



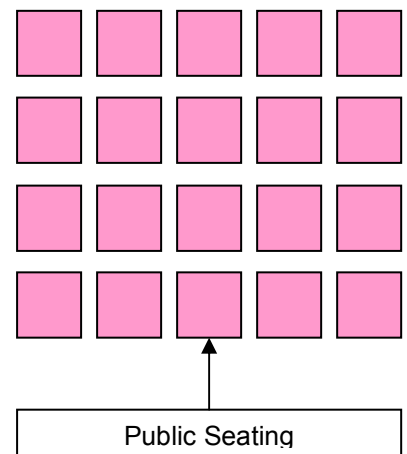
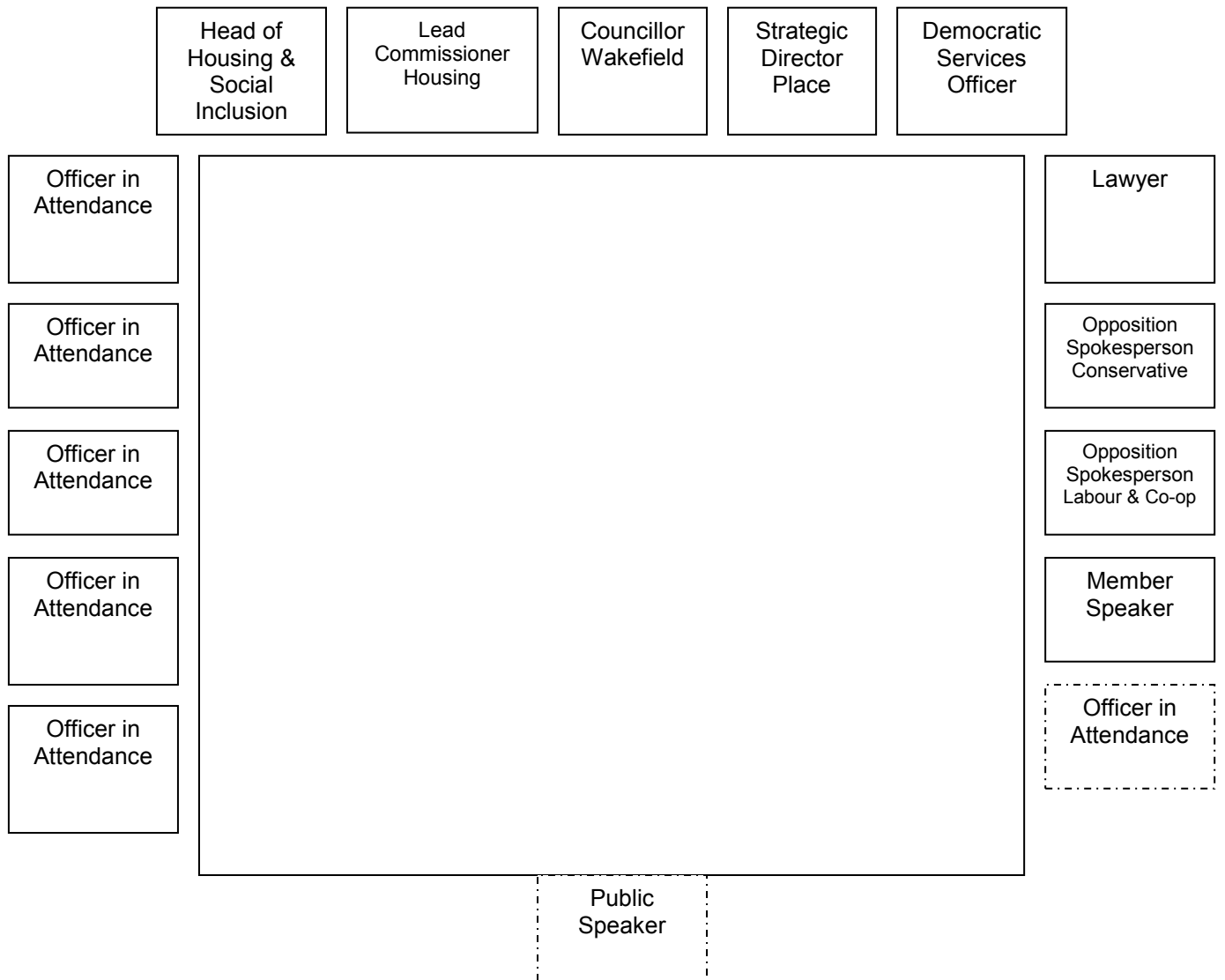
Brighton & Hove
City Council

