procurement law. The Council must take the Human Rights Act into account in respect of its actions but it is not considered that any individual's Human Rights Act rights would be adversely affected by the recommendations in this report.

Lawyer Consulted: Liz Woodley *Date: 18/10/10*

Equalities Implications:

- 6.3 Building New Council Homes & Housing Estate Master Planning relates to key priorities within the Citywide Housing Strategy. An equality impact assessment has been carried out on the Citywide Housing Strategy during its development with the strategy containing a summary of the assessment. Additional Equality Impact Assessments will be undertaken as the strategy action plans are implemented over the next few years.

Sustainability Implications:

- 6.4 The proposals will help the long term sustainability of the City. Housing is one of the key objectives in the Council's sustainability strategy which aims 'to ensure that everyone has access to decent affordable housing that meets their needs'.

Crime & Disorder Implications:

- 6.5 Ensuring appropriate housing and support through commissioning against key priorities of the Citywide Housing Strategy is essential in helping to reduce antisocial behaviour and other crime and also to support the victims of crime.

Risk and Opportunity Management implications:

- 6.6 Policy development in this area is undertaken with due regard to appropriate risk assessment requirements.

Corporate/Citywide Implications:

- 6.7 This work has been commissioned against the key priorities of the Citywide Housing Strategy 2009-2014: to identify opportunities to improve and develop deprived neighbourhoods; increase the number of affordable homes; and, make best use of the city's assets by investing in and improving the stock.

7. EVALUATION OF ANY ALTERNATIVE OPTION(S)

- 7.1 The council could decide not to proceed with the development of a comprehensive estates masterplan. However this would mean that we would be less able to meet our strategic housing goals, as less affordable homes would be available to our residents to meet housing need in the City.

8. REASONS FOR REPORT RECOMMENDATIONS

- 8.1 At Housing Management Consultative Committee the Cabinet Member for Housing has reported that the Council is committed to take forward opportunities to build new council homes on Housing Revenue Account sites. A commitment was given to make sure that tenants are fully consulted and engaged in plans from the start and that any development would be council led with the new homes delivered owned and managed by the Council. This report seeks approval for development of a comprehensive estates masterplan in partnership

with tenant representatives and development of procurement design and delivery options for new Council housing on identified sites.

SUPPORTING DOCUMENTATION

Appendices

None

Documents in Members Rooms

None

Background Documents

None

Subject:	Housing Repairs & Improvement Strategic Partnership Update and Audit Commission Report		
Date of Meeting:	8th November 2010		
Report of:	Strategic Director, Place		
Contact Officer:	Name:	Glyn Huelin	Tel: 29-3306
	E-mail:	glyn.huelin@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT

- 1.1. The Housing Repairs & Improvement Partnership with Mears Group Limited commenced on the 1st of April 2010. The partnership is central in delivering better value for money to enable the council to invest more in the maintenance and improvement of the homes it manages. This progress report covers the first six months of the partnership from April to September 2010.
- 1.2. The Audit Commission has carried out an inspection of the Housing Repairs and Improvement Partnership to assess its robustness and effectiveness, and consider how embedded the new arrangements are. This inspection commenced in May 2010, following the first month of the partnership, and was completed in June 2010. During the inspection the Audit Commission reviewed contract and management documents and interviewed Mears managers, and council officers and Members.

2. RECOMMENDATIONS

- (1) That Housing Management Consultative Committee note progress made in delivering the new Repairs & Improvement Partnership.
- (2) That the Housing Management Consultative Committee notes the findings of the Audit Commission in their inspection of the Repairs & Improvement Strategic Partnership.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS

3.1. Background

- 3.1.1 The Repairs & Improvement Partnership with Mears Group Limited commenced on the 1st of April 2010. The partnership covers the whole city and delivers responsive repairs, empty property refurbishments, and most planned works

(such as kitchen, bathroom and door replacements). The partnership also includes a repairs desk for residents to report repairs.

3.1.2 As well as aiming to provide better value for money, and improve customer service and the quality of works, the partnership will bring significant added value benefits in this city. These include:

- 200 apprenticeships over the 10 years of the partnership (twice the industry average)
- A variety of other training and work experience opportunities
- A kitchen assembly workshop
- A training academy

3.1.3 The findings of the Audit Commission's inspection are positive and recognise that good progress has been made over the last 18 months. The Audit Commission states that the Partnership is working effectively with a clear commitment from all partners to deliver improvement in the repairs and maintenance service for residents.

3.1.4 A report of the Audit Commission's findings was submitted to the Council in September 2010. Subsequently an action plan has been developed by the Council to respond to their recommendations. The Audit Commission's feedback is included as Appendix 1.

3.2. **Contract Management**

3.2.1. A robust contract management structure has been established that ensures residents are actively involved in monitoring the partnership and in decision making. The partnership is managed by a Core Group that is made up of council officers, Mears managers and residents. The Core Group is responsible for the overall management of the partnership, monitoring of performance and finance and making sure the aims of the partnership are delivered.

3.2.2. A Partnership Group has also been established and reports into the Core Group. This group is responsible for reviewing operational and technical performance, managing risks and resolving any issues that arise.

3.2.3. In their inspection of the partnership the Audit Commission found that:

- The repairs and maintenance contract includes suitable aims and objectives.
- The council has people with the right skills supported by robust structures to deliver and manage the contract.
- The council's internal auditors have provided positive assurance about the procurement and mobilisation of the contract.
- Arrangements for monitoring the outcomes of the contract are defined although they were not fully in place at the time of the audit.

3.3. Resident Involvement and Customer Service

- 3.3.1. Residents continue to be directly involved in the monitoring and management of the partnership. Four residents sit on the Core Group, two representatives from the Repairs & Maintenance Monitoring Group and two members of the Asset Management Panel. Over the next three months the council will be working with both the Repairs & Maintenance Monitoring Group and the Asset Management Panel to ensure there is additional resident involvement in the Partnership Group.
- 3.3.2. Residents have supported the development of the partnership through undertaking a mystery shopping exercise on the Repairs Desk in June and July. The results were positive, with the mystery shoppers indicating that telephone answering time is quicker than it was when they previously tested the service in September 2009, and there has been a great improvement for customers getting through to the repairs desk on the first attempt.
- 3.3.3. Following feedback from residents a further mystery shopping exercise is being carried out on the out of hours service. The results of this will be reported to the Core Group.
- 3.3.4. The repairs desk is now operating an extended local service for residents calling with repair enquiries. During the week the service will run until 6pm and on Saturday mornings it will run from 9am until 1pm.
- 3.3.5. Mears are surveying residents by telephone following the completion of works to their homes. Over the first six months of the partnership 2,556 residents were contacted and 2,467 of these, or 96.5% of residents, were satisfied or very satisfied with the service.
- 3.3.6. These surveys have allowed us to monitor whether operatives and sub-contractors are wearing Mears uniforms or presenting their identification card. Recent feedback has shown that 97% of residents surveyed in August said that operatives wore a uniform and presented their identification card, and this improved further to 98% in September. A copy of the detailed information collected so far is attached as Appendix 2.
- 3.3.7. In their inspection of the partnership the Audit Commission found that:
 - Transformation of services for residents is at the heart of changes to structures and frameworks.
 - Consultation carried out with residents on the Local Delivery Vehicle and new repairs and maintenance contract is good.
 - The housing management service is working effectively with a clear commitment from all partners to deliver improvements for council residents.
 - Arrangements for monitoring user satisfaction are in place and customer satisfaction is improving. However complaints were not systematically informing and improving service delivery.
 - Service standards are not currently in place, but the council is reviewing its service standards to reflect the new contract.

3.4. Performance Information

- 3.4.1. Detailed performance information has been produced for the partnership since April 2010 and is reviewed at each Core Group meeting. The August 2010 performance report is attached as Appendix 3. The report details year to date results for each performance indicator and uses a traffic light system to show whether performance is on target (green), just below target (amber) or below target (red).
- 3.4.2. The partnership is completing repairs quickly and has reduced the time taken to complete non-urgent repairs to 9 days (HLPI R2). Emergency repairs are also being completed quickly with 98.5% of repairs being completed within 24 hours (HLPI R3).
- 3.4.3. Performance on urgent repairs (HLPI R4) was below target in the first month of the partnership but following good scrutiny and action by the partnership the performance has now improved with over 97% of urgent repairs completed within 3 days in June, July and August. This continued improvement means that overall performance for the year to date is expected to reach the 97% target by the end of the next quarter.
- 3.4.4. In their inspection of the partnership the Audit Commission found that:
- There is a clear commitment to, and focus on, robust management and monitoring of the new contract.
 - The council has made steady progress in improving the repairs and maintenance service for residents and response times are now shorter.
 - A robust framework is in place to address underperformance quickly, decisively and effectively. There is already evidence of the contractor responding quickly where the council and residents have raised concerns.
 - Some improvements are required to business and team plans.
 - A culture of managing performance is developing. Performance management and monitoring are being strengthened.
 - The Council has put in place robust arrangement for reviewing the yearly performance of the contract and for ensuring good quality performance information.