Cabinet Member Meeting

Title:	Housing Cabinet Member Meeting
Date:	18 January 2012
Time:	4.00pm
Venue	Council Chamber, Hove Town Hall
Members:	Councillor: Wakefield (Cabinet Member)
Contact:	Caroline De Marco Democratic Services Officer 01273 291063 caroline.demarco@brighton-hove.gov.uk

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Democratic Services: Meeting Layout



AGENDA

60. PROCEDURAL BUSINESS

- (a) 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.
- (b) 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.

61. MINUTES OF THE PREVIOUS MEETING

1 - 8

Minutes of the Meeting held on 1 December 2011 (copy attached).

62. CABINET MEMBER'S COMMUNICATIONS

63. ITEMS RESERVED FOR DISCUSSION

- (a) Items reserved by the Cabinet Member
- (b) Items reserved by the Opposition Spokespersons
- (c) Items reserved by Members, with the agreement of the Cabinet Member.

NOTE: Public Questions, Written Questions from Councillors, Petitions, Deputations, Letters from Councillors and Notices of Motion will be reserved automatically.

64. PETITIONS

No petitions have been received by the date of publication.

65. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 11 January 2012)

HOUSING CABINET MEMBER MEETING

No public questions have been received by the date of publication.

66. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 11 January 2012)

No deputations have been received by the date of publication.

67. LETTERS FROM COUNCILLORS

No letters have been received.

68. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

69. NOTICES OF MOTIONS

No Notices of Motion have been received by the date of publication.

70. UNDERSTANDING THE IMPACTS OF THE WIDER WELFARE REFORM AGENDA

Presentation by Valerie Pearce, Head of City Services.

71. PROCUREMENT OF HOUSING & ADULT SOCIAL CARE ADAPTATIONS FRAMEWORK AGREEMENT 9 - 16

Report of Strategic Director Place (copy attached).

Contact Officer: *Martin Reid, Alex Dickie* Tel: 29-3321, Tel: 01273
293293

Ward Affected: *All Wards*

72. ADDITIONAL LICENSING FOR HOUSES IN MULTIPLE OCCUPATION (HMO) CONSULTATION & AMENDMENT OF STANDARDS FOR LICENSED HMOS. 17 - 52

Report of Strategic Director Place (copy attached).

Contact Officer: *Martin Reid* Tel: 29-3321

Ward Affected: *Hanover & Elm Grove;
Hollingdean & Stanmer;
Moulsecoomb &
Bevendean; Queen's
Park; St Peter's & North
Laine*

73. INTERREG IVA LEARNING CITIES BID 53 - 60

Report of Strategic Director Place (copy attached).

Contact Officer: *Emma Gilbert* Tel: 291704

Ward Affected: *Moulsecoomb &
Bevendean; North*

HOUSING CABINET MEMBER MEETING

Portslade

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.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

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 - Tuesday, 10 January 2012

BRIGHTON & HOVE CITY COUNCIL

HOUSING CABINET MEMBER MEETING

4.00pm 1 DECEMBER 2011

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Wakefield (Cabinet Member)

Also in attendance: Councillor Farrow (Opposition Spokesperson) and Peltzer Dunn (Opposition Spokesperson))

PART ONE

45. PROCEDURAL BUSINESS

45(a) Declarations of Interests

45.1 There were none.

45(b) Exclusion of Press and Public

45.2 In accordance with section 100A of the Local Government Act 1972 ("the Act"), the Cabinet Member considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of the proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

45.3 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of any items on the agenda.

46. MINUTES OF THE PREVIOUS MEETING

46.1 Councillor Farrow drew attention to paragraph 30.1, which referred to the cap on housing benefit. He asked if officers were able to report back on this matter. The Lead Commissioner Housing reported that a report would be submitted to the Housing Cabinet Member Meeting in January 2012.

46.2 **RESOLVED** – That the minutes of the Housing Cabinet Member Meeting held on 19 October 2011 be agreed and signed by the Cabinet Member.

47. CABINET MEMBER'S COMMUNICATIONS**Brighton & Hove Seaside Community Homes**

- 47.1 The Cabinet Member reported that a second batch of 42 properties were ready to be transferred.

City Assembly

- 47.2 The Cabinet Member reported that the City Assembly on 19 November had been a very successful day. There had been wider participation and diversification than ever before. Parents with young children had attended as there had been a crèche for the first time. The Cabinet Member had spoken to people who had attended for the first time and they had told her that they had enjoyed the day and wanted to get involved in the tenants movement.
- 47.3 Modern technology had been used which had made it possible for people to watch the webcast, and send messages via twitter. A number of people had watched the live stream at Robert Lodge. Councillors from all three political parties had attended.
- 47.4 Councillor Peltzer Dunn concurred with the above comments and stated that Chris Kift had been an excellent chair of the City Assembly meeting. Councillor Peltzer Dunn suggested that the chair could write to Mr Kift to congratulate him on his re-election.
- 47.5 The Chair agreed to write to Chris Kift and stated that the council were very fortunate to have him as chair of the City Assembly.

48. ITEMS RESERVED FOR DISCUSSION

- 48.1 **RESOLVED** – That all items be reserved for discussion.

49. PETITIONS**Petition – Essex Place cladding**

- 49.1 The Cabinet Member considered the following petitions presented at Council on 20 October 2011 regarding Essex Place cladding.

(i) *"We, the undersigned, residents of Essex Place here by call on the Brighton and Hove City Council to honour the long standing promise to clad Essex Place there for cutting heating costs, reducing maintenance costs and also reducing Green House Gases protecting the environment."* Signed by 128 people

(ii) *"We, the undersigned, here by support the residents of Essex Place in their petition calling on the Brighton and Hove City Council to honour the long standing promise to clad Essex Place there for cutting heating costs, reducing maintenance costs and also reducing Green House Gases protecting the environment."* Signed by 31 people.

- 49.2 The Cabinet Member asked the Head of Housing and Social Inclusion to respond on this matter. The Head of Housing and Social Inclusion reported that in 2006 an

independent structural survey was commissioned on the high-rise homes that were managed under the Housing Revenue Account (HRA). The survey concluded that although Essex Place was in reasonable condition from a concrete structure viewpoint, there was likely to be a need for some external repairs during the forthcoming 5-10 year period, and that further investigations would be required on all the elements at that time. As a result the block was added to the provisional programme, so that further surveys, and provisional budget sums, could be allocated.