3.5. Planned Works and The Decent Homes Standard

- 3.5.1. The planned works and decent homes programme includes replacing kitchens, bathrooms, doors and carrying out other works to residents homes such as rewires, external repairs and decorations.
- 3.5.2. Over the first six months the partnership has delivered a 6.13% improvement in decent homes which means that 66.7% or 8,198 of 12,300 properties now meet the Decent Homes Standard. Progress in improving homes is a key objective for the partnership and Mears and the council are working together to ensure that 74% of homes are decent by the end of 2010/11.

- 3.5.3. During the first six months 225 new kitchens and 101 new bathrooms have been fitted in resident's homes. The door installation programme has seen 306 new front doors installed and 316 new boilers have been fitted. September saw the biggest improvement in decency since the partnership commenced in April. Improvements have been introduced to address initial difficulties in accessing resident's homes to undertake surveys.
- 3.5.4. The partnership has also made further improvements to communication such as giving regular estate based updates, providing residents with fact sheets about kitchen and bathroom installations and developing a partnership newsletter. In particular the partnership is looking to clearly communicate what residents should expect from the service and is developing a "local offer" for resident's homes.
- 3.5.5. In their inspection of the partnership the Audit Commission found that:
- As a result of increased investment and targeted programmes decency levels have steadily improved between 2008 and 2010.
 - Mears demonstrated the capacity to manage and deliver the contract's requirements.

3.6. Financial Management

- 3.6.1. Strong financial management is in place with detailed monthly forecasts reviewed by the Core Group and reported through the council's Targeted Budget Management (TBM) process.
- 3.6.2. In their inspection of the partnership the Audit Commission found that:
- The council is improving value for money and has carefully considered solutions to financing its capital investment programme.
 - There is commitment to providing value for money and the council has set up robust cost management and monitoring arrangements.
 - The council has developed a 30-year financial plan to ensure the long term viability of the Housing Revenue Account and the short term need to achieve the Decent Homes Standard by 2013.

3.7. Next Steps

- 3.7.1. The partnership will continue to develop with a focus on ensuring that the good level of performance demonstrated in the first six months of the partnership is maintained and further improvements are delivered in communicating programmed work and delivering a high quality repairs service.
- 3.7.2. The partnership will work to deliver the actions identified by residents in the recent mystery shopping exercise and the recommendations identified by the Audit Commission in their report. The Audit Commission made the following six recommendations for improvement as part of their report:
- Provide residents and stakeholders with robust information about action taken as a result of complaints and from activities such as mystery shopping and user satisfaction surveys
 - Introduce comprehensive service standards

- Provide clear links between improvement plans
- Continue to review the current schedule of rates based on actual experience of its operation
- Continue to monitor and actively manage the risk of not securing sufficient funding to achieve DHS compliance by 2013
- Transfer properties to the LDV in as short a timescale as possible and ensure that the impact of any slippage in the timing of capital receipts from the LDV is fully reflected in business plans

3.7.3. A twelve month review of the partnership will be undertaken in 2011 and reported to the Core Group and Housing Management Consultative Committee.

4. CONSULTATION

- 4.1. Residents have been actively involved through the Asset Management Panel and Repairs & Maintenance Monitoring Group. Residents attend the Core Group meeting which oversees the strategic direction and operational effectiveness of the partnership. Residents will also be involved in the Partnership Group.
- 4.2. Regular progress reports are presented to the Repairs & Maintenance Monitoring Group and the Asset Management Panel as well as Housing Management Consultative Committee.

5. FINANCIAL & OTHER IMPLICATIONS

Financial Implications:

- 5.1. The costs of the Housing Repairs and Improvement Strategic Partnership have been included in the 2010/11 HRA Revenue Budget and the three year Capital Programme as approved at Cabinet on 11 February 2010. Financial monitoring against these budgets are reported to Core Group on a monthly basis. As at the end of August no variations to budgets have been reported.
- 5.2. Future savings targets will be monitored and driven through the Partnership Cost Reduction Plan and incorporated into future budget reports. An update on financial forecasts against budgets for the current financial year will be included in the HRA Revenue Budget 2011/12 report which will be presented to this committee in January 2011.
- 5.3. The Audit Commission were satisfied that the council has set up robust cost management and monitoring arrangements for the decent homes programme.
- 5.4. Any changes in financial circumstances such as those risks identified in the Audit Commission report are addressed through the councils financial management and monitoring arrangements. The preparation of

the Housing Revenue Account Revenue and Capital Budget reports for 2011/12 will reflect any impact of slippage or changes to the capital receipt from the LDV, with these budget reports being presented to this committee in January 2011.

Finance Officer Consulted: Susie Allen

Date: 14 October 2010

Legal Implications:

- 5.5. This report is for noting only, and does not directly give rise to any legal implications. Robust contract monitoring is intended to ensure that any non-compliance by Mears against the contracted specification is identified and addressed quickly. HMCC Members should be reassured by the Audit Commission's finding that a strong focus on contract management and monitoring exists – see paragraph 3.4.4 above.

Lawyer Consulted: Oliver Dixon

Date: 25 October 2010

Equalities Implications:

- 5.6. An equalities impact assessment (EIA) has been completed as part of the procurement and mobilisation process. A further EIA will be completed now that the partnership has commenced.

Sustainability Implications:

- 5.7. A new contract of this size has potential to impact on the city's environment and carbon emissions. The partnership will aim to minimise its impact on the environment by reducing waste and minimising carbon emissions from its operations.
- 5.8. The partnership will also aim to help residents cut down on energy and water bills by the provision of energy advice and information packs. The partnership is looking to improve properties by participating in schemes that will improve the energy efficiency of homes and utilise renewable energy sources.
- 5.9. The partnership is committed to re-furbishing the Housing Centre building to a high sustainable standard to minimise its carbon emissions. The refurbishment will include fitting a sustainable heating/cooling system, rainwater recycling system and solar panels. The proposal for an onsite kitchen assembly workshop has the potential to bring sustainability benefits in terms of material use, reduced transportation and local employment.
- 5.10. Apprenticeship positions are being established through the partnership. Mears and the council are also working with the city college to provide additional opportunities for students to carry out work to a number of long term empty properties within the city. These properties provide an

opportunity for students to learn skills in a safe and supervised environment and carry out essential work to properties.

- 5.11. The Audit Commission noted within their report that the partnership identifies clear objectives in improving sustainability and delivering further community regeneration and added value. They also identify that Mears have pledged to deliver extra benefits to the city such as a training academy, kitchen workshop and a carbon reduction plan.

Crime & Disorder Implications:

- 5.12. The partnership will bring added value benefits which provide community and regeneration benefits to the city. The provision of apprenticeships, onsite training academy and kitchen assembly workshop will bring employment and training opportunities for local people including those that are not in education, employment or training.
- 5.13. The Audit Commission identifies that the council and Mears are improving services for residents. The “Our Neighbourhood” project in Whitehawk is a partnership between local residents, Mears, the council and the Police which provides a face-to-face community based service developed with residents.

Risk and Opportunity Management Implications:

- 5.14. A comprehensive risk register is overseen by the Core Group.
- 5.15. The Audit Commission identified that risk management arrangements for the contract are in place and that two risk registers are maintained and integrated into contractual documentation. An action plan responding to the recommendations of the Audit Commission has been developed.

Corporate / Citywide Implications:

- 5.16. The contract has the potential to bring significant benefits to the city and its residents. It is also important that a contract of this size does not have a negative impact on established local businesses.
- 5.17. The Audit Commission’s inspection was undertaken to inform their assessment of the prospects for delivery of the decent homes standard target by 2013 and to review the red flag they gave the council in 2009 as part of their Comprehensive Area Assessment. Although a judgement was not made in relation to this, as the Comprehensive Area Assessment was abolished in May 2010, the inspection concluded that the council has made significant progress towards meeting its 2013 target.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1. This report provides an update on progress with the partnership.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1. The new partnership enables Housing Management to meet the key objectives of the Procurement Strategy which was agreed in April 2008. The new contract is key in enabling the council to have a sustainable 30 year Business Plan for the housing stock and bringing the maximum number of homes up to the Decent Homes standard).