- 49.3 As part of the council's ongoing commitment to deliver a long-term improvement strategy across the managed housing stock, the Housing service publish the agreed provisional programme of capital works. The current 3-year plan was published in March following cabinet approval, and included agreed programmes for 2011-12, along with provisional draft programmes for the following 2 years, subject to further surveys and financial agreements.
- 49.4 Within the provisional programme for 2012-2013, Property and Investment included the potential need for major external works to take place at Essex Place, possibly to include some insulated over cladding works, along with other required repairs, where required. All of the provisional plans were subject to further survey, and a standard visual survey was undertaken in early summer 2011 to establish what scope of works were required, and whether they were required and within what timescales. The survey report suggested that at this time there were no major issues with the concrete structural frame of the block, and that because of this, the need for insulated over cladding to rectify structural issues was not urgently required at this time. It did, however, highlight that there were some external fabric repairs required within the next few years, in particular brickwork re pointing.
- 49.5 Since the petitions were submitted to the Council, two further independent surveys had been commissioned in order to establish whether any further deterioration to the structural elements of the building had occurred. The first, a structural survey, was carried out by Curtins, a specialist in this field, and took place on Monday 7th November. The Curtins surveyor arranged to meet resident representatives including the Chair, Linda King, and Terence Pestor on site so that any specific concerns that they raised could be looked into directly during the survey, and so that they had good understanding of the survey process.
- 49.6 The findings of the survey came to similar conclusions to that of 2006. Despite some localised cracks in the structure, the concrete frame is generally considered to be in reasonable condition. The one consistent defect that was found was that the infill brickwork pointing was poor in some areas, and had deteriorated since 2006. However, the internal inspections carried out did not reveal any significant evidence of moisture ingress into flats due to this. The report recommended that the defective pointing was addressed within the current projected timescales (2012-13). There were 2 key ways this could be achieved, namely by re-pointing the existing brickwork, or during over cladding works. Either method would also reduce the likelihood of draughts coming through items such as plug sockets internally, which was a problem that several residents had raised. It was also noted by the surveyor that occupiers complained about draughts getting in and around the windows, and that the windows to the north elevation, in particular, are older than those elsewhere in the block.

- 49.7 The second survey, which was due to take place during the next few weeks, was a thermographic survey of the block. This would take place during the hours of darkness and once weather conditions (a large difference between internal and external temperatures) allowed. Once again, Curtins would discuss arrangements with resident representatives so that there would be clarity about the approach. This survey would show what the thermal performance of the flats was, where any areas of significant heat loss occurred, and also any 'cold-spots', where condensation and mould growth conditions might be more likely.
- 49.8 The provisional budgeting for 2012-13 had not at any stage been amended for Essex Place, and the current draft budgets still included provision for works to the block, subject to approvals, and the final decision on the scope and level of works that were to be undertaken.
- 49.9 Once the results of the thermographic survey were available and had been analysed, it was currently proposed that senior officers would discuss the results of both the latest surveys with residents, including at the next available residents' meeting, following the receipt of the final survey reports, if residents were agreeable to this approach.
- 49.10 Councillor Peltzer Dunn stated that he considered that the repairs should be carried out at the same time as improvements to the property. He made the point that stopping drafts could make condensation worse. He hoped it would be an inclusive programme.
- 49.11 **RESOLVED** – That the petitions be noted.

50. PUBLIC QUESTIONS

- 50.1 There were none.

51. DEPUTATIONS

- 51.1 There were none.

52. LETTERS FROM COUNCILLORS

- 52.1 There were none.

53. WRITTEN QUESTIONS FROM COUNCILLORS

- 53.1 There were none.

54. NOTICES OF MOTIONS

- 54.1 There were none.

55. MINUTES OF THE HOUSING MANAGEMENT CONSULTATIVE COMMITTEE

- 55.1 The Cabinet Member considered the minutes of the Housing Management Consultative Committee meeting held on the 7 November 2011.

- 55.2 Councillor Farrow drew attention to paragraph 52.3. He asked if there was any feedback in relation to housing officers liaising with the emergency planning officer to check the dams in Bevendean.
- 55.3 The Head of Tenancy Services explained that she was meeting with the Civil Contingencies Manager to discuss flooding plans. Councillor Farrow asked to be updated by email after the meeting had taken place.
- 55.4 Councillor Peltzer Dunn drew attention to paragraph 51.3. This related to insurance cover for the council, if a tenant or leaseholder was involved in an accident after taking on work on behalf of the council.
- 55.5 The Housing Manager explained that he was still awaiting the result of the consultation to see if residents wanted to get involved in a grass cutting scheme. He assured Councillor Peltzer Dunn that if residents did want to get involved, risk assessment and training would take place to ensure safety. The insurance section was confident that they could cover residents (as volunteers) under the council's corporate policy. Plumpton College was likely to be involved in risk assessing the site and in assuring everyone taking part was risk assessed.
- 55.6 Councillor Peltzer Dunn asked for an update on paragraph 53.27 regarding cash payments. The Head of Customer Access & Business Improvement promised to email Councillor Peltzer Dunn the figures.
- 55.7 Councillor Farrow asked for an update on Paypoint (paragraph 53.10). The Head of Customer Access & Business Improvement reported that cards had been ordered for everyone who had asked for a Paypoint Card. Not all residents had been contacted yet.
- 55.8 Councillor Farrow requested that when the decision had been made, a letter should be sent to council tenants in Whitehawk informing them that they had an opportunity to have a Paypoint Card. This request was agreed.
- 55.9 **RESOLVED** – That the minutes be noted.

56. COUNCIL HOUSING NEIGHBOURHOOD POLICY

- 56.1 The Cabinet Member considered a report of the Head of Housing and Social Inclusion which set out the proposed Council Housing Neighbourhood Policy. The Regulatory Framework for Social Housing required that social housing providers had a Neighbourhood Policy in relation to their housing. The policy set out in appendix 1 of the report, related to Brighton and Hove City Council's housing and its estates.
- 56.2 The Head of Tenancy Services reported that after the last Housing Management Consultative Committee, the report had been presented to the Leaseholder Action Group and had been well received.
- 56.3 **RESOLVED** - (1) That the contents of the policy and relevant policies and procedures are noted.
- (2) That the proposed Council Housing Neighbourhood Policy, as set out in Appendix 1 be agreed.

57. REVIEW OF GROUNDS MAINTENANCE - COUNCIL HOUSING LAND

57.1 The Cabinet Member considered a report of the Head of Housing and Social Inclusion which set out a proposed Council Housing Grounds Maintenance Policy. The policy had been developed using the key themes that residents raised in the pilot areas about how the grounds maintenance service should be delivered. The Grounds Maintenance Policy was one of a range of policies that would sit beneath the Housing and Social Inclusion Neighbourhood Policy.

57.2 **RESOLVED** - (1) That the new Grounds Maintenance Policy which has been developed by the Estate Services Monitoring Group (ESMG) be approved.

(2) That a rolling programme of site by site grounds maintenance reviews be approved.

(3) That the continuation of current arrangements with City Parks for grounds maintenance services be approved.

58. ADVERSE WEATHER POLICY 2011

58.1 The Cabinet Member considered a report of the Head of Housing and Social Inclusion which set out the proposed Council Housing Adverse Weather Policy. The aim of the policy was to identify the appropriate actions that would be taken by Housing and Social Inclusion on housing land during severe weather conditions effecting employees, tenants, leaseholder contractors and members of the public. The document set out the minimum standards of service which would be provided and defined the required responsibilities. The policy also formed a part of the corporate plan and set out the provisions in the event of extreme weather.

58.2 **RESOLVED** - 1) That the Housing & Social Inclusion – Council Housing Adverse Weather Policy 2011 be approved for publication and implementation.

59. OPPORTUNITY FOR MANOR PLACE HOUSING OFFICE TO MOVE TO THE WHITEHAWK HUB

59.1 The Cabinet Member considered a report of the Head of Housing and Social Inclusion which set out a proposal to move the Manor Place Housing Office to the Whitehawk Hub. The objective of the proposal was to achieve a long term base for the Whitehawk tenancy management service that fitted within the service transformation framework of a “council the city deserves” – improving customer service, working in a more efficient office accommodation, working in more efficient and effective ways, and achieving value for money.