SUPPORTING DOCUMENTATION

Appendices:

1. Audit Commission Housing Repairs & Improvement Partnership Review Feedback
2. Responsive Repairs Customer Satisfaction Information (April to September 2010)
3. Repairs & Improvement Partnership Performance Report (April to August 2010)

Brighton & Hove City Council

Housing Repairs & Maintenance Contract Review

Feedback 13th October 2010

Alex Orme, Performance specialist
Simon Mathers, Audit Manager



Agenda

- **Audit Approach & Scope of the work**
- **Key findings against themes**
- **Progress made since the Review**
- **Any Questions?**



Audit approach & scope of work

- Undertook document review and review of self-assessment
- interviews and focus groups involving councillors, officers and partners.
- Thematic Approach
 - Housing Repairs & Maintenance Contract Arrangements
 - Performance Management & Risk
 - Current service performance - decent homes and waiting times for repairs & maintenance
 - Financial Outturn, forecasting and sustainability

Housing Repairs & Maintenance Contract Arrangements

- Appropriate aims and objectives have been set for the partnership contract
- Internal audit reviews of the procurement process and the mobilisation of the contract – provide positive assurances about both processes.
- Good consultation and involvement of tenants and stakeholders in developing the contract – both in terms of the procurement and mobilisation strategies.
- Good consultation and communication of tenants, in terms of informing strategies & policies e.g. the housing revenue account capital programme 2010-13.
- Effective use of a representative resident's asset management panel to provide user input into shaping and the monitoring of the new contract.

Housing Repairs & Maintenance Contract Arrangements

- The residents were fully involved in setting the type, quality and level of service delivery required from the new contract.
- The council has put the appropriate people and structures in place to deliver and manage the contract.
- The whole management team is clearly focused on achieving the DHS target by 2013.
- Roles and responsibilities of the Property & investment Service are clearly set out in the Contract Management & Compliance Strategy.
- There is a new Contract Compliance team which will monitor the works and ensure that repairs are carried out to an excellent standard.

Performance Management and Risk

- There is a clear commitment to, and focus on, robust management and monitoring of the new repairs and maintenance contract to achieve the DHS target by 2013.
- The Housing management service has developed a performance management framework and strategy for performance managing the contract. This provides a clear outline of the framework and the arrangements.
- These performance management arrangements are becoming embedded. There is early evidence of the Contractor responding to concerns raised by the Council for example, the review of the call centre service and subsequent improvement plan.
- The Council acknowledges that it still has got to develop and embed a performance culture across the service.

Performance Management and Risk

- There are good links and clear alignment of targets between the community strategy, the Local Area Agreement and Housing plans.
- There is a process in place for involving residents in the performance monitoring and management of the contract.
- There is new framework and arrangements in place for the monitoring the quality of the works delivered by the contractor. This includes a contract compliance team.
- The council is developing financial reporting arrangements for the contract. Responsibility has been given to the Core Group to monitor and control budgets with high level financial reporting being delivered and signed off by the group on a monthly basis.
- Risk Management arrangements for the contract is in place. Two risk registers are maintained and monitored; the Partnership Risk Register and a council Risk Log.

Performance Management and Risk

- The Council has put in place arrangements for producing good quality performance information and data quality has improved.
- There is scope to ensure that complaints are used more systematically to inform and improve service delivery.
- Service standards for the repairs and maintenance service are not fully in place however the Council is currently reviewing its service standards to reflect the new contract.
- The Council recognises that business planning and team planning for the Property and Investment team are not yet fully integrated.
- There is a complicated and extensive schedule of rates that will require thorough and robust monitoring of the billing process to ensure that the Council is invoiced the correct amount for each piece of work.

Repairs & Maintenance waiting times & DHS – Performance

- Outcomes are improving although from a low base and there is more work to do to improve performance. Since 2008, the Council has made steady progress in improving the repairs and maintenance service for residents and response times are now shorter. There has also been a decline in the number of non-decent homes.
- The Council had a track record of long waiting times for repairs and maintenance. However there has been a significant improvement in response times for urgent repairs.
- There has also been an improvement in response times for routine repairs.
- User satisfaction with the repair service has improved when compared to 2008.

Repairs & Maintenance waiting times & DHS – Performance

- Decency levels have improved steadily during 2008-10, as a result of increased investment and targeted programmes to replace failed heating systems, kitchens, bathrooms and doors.
- The Council however failed to meet the DHS government target for 2010 and it did not meet its own internal target of achieving 36 per cent of homes being non-decent in 2009-10, missing the target by 3.5 per cent. The Council also missed its target in 2008-09.
- The Council accepts that it still needs to do more to reduce the number of non-decent homes over the next three years.

Financial Outturn, Forecasting & Sustainability

- The Council has put in place arrangements and financial plans that suggest it can achieve DHS but until we see some tangible results from the new contract, there remains some uncertainty..
- The Council has built into the financial model for Year 2 & 3 – anticipated capital receipts of £15m from the LDV. Concerns however remain whether or not this funding will be realised in the timescale assumed or at all.
- The Council has identified the entire backlog maintenance requirement for the HRA as at 31 March 2010, and identified the capital spending resources needed over the next three years including the resources required to reduce the number of non-decent homes.
- The Council has identified an additional capital spending requirement of £77m for the next three years which includes £44.6m to cover the cost of the decency elements.
- The Council has determined how the £75m will be financed over the three years. It consists of major repairs allowance, housing capital allocation, revenue contribution to capital, unsupported borrowing and the use of reserves.

Financial Outturn, Forecasting & Sustainability

- The Council has identified the capital budget over the next 30 years that is required to maintain decency and of course fulfil all the other capital requirements including paying off debt.
- The quality of the data used to identify the backlog has improved in 2009/10 and is seen as far more reliable. In 2008/09, data quality spot check indicated that the database was unreliable due to the low level of surveys and the backlog of un-entered information.
- The Council has not at this stage assumed that self financing will be introduced.
- Savings delivered from the contract are dependent on successfully changing TUPE staff terms and conditions – move from schedule of rates payment to hourly rate.

Summary

- Our conclusion is that the housing management service has made good progress over the last 2 years.
- It is working effectively with a clear commitment from all partners to deliver improvement in the repairs and maintenance service for Council residents.
- There is collective ownership from members, partners and the senior managers to deliver the improvements needed and to maximise value for money.
- Delivering decent homes has been given high prominence within the priorities of the council and the LSP. Spending has been directed to deliver the DHS target by 2013.
- The establishment of a new management team has introduced an renewed impetus to leadership, secured new momentum and is providing effective management of the changes to which staff are committed.
- The council in partnership with the contractor has the building blocks/capacity to deliver the necessary improvements.
- The council has used specialist support from consultants and has added project management capacity to drive through the implementation of the contract.

Responsive Repairs Customer Satisfaction

April to December 2010



Making People Smile

Month	No. of Jobs Completed	No. of Surveys taken	% of surveys against jobs completed	Q1					Q2					Q3					Q4					Q5					
				Did the tradesperson arrive on time?	Did the tradesperson wear a uniform and show their identity card?	Did you find the tradesperson polite, friendly and helpful?	Did the tradesperson explain what work they were going to carry out?	Did we respect you and your property?	Did the tradesperson arrive on time?	Did the tradesperson wear a uniform and show their identity card?	Did you find the tradesperson polite, friendly and helpful?	Did the tradesperson explain what work they were going to carry out?	Did we respect you and your property?	Did the tradesperson arrive on time?	Did the tradesperson wear a uniform and show their identity card?	Did you find the tradesperson polite, friendly and helpful?	Did the tradesperson explain what work they were going to carry out?	Did we respect you and your property?	Did the tradesperson arrive on time?	Did the tradesperson wear a uniform and show their identity card?	Did you find the tradesperson polite, friendly and helpful?	Did the tradesperson explain what work they were going to carry out?	Did we respect you and your property?						
April	2065	370	18%	356 96%	342 92%	363 98%	352 95%	368 99%	407 96%	366 87%	419 99%	405 96%	421 100%	374 95%	370 94%	393 99%	387 98%	392 99%	446 94%	429 90%	463 97%	464 97%	362 97%	360 97%	513 99%	510 98%	516 99%	512 99%	519 100%
May	2889	423	15%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
June	3098	395	13%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
July	2189	476	22%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
August	2008	373	19%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
September	2061	519	25%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
October	0	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
November	0	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
December	0	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Year to Date	14310	2556	18%	2458 96%	2379 93%	2525 99%	2480 97%	2538 99%	2458 96%	2379 93%	2525 99%	2480 97%	2538 99%	2458 96%	2379 93%	2525 99%	2480 97%	2538 99%	2458 96%	2379 93%	2525 99%	2480 97%	2538 99%	2458 96%	2379 93%	2525 99%	2480 97%	2538 99%	

Month	Q6		Q7		Q8					Q9					Q10	
	Was the work area left clean and tidy?	362 98%	Did we ensure your property was safe and secure while our tradesperson was present?	370 100%	How would you rate the work that was carried out ?					Overall how Satisfied were you with the service ?					Rating out of 10	
					Very Satisfied,Satisfied,Neither Satisfied/Nor Dissatisfied, Very Dissatisfied					Very Satisfied,Satisfied,Neither Satisfied,Nor Dissatisfied, Very Dissatisfied						
	VS	S	NS/ND	D	VD	VS	S	NS/ND	D	VD	VS	S	NS/ND	D	VD	
April	362 98%		370 100%	274 74%	80 22%	8 2%	6 2%	2 1%	279 75%	75 20%	10 3%	2 1%	279 75%	75 20%	10 3%	4 1%
May	416 98%		422 100%	312 74%	96 23%	8 2%	2 0%	5 1%	332 78%	72 17%	9 2%	4 1%	332 78%	72 17%	9 2%	6 1%
June	390 99%		394 100%	307 78%	73 18%	7 2%	6 2%	2 1%	317 80%	60 15%	14 4%	3 1%	317 80%	60 15%	14 4%	1 0%
July	468 98%		470 99%	364 76%	91 19%	9 2%	8 2%	4 1%	370 78%	87 18%	6 1%	7 1%	370 78%	87 18%	6 1%	6 1%
August	369 99%		371 99%	312 84%	53 14%	6 2%	1 0%	1 0%	327 88%	40 11%	4 1%	2 1%	327 88%	40 11%	4 1%	0 0%
September	515 99%		519 100%	427 82%	84 16%	6 1%	2 0%	0 0%	446 86%	62 12%	7 1%	2 0%	446 86%	62 12%	7 1%	2 0%
October	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0
November	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0
December	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0
Year to Date	2520 99%		2546 100%	1996 78%	477 19%	44 2%	25 1%	14 1%	2071 81%	396 15%	50 2%	20 1%	2071 81%	396 15%	50 2%	19 1%



**Brighton & Hove
City Council**

Brighton and Hove City Council











Housing: Repairs and Maintenance report

Period: 10/11





SCORECARDS

Housing: Repairs and Maintenance

PERFORMANCE INDICATOR	UNIT	TARGET	ACTUAL	STATUS
HLPI E1 Time taken to complete repairs to empty properties	Days	12.00	6.00	 Green
HLPI E2 Orders which pass post-inspection (empty properties) %	%	97.00	99.30	 Green
HLPI R1 (BV 72) Right to repair: performance in carrying out statutory repairs (%)	%	97.00	98.89	 Green
HLPI R2 (BV 73) - Non-right to repair: average time taken to complete (days)	Days	15.00	9.00	 Green
HLPI R3 Orders completed within target time: emergency (%)	%	97.00	98.50	 Green
HLPI R4 Orders completed within target time: urgent (%)	%	97.00	94.31	 Red
HLPI R5 Orders completed within target time: routine (%)	%	97.00	99.88	 Green
HLPI R6 Resident Satisfaction: respondents who rate the repairs service as good or excellent (%)	%	95.00	96.42	 Green
HLPI R7 Orders which pass post-inspection (%)	%	95.00	98.48	 Green
HLPI R8 % of repairs completed right first time	%	85.00	98.48	 Green

SCORECARDS

Housing: Repairs and Maintenance

HLPI R9 Responsive repairs; appointments made and kept (%)	%	95.00	94.69	 Amber
NI158 - % non-decent council homes	%	32.50	34.71	 Red

There has been a 0.95% improvement in total decency during the last month.

HOUSING MANAGEMENT CONSULTATIVE COMMITTEE MEETING

Agenda Item 54

Brighton & Hove City Council

Subject:	Allocations Policy Review		
Date of Meeting:	8th November 2010		
Report of:	Strategic Director of Place		
Contact Officer:	Name:	Sylvia Peckham	Tel: 293318
		Verity Walker	293130
	E-mail:	Sylvia.peckham@brighton-hove.gov.uk	
		verity.walker@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The current Housing Register Allocations Policy was approved by committee on 6th January 2005 with an update in March 2009 agreed by Housing Cabinet. A review of the Allocations Policy, Choice Based Lettings and the reasons for Local Lettings Plans has recently been undertaken resulting in recommendations for changes to the way the Housing Register is to be operated. This is to ensure that we make best use of the limited housing resources we have available. The recommended changes to the Allocations Policy are attached as Appendix 1 for approval, and consultation with the City.
- 1.2 This report is to consider the recommended changes that have been suggested to the Homemove Allocations Policy. Following this a 12 week consultation with the City will be conducted. A further report will then be brought back to HMCC with final recommendations for implementation following the Consultation
- 1.3 The policy is based on the principal that it is:
 - easily understood by tenants;
 - fair and equitable;
 - effective;
 - efficient and
 - legal.

2. RECOMMENDATIONS:

- 2.1 That Housing Management Consultative Committee consider and commend for approval to the Housing Cabinet Member Meeting, the report to then go out to consultation with the City on the recommendations put forward to amend the Allocations Policy.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

The following areas of focus were identified by the tenant-led focus groups

3.1 Choice Based Lettings platform

The platform for which permanent social housing in Brighton & Hove was discussed and was found not to be the cause of any outstanding issues from the Tenant led group.

3.2 Allocations Policy

The tenant led group raised issues around certain areas of the Allocations Policy and who is being offered and allocated social housing in Brighton & Hove. Attached in Appendix 1 are the changes recommended which if agreed will go forward to be consulted on.

3.3 Local Lettings Plans (LLPs)

LLPs were reviewed and pilot Local Lettings Plans were implemented in early 2010. It has been agreed that these will be reviewed in Autumn 2010.

3.4 Communication

We have taken on board the feedback from our user group so that information given is clear, correct and timely. Tenant representatives will be more actively involved to promote such initiatives as under occupancy and assist with developing positive adverts of properties in their area and to provide information on the neighbourhood for prospective and new tenants, to enable them to settle into the community. This will also contribute towards developing sustainable communities as people are more likely to feel a part of the community.

3.5 Other areas looked at

The tenant led group considered information around other areas of social housing and the allocation of it and whilst this information was useful to all there were no outstanding issues raised that would mean any changes. These areas included; The LDV, Accessible Housing, Housing Options, Homelessness & information from another LA who are not using Choice Based Lettings.

4. CONSULTATION

- 4.1 The tenant-led focus groups identified the areas for improvement (Appendix 1) and the next stage will be to complete the 12 week process of consulting with wider stakeholders in the City over proposed changes. Stakeholders include our Communities of Interest, our partner agencies, Age Concern, support agencies, people on the Housing Register, and support providers. The feedback from Consultation and the amendments recommended as a result will be referred back to Housing Management Consultative Cabinet and Housing Cabinet.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications.

There are no direct financial implications arising from the recommendation made in this report.

The alterations on the Scheme User Guide required will be completed along with the re-print at the end of the year to introduce changes around operational practices, therefore putting no additional pressure on the budget.

Finance officer Consulted: Neil Smith - Senior Finance Officer 11/10/10

5.2 Legal Implications

Under section 167 Housing Act 1996, the council as a local housing authority is required to have an allocations scheme for determining priorities and as to the procedure to be followed, in allocating housing accommodation. Local housing authorities must not allocate housing accommodation otherwise than in accordance with their allocation scheme. The amended Housing Register Allocations Policy, which the Cabinet Member for Housing is asked to approve, is the Council's allocations scheme for the purpose of section 167. As there is no specific right to housing under the European Convention on Human Rights or Human Rights Act 1998, there are no significant human rights issues to be considered in relation to this report.

Legal officer Consulted: Simon Court – Senior Solicitor 10.10.10

5.3 Equalities Implications

Equalities Impact Assessment will be carried out for the proposed changes to the Policy once the 12 week consultation has occurred and will be presented back with the final report to Housing Management Consultative Cabinet and Housing Cabinet.