59.2 The Cabinet Member reported that following the Housing Management Consultative Committee, she and Councillor Powell along with the Head of Housing and Social Inclusion had been on a visit to the Whitehawk Hub. They had walked to the hub from the bus stop and back.

59.3 The Cabinet Member had noticed that there was a tree overhanging the pathway. Trimming the tree back would provide more light and space to the pathway. The Cabinet Member reported that the pathway had been widened and leveled, but had

noticed a dip at one point which might cause a problem to people with a walking frame or stick rather than people in mobility scooters. Any further improvements that could be made would be investigated.

- 59.4 Councillor Peltzer Dunn referred to his query about cash payments detailed in the minutes of Housing Management Consultative Committee (paragraph 53.27). The Head of Customer Access & Business Improvement explained that she had asked the cashier to make a note of people calling into the Manor Road office. A maximum number of 39 people a day were calling at the office. Staff would visit residents who might have problems in making alternative arrangements for payments.
- 59.5 The Head of Housing and Social Inclusion explained that when people paid cash in the office they sometimes made multiple transactions. The statistics could therefore be misinterpreted. The figures quoted on page 93 of the agenda were the outcome of a survey. They were not a percentage of the total number of tenants, but only of those tenants who had taken part in the survey at Manor Place.
- 59.6 **RESOLVED** - That approval be given for the tenancy management housing service to move from the Manor Place Housing Office to the Whitehawk Hub.

The meeting concluded at 5.00pm

Signed

Cabinet Member

Dated this

day of

HOUSING CABINET MEMBER MEETING

Agenda Item 71

Brighton & Hove City Council

Subject: Procurement of Housing & Adult Social Care Adaptations Framework Agreement

Date of Meeting: 18th January 2012
19th January 2012 - Cabinet

Report of: Strategic Director Place

Contact Officer: Name: Martin Reid / Alex Dickie Tel: 29-3293
E-mail: Martin.Reid@brighton-hove.gov.uk

Key Decision: Yes Forward Plan No. 26742

Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report seeks approval for the tendering of a framework agreement to provide for minor and major adaptations in council homes and in private sector housing in Brighton & Hove.
- 1.2 The framework agreement for minor and major adaptations in the public and private sector would:
- Rationalise current arrangements.
 - Achieve better value for money, offering potential contractors an agreement with increased value which should in turn provide the Council with the advantages of economies of scale.
 - Ensure that works are delivered in a timely manner by avoiding the need to obtain a range of quotes for each job.
 - Ensure access to specialist contractors experienced in the installation of complex adaptations.
 - Provide the opportunity for small business to tender for lots within the framework agreement.

2. RECOMMENDATIONS:

- 2.1 That the Housing Cabinet Member notes the report and the intention for it to be considered by the Cabinet on the 19th January, 2012.

That Cabinet approves the following:

- 2.2 The procurement of a framework agreement for minor and major adaptations works in council homes and in private sector housing with a term of three years and an option to extend for one year be approved;

- 2.3 That authority be delegated to the Strategic Director for Place to carry out the procurement of the framework agreement referred to in 2.2 above including the award and letting of the framework agreement; and
- 2.4 That delegated authority to the Strategic Director for Place to grant a one year extension to the framework agreement referred to in 2.2 above be agreed should he/she consider it appropriate at the relevant time.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Local authorities have a statutory duty under the National Health Service & Community Care Act 1990 to assess and meet people's needs which may include the need for an adaptation or move to suitable housing; they also have a statutory duty under the Chronically Sick and Disabled Persons Act 1970 and the Housing Grants Construction & Regeneration Act 1996 to meet the adaptations needs of disabled people.

The Integrated Housing Adaptations Service is responsible for commissioning the provision of major housing adaptations across all tenures in the City including investment, Occupational Therapist assessment, management of the Adaptations Technical Team and partnership with our Home Improvement Agency. The team procures council housing adaptations through a framework agreement which has come to an end. We are now seeking to tender a new framework agreement in partnership with Adult Social Care to provide for both minor and major adaptations in council homes and in private sector housing in Brighton & Hove.