5.4 Sustainability Implications

The proposals will ensure that better use is made of the housing stock and will contribute to sustainable housing solutions.

5.5 Crime & Disorder Implications

None.

5.6 Risk and Opportunity Management Implications

Failure to adopt the changes prescribed in the attached new Allocations Policy could render the Local Authority vulnerable to legal challenge.

5.7 Corporate / Citywide Implications

Limited social housing stock will be used in the best and most efficient way possible and that the city will benefit from clearer communication and updated Local Lettings Plans.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 The alternative to the amendments would be for the policy to remain as per the current policy. This however would not make best use of the housing stock.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 The recommendations have been made so that through the Allocations Policy we can ensure that best use is made of the council and RSL housing stock in the City. The policy will be clear, transparent and easily understood.

APPENDIX 1

Recommended Changes:

1. Local Connection

- 1.1 Applicants are able to apply for social housing within Brighton & Hove from anywhere within the United Kingdom. However, in order to ensure that the Council meets the needs of the local community, reduced priority will be given to those people without a local connection.
- 1.2 Applicants without a local connection will have their priority reduced to Band C (below those with a local connection in this band) until they acquire a local connection with the Council.
- 1.3 The following factors as set down in s199 Housing Act 1996 will be taken into account in determining whether or not an applicant has a local connection with the Brighton & Hove City Council area. An application is awarded a local connection if:
 - an applicant is currently residing in the City in either temporary or permanent accommodation and has been resident in the city for a minimum of 24 months or is a serving member of the armed forces and is posted in the Brighton & Hove City Council Area.
- 1.4 For the purposes of determining local connection, living in Brighton & Hove will not include the following:
 - Occupation of a mobile home, caravan or motor caravan which is not placed on a residential site.
 - Occupation of a holiday letting which includes a permanent building, hotel or bed and breakfast accommodation for the purposes of a holiday.
 - Resident of Bail Hostels or other such accommodation.
 - In-Patient of Hospitals/specialist centres

1.5 Exceptions

There may be occasions not predicted by this Allocation Scheme where the application of the Local Connection Policy is deemed inappropriate by the Council and accordingly there is a Director level Discretion available not to invoke the Policy in these Special Circumstances. One example might be someone who has been placed out of Brighton & Hove for a period of time, whilst being looked after by the Childrens & Young Persons Trust, or the Community Mental Health Team – although each case would be considered on its merits.

Applicants who do not have a local connection with Brighton & Hove but to who the City Council have accepted a full Homelessness duty under section 193(2) will not be subject to any reduction in their priority (as the Council is under a statutory duty to provide long term settled housing).

2. Leaving Supported Accommodation

Accepted Homeless s193 households where supported housing is required

In some cases where a household has been accepted as homeless under s193 of the Housing Act 1996 Part VII, an assessment of the housing need will take place. If the outcome of the assessment is that the household are not ready for independent accommodation but need supported accommodation, then they will not be able to access general needs housing.

The Integrated Support Pathway comprises high support accommodation, leading to lower supported accommodation, until ultimately households are ready to move into the general needs housing with floating support.

Households are worked with throughout this process and their skills and abilities are interrogated to ensure that they are ready to make each step to greater independence.

Band 1 is primary contact organisations, e.g. Rough Sleepers Street Services Team
Band 2 is high support accommodation with 24 hour staffing and intensive support
Band 3 is step down accommodation, independent flats and shared houses with several support hours a week.
Band 4 is floating support provided to clients who are living in the general needs sector.
Band 5 is peer to peer support for clients who are stable but need some community support.

When these households are ready to move on from the Council's Integrated Support Pathway reasonable preference will be awarded when a household is assessed as ready to move to independent settled housing on the recommendation of the support worker.

If ongoing support needs have been assessed and, where appropriate, a support plan will be put in place. This will mean that only those households who are ready to manage a tenancy will be able to access Social housing.

3 Refusals of suitable accommodation

Applicants who have refused 3 reasonable offers of accommodation within 12 months of the date of the first offer will have their priority for re-housing reduced to Band D for a 12 month period. After this 12 months period the applicant will have their case returned to their original band with their original date as long as a change of circumstances has not occurred. This does not include Accepted Homeless cases where if households in this category are successful in obtaining an offer of accommodation within six months, this will be considered a final offer.

4.Leaving Care

4.1 Move on from Care.

Applicants are awarded this category in accordance with protocols between the Housing Service and the Children and Young Persons Trust. Applicants must be a former "Relevant Child" as defined by the Children Leaving Care Act 2002 and be a young person at risk.

The evidence to support this will be provided by the City's Housing Options Team and will consist of confirmation that:

- The care leaver is ready to move to independent settled housing and is genuinely prepared for a move to independent living.
- The care leaver possesses the life skills to manage a tenancy including managing a rent account.
- The care leaver is in need of either long term or medium term tenancy support.

The Council wants to ensure that care leavers and other vulnerable people with a support needs are helped to move on from schemes. It is important that they are only able to access social housing when they are assessed as ready to move on.

Therefore their application for housing will be demoted to Band D until they are ready to move on and this has been confirmed by the Housing Options team. At this point the applications will be placed in the appropriate Housing Need Band as assessed under the full Allocations Scheme.

The following cases leaving care will qualify for Reasonable Preference under this category:

- An applicant is ready to move to independent settled housing on the recommendation of the Housing Options Team
- The applicant is in need of appropriate tenancy support.
- That a support package has been assessed and where required, is in place.

Ongoing support needs have been assessed and, where appropriate, a support plan is in place.

Once this information has been assessed and received by the Homemove Team a Housing Needs assessment will take place in accordance with the main assessment criteria laid out here in the Allocations Policy.

5. Priority for Working Household and those making a Positive Contribution to the City

There is an increased recognition of the importance of Allocations Schemes at a National level to ensure that Authorities make best use of housing stock, but also to improving access to affordable housing for those who are on low incomes and the ease of mobility for positively contributing to the community.

The Government has published “Fair and Flexible - Statutory Guidance on social housing allocations for local authorities In England”. This is enabling Local Authorities to be open to change within the Allocations Schemes so that it is responsive to local needs.

To ensure that Brighton & Hove City Council promotes a positive contribution to the community at least 50% of all permanent social council housing stock will be advertised with a priority being given to those who can show that the incoming primary tenant(s) is/are working or is making a positive contribution to Brighton & Hove City.

Exceptions for Special Circumstances

There may be occasions not predicted by this Allocation Scheme where the application of the priority given to working family policy/positive contribution is deemed inappropriate by the Council and accordingly there is a Director Level Discretion available not to invoke the Policy in these Special Circumstances.

Mobility standard flats and houses will be excluded from these allocations as will all Sheltered accommodation. It is hoped that this will help increase an economic balance within all parts of the city community.

5.1 Working Households

Economic Contribution

This part of the policy aims to support the economic growth of our city. We aim to encourage people who can, to work and want to raise levels of aspiration and ambition. We will offer priority on property adverts to the prime applicant(s) who is/are working (see definition below) and who are therefore making a contribution to Brighton & Hove's economy. The priority for Working Households will apply to rehousing across the city and is not linked with a specified area or property type.

Definition of Working Households

For the purposes of this Allocations Scheme employment is described as having a permanent contract, working as a temporary member of staff or being self-employed. Applicants will only qualify if the worker has been employed for 9 out of the last 12 months, is currently in employment and is working for a minimum of 16 hours per week. Verification will be sought at point of application as well as point of offer under the same terms.

Applicants must provide payslips, P60, bank statements or a verifying letter on headed paper in order to qualify (we may also contact employers directly for confirmation of employment). If employment status changes whilst on the Housing Register or at the point of offer it is up to the prime applicant(s) to inform the homemove team immediately of the changes. Section 171 of the Housing Act 1996 makes it an offence to withhold information that we reasonably require to assess an application, or to provide false or misleading information that leads to gaining a tenancy. We will take appropriate action against anyone who gains a tenancy through knowingly providing false information. This may result in a substantial fine and/ or the loss of the home.

5.2 Positive Contribution Community Contribution

Brighton & Hove City Council wishes to recognise residents who make a positive contribution to the City and play a part in making their neighbourhood a strong, stable and healthy place to be. We believe those who help make it a good place to live, work and play are valuable people and they need to be recognised for the good they do. We will offer priority on property adverts to the prime applicant(s) who is/are positively contributing to their community (see definition below) and who are therefore making a contribution to Brighton & Hove's wellbeing. The priority for positive contribution Households will apply to rehousing across the city and is not linked with a specified area or property type.

Positive Contribution – definition

This covers households who are undertaking voluntary work or who are full-time carers and so unable to undertake paid work.

- Volunteers

Volunteers must have been volunteering for a continuous period of at least 6 months up to the point of application and the same at point of offer. Volunteering must be for a not-for profit organisation or a charity and must be for a minimum of 32 hours per month.

Evidence required for voluntary work.

Letter from Manager responsible for Volunteers confirming applicant's involvement in a minimum of 32 hours per month of voluntary work in the requested area for over 6 months. This person must not be related to the applicant in any way and we may also contact manager directly for confirmation of work done. If volunteer status changes whilst on the Housing Register or at the point of offer it is up to the prime applicant(s) to inform the homemove team immediately of the changes, as part of Section 171 of the Housing Act 1996 makes it an offence to withhold information that we reasonably require to assess an application, or to provide false or misleading information that leads to gaining a tenancy. We will take appropriate action against anyone who gains a tenancy through knowingly providing false information. This may result in a substantial fine and/ or the loss of the home.

- Full Time Carers

If the prime applicant(s) provide care in an area of the City, the priority may be applied for in the area in which they provide care. Carers must have been providing for a continuous period of at least 6 months up to the point of application and the same at point of offer.

Evidence required for voluntary work.

Proof that full time care is required (this will be in the form of a care assessment from Adult Social Care or Children and Young Persons Trust in Brighton & Hove City Council) or a copy of the carers allowance that is being paid and proof of receipt of this. We will also require a letter from the person/people requiring care confirming applicant's full time involvement. We may also contact Adult Social Care, Children and Young Persons Trust,

the person/people receiving the care or any other point of contact directly for confirmation of care given. If care status changes whilst on the Housing Register or at the point of offer it is up to the prime applicant(s) to inform the homemove team immediately of the changes, as part of Section 171 of the Housing Act 1996 makes it an offence to withhold information that we reasonably require to assess an application, or to provide false or misleading information that leads to gaining a tenancy. We will take appropriate action against anyone who gains a tenancy through knowingly providing false information. This may result in a substantial fine and/ or the loss of the home.

Work & positive contribution and disability

The complexity and breadth of the needs of disabled people can not easily be tested by the means above and this is partly due to the fact that each individual will have varying degrees of ability which present unique barriers. We feel that it is important to recognise that many disabled people are and wish to remain active in their communities regardless of level of employment status or volunteer work and it has been found that they will likely benefit from being able to bid on all accommodation irrespective of level of work, paid or otherwise that they do. We therefore believe that anyone with a mobility 1 assessment on the Housing Register who can prove that they work or volunteer (irrespective of hours carried out) should be able to be awarded this priority. Normal proof (as stated above) will still be required. If work or volunteer status changes whilst on the Housing Register or at the point of offer it is up to the prime applicant(s) to inform the homemove team immediately of the changes, as part of Section 171 of the Housing Act 1996 makes it an offence to withhold information that we reasonably require to assess an application, or to provide false or misleading information that leads to gaining a tenancy. We will take appropriate action against anyone who gains a tenancy through knowingly providing false information. This may result in a substantial fine and/ or the loss of the home.

Exceptions for Special Circumstances

There may be occasions not predicted by this Allocation Scheme where the application of the priority given to working family policy/positive contribution is deemed inappropriate by the Council and accordingly there is a Director Level Discretion available not to invoke the Policy in these Special Circumstances.

6. Minor wording changes regarding Private sector housing repairs banding to bring the allocations scheme into line with the H&S hazard rating system

Band A

- Private Sector Housing nomination issued under a quota arrangements as agreed by the Private Sector Housing Team.

Band B

- Other unsatisfactory housing conditions (category 1 hazard(s) that cannot be rectified within 6 months as assessed by the Private Sector Housing Team using the HHSRS (Housing Health and Safety Rating System (part 1 HA 2004)).

Band C

- Unsanitary conditions that cannot be addressed by the Private Sector Housing Team action including lacking one or more of the following; a kitchen (eg sink and space for a cooker), an inside WC or a bathroom (e.g. basin and bath or shower).
 - Other unsatisfactory housing conditions (higher category 2 hazard(s) where formal remedial action is being pursued, as assessed by the Private Sector Housing Team using the HHSRS (Housing Health and Safety Rating System (part 1 HA 2004))

Appendix A Overcrowding

Where the property is deemed to be 'statutorily overcrowded' by the Private Sector Housing Team under section X of the 1985 Housing Act and there are no practicable means to make the property suitable for the number of occupants within a reasonable time period the applicant will be placed in band A. Applicants will be placed in band B if they lack two or more bedrooms and band C if they lack one bedroom below these minimum provisions

7. Directors Discretion (for other exceptional circumstances not covered by this scheme)

To replace Severe need – exceptional circumstances and/or multiple needs, which warrant emergency priority – to be agreed by Head of TA and Allocations.

From time to time a situation may arise that is not adequately reflected in this Allocations Scheme but the needs or circumstances are exceptional and significant. Where a case is considered exceptional but the applicant does not meet any of the Banding criteria or it is felt that a higher Banding than the one awarded is more appropriate then the Strategic Director for Housing reserves the right to override this scheme and allow an applicant to have a higher priority than they would be entitled to under the Scheme. These cases will be few in number and will be closely monitored and regularly reported on to ensure that the duty to achieve Reasonable Preference overall is not compromised. Directors Discretion can also be used to block an allocation or to make a direct allocation of a property in circumstances not predicted by this scheme but where the Council is satisfied someone has unfairly taken advantage of the scheme to the detriment of those in housing need. Again, these cases will be monitored and are will be few in number.

8. Homeless priority changes

In order for the Council to maximise and make the best use of social housing stock as well as local private sector housing all Accepted Homeless households who are owed a full part 7 main duty with the following priority reason will be placed into Band C. The council will retain the main duty owed until such time as suitable accommodation can be sought to warrant the discharge of this duty.

The following bands will now be placed into Band C and will be helped via the Temporary Accommodation Allocations Team.

- Accepted Homeless households owed the main duty by Brighton & Hove City Council placed in B&B or short term temporary accommodation where the only prospect of meeting the household's needs is in permanent accommodation (eg the applicant has obtained employment and is experiencing severe financial hardship or the household has severe medical or disability reasons).
- Accepted Homeless households owed the main duty by B&HCC making their own temporary arrangements or suffering family split due to a genuine lack of accommodation.

These band reasons will now be aligned with the following that is currently Band C under the allocations scheme:

- Accepted Homeless households occupying temporary accommodation on an assured short hold or non-secure tenancy until such time as the landlord requires the property back or the household's needs are no longer met unless offered permanent accommodation.

At the end of all private sector leases further leased accommodation will be considered. If at this time no accommodation can be sought or if for financial reasons or accessibility reasons the leased accommodation is no longer suitable (as decided by the temporary

Accommodation Allocations Manager) the case will be recommended to the Homemove Team to be placed into Band A for social housing. At this time the following band reason will be given:

- Accepted Homeless households owed the main duty by B&HCC, placed in temporary accommodation where the landlord requires the property back or the property is unsuitable to meet the applicant's needs or a member of the household's needs, and where the household have been assessed as ready to manage independent accommodation.

9. Closing of Homemove applications

Once a household has been moved via the Homemove Scheme it will be deemed that housing need has been met and therefore all housing applications for the entire household will be closed and sent to the landlord for the information to form the start of the tenancy file.

10. Change in wording for adapted property releases in Band A

Previous

- Releasing an adapted property or to make best use of adapted stock – at the council's discretion, where the tenant does not require adaptations or where the existing property cannot be adapted to meet the applicant's needs

Change to

- Releasing an adapted property or to make best use of adapted stock – at the council's discretion, where the tenant does not require the mobility 1 or 2 assessed adaptations or where the existing assessed property cannot be adapted to meet the applicant's mobility 1 assessed needs.

11. Medical priority wording changes

Band A

Overriding (severe and immediate) medical priority awarded by the Medical Advisor – where the housing conditions are having a severe and immediate adverse effect on the medical condition of the applicant or member of the current household as to warrant emergency priority.

Band B

High (major) medical priority awarded by the Medical Advisor – where the housing conditions are having a major adverse effect on the medical condition of the applicant or member of the current household as to warrant extra priority.

Band C

Low (minor) medical priority awarded by the Medical Advisor – where the housing conditions are having a minor adverse effect on the medical condition of the applicant or member of the current household as to warrant reasonable priority.

HOUSING MANAGEMENT CONSULTATIVE COMMITTEE MEETING

Agenda Item 55

Brighton & Hove City Council

Subject: Tenancy Fraud Policy
Date of Meeting: 8th November 2010
Report of: Strategic Director, Place
Contact Officer: Name: *Helen Clarkmead* Tel: 293271
E-mail: Helen.clarkmead@brighton-hove.gov.uk
Key Decision: No
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Tenancy fraud can take a variety of forms; the most common being unlawful subletting, and obtaining a council property by deception. This report sets out how Housing Management prevents, detect and resolve tenancy fraud, and includes our response to a recent Internal Audit review of how we deal with tenancy fraud.
- 1.2 The council received a government grant of £30k to use to improve the prevention and detection of tenancy fraud. This report proposes that part of this grant is used to introduce photographic tenant identification.

2. RECOMMENDATIONS:

- (1) That HMCC notes and comments about the contents of this report.
- (2) That HMCC recommends to the Cabinet Member for Housing that the government grant be used to fund equipment to introduce photographic records of tenant identity for new tenants.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Tenancy fraud exists where the legitimate tenant unlawfully sublets their home, obtains a council property by presenting false information or claims succession rights by presenting false information. Tenancy fraud removes homes from the available housing stock that would otherwise be available to people in housing need.

- 3.2 A tenant is not permitted to sub let their home. A condition of secure tenancy is that the dwelling must be the main home of the tenant(s).
- 3.3 We will take action against tenants who sub let their home, and against those who obtain a council tenancy by deception.
- 3.4 We started a publicity campaign in the summer including posters, leaflets, articles in City News and Homing In.
- 3.5 Suspected tenancy fraud is reported through Internal Audit, who lead any investigation, working closely with tenancy management officers and the Housing Benefit Investigations Team, where appropriate. Residents who suspect tenancy fraud can report this by telephone to 01273 291700 or email to anti-fraud@brighton-hove.gov.uk
- 3.6 Officers have received specialist document verification training and are well equipped to detect false documents. Further training around the detection of unlawful subletting is planned in the autumn.
- 3.7 An important aspect of detecting tenancy fraud is verification of a tenant's identity. It is proposed that photographic identification of tenants is held on file and on the tenancy management computerised records system. This will better enable officers to verify if someone presenting as the tenant is actually the legitimate tenant. Tenant photographs will be taken at application or tenancy sign up, and verified, where possible, against formal photographic identification – for example a passport. Photographs will be held securely and under the terms of the data protection act. Having a photograph will not be a condition of the tenancy.
- 3.8 Officers undertake tenancy checks on a routine planned basis, including the verification of identity. Where fraud is suspected, these take place on an unnotified basis and at various times.
- 3.9 There is regular information sharing and data matching to highlight potential tenancy fraud. This will be further enhanced by the collection of National Insurance numbers.
- 3.10 The council's Internal Auditors completed a review of Housing Tenancy Verification in July 2010. A summary of recommendations, agreed action and progress is attached as an appendix to this report.
- 3.11 The Housing Management team are working very closely with internal Audit and are considering proposals to participate in 2 more projects.
- National Anti Fraud Network – to run a pilot carrying out a data matching exercise with Experian.
 - National Fraud Authority are considering using our department as a pathfinder as an example of good practice

4. CONSULTATION

4.1 HMCC is invited to comment

4.2 Tenancy Management Focus Group agreed that tenancy fraud needs to be prevented and robustly managed where identified. The group generally supported the measures outlined in this report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 The cost of introducing photographic tenant identification is approximately £15,000 which will be met from the government grant of £30,000, which was received for the purposes of the prevention and detection of tenancy fraud. The ongoing annual costs of producing photographic identification will need to met from within existing Housing Revenue Account budgets.

Finance Officer Consulted: Susie Allen

Date: 08/09/10

Legal Implications

5.2 Sub-letting of part of a property is not unlawful, as long as a secure tenant has the landlord's written consent. If the whole of a property is sublet, security of tenure is lost (section 93 Housing Act 1985) and the landlord has the right to seek possession through the courts. Where a tenant has obtained a council property by deception, the landlord can seek a possession order in the county court as long as it can prove that it was induced to grant the tenancy by a false statement made knowingly or recklessly by the tenant or a person acting at his instigation. This ground for possession is not widely used

Lawyer Consulted: Liz Woodley

Date: 08/09/2010

Equalities Implications:

5.3 A robust and effective approach to tenancy fraud will ensure property is available to people in need.

Sustainability Implications:

5.4 There are no specific sustainability implications

Crime & Disorder Implications:

5.5 There are no specific crime and disorder implications

Risk and Opportunity Management Implications:

5.6 If a robust approach is not adopted, there is a risk that council property may be occupied by people who are not the legitimate tenants.

Corporate / Citywide Implications:

- 5.7 Robust corporate governance arrangements are essential to the sound management of the City Council and the achievement of its objectives as set out in the Corporate Plan.

6. EVALUATION OF ALTERNATIVE OPTIONS

- 6.1 This report is a response to an Internal Audit report, and as such considers each recommendation of that report in the main body and appendix. The alternative of considering Internal Audit recommendations is not feasible.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To effectively address tenancy fraud.

SUPPORTING DOCUMENTATION

Appendices: Recommendations of 2010 Internal Audit report – Housing Tenancy Verification, agreed actions and progress.

Documents In Members' Rooms : None

Background Documents: None

Appendix

Internal Audit Report – Housing Tenancy Verification July 2010

Summary of Recommendations and Action

	Recommendation	Action Agreed	Completion target	Progress
1	Information recorded on the Tenancy Check record spreadsheets to be consistent across the five area housing offices	Standard recording spreadsheet format to be adopted	30/06/2010	Achieved
2	Properties visited prior to January 2009 should be revisited prior to the beginning of 2011 to ensure the target of visiting each property within a two-year cycle is achieved	We will attempt to do this	31/12/2010	This is unlikely to be achieved. The number of tenancies where we have been unable to gain access is relatively high, and these need to be prioritised before revisiting tenancies last checked in 2009. A cycle of tenancy visits every 3 years is more realistic.

3	Management to review the current processes for undertaking tenancy check visits including when they are undertaken to ensure that the chances of identifying illegal subletting/occupancy are maximised	Procedure to be reviewed. Tenancy checks where indicators suggest fraud to be made on an unnotified basis	30/09/2010	Achieved
4	Tenancy files to contain details of all tenancy visits	All tenancy visit documentation to be placed on the file	30/06/2010	Achieved
5	Management to review the list of documents that can be accepted as evidence of identity	Agreed	31/08/2010	Achieved
6	Out of date documentation not to be accepted as evidence of identity	Agreed	30/06/2010	Achieved
7	Management to review how identity documents are examined and whether it is feasible to take a copy of such documents shown during tenancy visits and place them on the tenancy file subject to compliance with the Data Protection Act	Agreed	31/08/2010	Review completed. Mobile copying technology is not available to officers undertaking tenancy checks.
8	Management to ascertain whether it is feasible to record tenancy checks on the OHMS system in future instead of completing individual spreadsheets at each area office	Agreed	31/10/2010	This would be possible with system enhancements. However there are greater priorities for the OHMS team, and this may not be implemented until March 2011

9	All cases of suspected unauthorised occupancy to be reported to Head of Audit and Business Risk or the Principal Auditor (lead for counter fraud) to enable the matter to be logged and the intelligence disseminated and investigated by the appropriate personnel within the council following a risk assessment of the evidence available	Agreed	30/06/2010	Achieved
10	Risk Assessments undertaken prior to tenancy management visits to be documented	Agreed – tenancy visit checklist to be reviewed	30/06/2010	Achieved
11	Three ‘cold call’ visits should be made to a housing property where there is a suspicion of unauthorised occupancy before a card is left	Agreed, although this will have a negative impact upon officer ability to meet the challenging two year visit cycle	31/08/2010	Achieved
12	Details to be maintained as to how many properties have been recovered as a result of proven unauthorised occupancy	Agreed. Housing Managers collect this information and report quarterly	30/06/2010	Achieved
13	Claims for damages should be considered where it is found that a tenant occupying a property unlawfully has substantial assets	Agreed. Legal Services consider this as part of case management	30/06/2010	Achieved
14	Tenancy files to be reviewed prior to a tenancy check being undertaken to	Agreed	30/06/2010	Achieved

	ensure that there is a tenancy agreement on file. Housing Officer to investigate each case where one cannot be located, ensure the tenancy is legal and complete a tenancy agreement as appropriate			
15	Photographs to be taken of all tenants if there is sufficient funding available to set up and maintain a system	Agreed to undertake a feasibility study	30/09/2010	Report to HMCC November 2010 and Housing CMM December 2010
16	Access controls to be implemented if a decision is made to go ahead with and introduce a system whereby photographs of tenants are held on a centralised system.	Pending decision	Pending decision	Pending decision

HC BIMTM September 2010.

HOUSING MANAGEMENT CONSULTATIVE COMMITTEE MEETING

Agenda Item 56

Brighton & Hove City Council

Subject:	Minimum standards for responding to reported anti-social behaviour		
Date of Meeting:	8th November 2010		
Report of:	Strategic Director, Place		
Contact Officer:	Name:	Helen Clarkmead	Tel: 293271
	E-mail:	Helen.clarkmead@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Home Office has set out new guidance promoting a consistent, victim and witness focused approach around responding to reports of anti-social behaviour (ASB).
- 1.2 The attached minimum standards have been agreed on a multi agency basis, including by Housing Management and Housing Strategy, Sussex Police and the Anti Social Behaviour Casework team. These were formally adopted in October 2010.
- 1.3 These standards incorporate the views and feedback that we have gathered from tenants to date. Our response to tackling anti-social behaviour will be developed further with tenants through the Anti-social behaviour focus group and Local Offer for Anti-social behaviour.

2. RECOMMENDATIONS:

- (1) HMCC is asked to note the Home Office minimum standards.
- (2) That HMCC refer this report to the ASB tenant working group to further develop and enhance this area of service.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The attached minimum standards, agreed on a multi agency basis, will provide a victim and witness focused, consistent response to reported anti-social behaviour.

- 3.2 Within Housing Management, anti-social behaviour is initially reported through Housing Management Advisors, although on occasion it may be Reported to Community Wardens or Housing Officers.
- 3.3 Most anti-social behaviour is resolved at a low level by tenancy Management staff, with specialist advice and support from the specialist Anti-Social Behaviour Housing Officers in the Social Inclusion Team.
- 3.4 The Anti-social Behaviour Housing Officer Team, enhanced as part of the Turning the Tide pilot, deals with the most serious and complex cases of ASB. The purpose of the team is to bring an end to anti-social behaviour as quickly as possible and to protect and support victims, witnesses and the community.

The team seeks to work with the perpetrator to permanently change their behaviour by addressing personal factors or support issues which contribute to the acts of ASB and in so doing, if possible, to avoid eviction action.

The team culture and work practices are clear: the needs of the community outweigh the needs of the individual we strive to ensure that acts of nuisance are not tolerated but are challenged and prompt enforcement and support actions put in place to deal with the situation.

The Team work in a persistent and assertive approach taking hold of the problem and dynamically pushing for behaviour change. There is progressive case management with targets for change and time limited interventions. The Team ensure a multi agency partnership approach and that there is a coordinated and consistent approach City wide to dealing with ASB.

- 3.5 Recent successes include:

Female harassing and bullying tenants. Injunction and sentenced to imprisonment for two months and costs of £862

Serious noise nuisance – two evictions involving close joint working with Environmental Health

ASBO on conviction – obtained on two addressees. Both breached. One tenant sentenced to 18 months , one tenant held on remand awaiting trial.

Serious drink related ASB – four cases. In three cases action has led to a reduction in complaints in excess of 90%. In one case eviction action.

Drug Dealing and Very Serious Noise Nuisance – two closure orders obtained.

Feedback from 12 customers who used the services of the Anti-social Behaviour in the first quarter 2010 and evaluated their experience showed that 70% were satisfied of which almost 50% were very satisfied.

4. CONSULTATION

4.1 HMCC is asked to note the attached minimum standards

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 There are no direct financial implications from the recommendations within this report. The cost of operating the minimum standards by Housing Management will be met within the existing Housing Revenue Account Budget.

Finance Officer Consulted: Susie Allen

Date: 08/09/10

Legal Implications:

5.2 As the report is for noting only, there are no significant legal implications to consider. However, the new minimum standards will standardise the reporting of ASB cases, which in turn will assist in the preparation of such cases for court

Lawyer Consulted:

Liz Woodley

Date: 08/09/2010

Equalities Implications:

5.3 The minimum standards are designed to provide additional, tailored, support to more vulnerable victims and witnesses.

Sustainability Implications:

5.4 There are none

Crime & Disorder Implications:

5.5 The minimum standards will ensure a consistent and high quality response to reported anti social behaviour citywide.

Risk & Opportunity Management Implications:

5.6 The minimum standards will ensure a consistent and high quality response to reported anti social behaviour citywide.

Corporate / Citywide Implications:

5.7 The minimum standards will ensure a consistent and high quality response to reported anti social behaviour citywide.

SUPPORTING DOCUMENTATION

Appendices:

1. Minimum standards for response to reports of anti social behaviour

Documents in Members' Rooms

None.

Background Documents

None

Your Point of Contact is:

Telephone Number:

E-mail Address:

Working Hours

If your point of contact is unavailable we will arrange for another officer to contact you at the earliest opportunity.

Translation? Tick this box and take to any council office.

ترجمة؟ ضع علامة في المربع وخذها إلى مكتب البلدية. Arabic

অনুবাদ? বক্সে টিক চিহ্ন দিয়ে কাউন্সিল অফিসে নিয়ে যান। Bengali

需要翻譯? 請在這方格內加刷, 並送回任何市議會的辦事處。Cantonese

ترجمه؟ لطفاً این مربع را علامتگذاری نموده و آن را به هر یک از دفاتر شهرداری ارائه نمایید. Farsi

Traduction? Veuillez cocher la case et apporter au council. French

需要翻譯? 請在這方格內划勾, 并送回任何市议会的办事处。Mandarin

Tłumaczenie? Zaznacz to okienko i zwróć do któregoś z biura samorządu lokalnego (council office). Polish

Tradução? Coloque um visto na quadrícula e leve a uma qualquer repartição de poder local (council office). Portuguese

Tercümesi için kareyi işaretleyiniz ve bir semt belediye bürosuna veriniz Turkish

other (please state)

This can also be made available in large print, Braille, or on CD or audio tape

Brighton & Hove Victim & Witness Service Standards

If you feel that agencies have failed to act to tackle anti-social behaviour then you can complain about the Community Safety Partnership through your local councillor or MP.

You can also complain to:

Brighton & Hove City Council – freephone 0500 291229 or write to Brighton & Hove City Council, Standards & Complaints, FREEPOST SEA2560, Brighton, BN1 1ZW (no stamp needed)

Sussex Police – 0845 6070 999 or write to The Chief Constable, Sussex Police Headquarters, Malling House, Church Lane, Lewes, BN7 2DZ

Safe in the city

Brighton & Hove
Community Safety
Partnership




Brighton & Hove
City Council

Brighton & Hove Victim & Witness Service Standards

The Brighton & Hove Community Safety Partnership is working to tackle anti-social behaviour and to support victims and witnesses of this behaviour across the city.

The partnership recognises that anti-social behaviour is a key priority for local residents and that living with anti-social behaviour can have a severe impact on the quality of life of those affected.

The agencies responsible for tackling anti-social behaviour in the city have got together and agreed a set of service standards. This leaflet lists those standards of service which victims and witnesses can expect to receive when they report anti-social behaviour.

The aims of the victim and witness service standards:

- To reduce anti-social behaviour
- To increase public confidence in reporting anti-social behaviour
- To ensure that people who report anti-social behaviour feel supported
- To identify and support vulnerable victims and witnesses

What you can expect from us when you report anti-social behaviour:

- You will be treated with dignity and respect at all times
- All reported incidents of anti-social behaviour will be taken seriously and investigated.
- If you contact us by telephone or in person we will undertake an initial assessment within one working day.
- You will be offered a single point of contact from one of the partner agencies and provided with their contact details.

- We will agree with you an appropriate time and method for providing you with regular feedback.
- We will undertake a victim and witness assessment with you to ensure that you are fully supported.
- We will help you to access appropriate support services should you require them.
- You will be asked how you would like to report further anti-social behaviour and to whom
- We will use the tools and powers available to us to tackle anti-social behaviour.
- We will fully support you through any resolution including court action where necessary.
- Where appropriate we will provide updates to Local Action Teams about the work we are doing to tackle anti-social behaviour
- You will be informed when your case is to be closed and you will be asked for feedback on the service you have received.
- We will ensure that you have a route through which to make a complaint if you feel that the Community Safety Partnership has failed to act to tackle anti-social behaviour.