- 3.2 The Integrated Housing Adaptations Service is able to:
 - promote a proactive approach to managing the increasing demand for major housing adaptations though supporting investment in wheelchair adapted & lifetime homes through new build and existing capital programmes. This is in addition to responding to statutory Community Care Act assessment requests where there may be an identified need;
 - offer housing options approach as an alternative to costly and disruptive major adaptations – in both the public and private sector;
 - work with Housing Delivery, making best use of the Decent Homes capital programme to deliver more accessible council homes, and;
 - continue to develop the Trusted Assessor arrangements delivering minor works in council homes without delay.

Where cases do go through Community Care Assessment and the need for an adaptation is identified, the service delivers a 'whole systems approach' from the housing OT assessment and recommendations, feasibility and technical support through to practical completion.

3.3 Major adaptations to Council homes - previous framework agreement and interim arrangements

In 2009/10 a framework agreement for major housing adaptations to Council homes was tendered and awarded in August 2010. 4 contractors

were selected for 1 year with the option for the Council to extend for a further 3 years. Due to a number of issues arising in that first year, primarily around capacity, officers felt it unwise to extend that framework agreement. A waiver has been agreed to allow the Adaptations Service to use contracts procured in 2005 to maintain service while a new framework agreement can be procured.

- 3.4 The framework agreement allows Home Improvement Officers in the Housing Adaptations Service to order standard items at competitively tendered prices using a schedule of rates. This eliminates the need to tender every adaptation, saving valuable time in the provision of adaptations. This also ensures a lasting relationship with specialist contractors. Regular review meetings help to continually improve the services provided by the contractors. The range of major adaptations work undertaken by specialist contractors includes:

Level Access Showers	Dropped curbs/crossovers
Over Bath Showers	Hard standings
Ramps	Kitchen adaptations
Wash & Dry Toilets	Paths/ground works
External Rails	Access to house
Internal Rails	Access to garden

- 3.5 Frequent review meetings with contractors ensure a high overall standard is achieved and customer service by contractor operatives is of the highest quality including a supportive response to people with a range of disabilities. Multiple contractors on the framework ensure competitive spirit is achieved with contractors striving to compete on quality and service, as well as on prices that are set at the start of the framework agreement. All installations are under warranty for 1 year and failure to promptly resolve defects will affect future orders with the contractor in question. In practice, this ensures a high quality finish on public sector adaptations.

We propose to continue to develop the Trusted Assessor arrangements delivering minor works in Council homes without delay in partnership with the Estates Services Team.

3.6 **Minor adaptations in private sector homes**

Minor adaptations work in private sector homes, that is structural and electrical works up to a value of £1000, have been commissioned within Adult Social Care via the Integrated Community Equipment Service (ICES) using a number of different contractors. ICES who are jointly managed by ASC and the NHS will (continue to) allocate the work via the framework agreement under a service specification to ensure adaptations are facilitated in a timely manner. The framework agreement will ensure that work is ordered and carried out quickly by avoiding the need to obtain a range of quotes for each job and that work is undertaken by specialist contractors who are experienced and sensitive to the needs of disabled people.

3.7 Intention of Housing and ASC to work together to develop new framework

3.8 There is agreement between Adult Social Care and Housing to run a collaborative tender process, with separate lots for minor and major works, in order to ensure the best possible value is achieved.

3.9 Disabled Facilities Grant – major adaptations to eligible private sector households

3.10 A proportion of Disabled Facilities Grant (DFG) budget for major housing adaptations in private sector homes may also be included within the scope of the framework agreement and allow disabled people in the private sector 3rd party access rights to framework prices. This has the following potential advantages:

- Achieving the best value through economies of scale as DFG jobs are currently provided through competitive tenders for single jobs;
- Offers a much quicker route to DFG approval as the tendering period could be omitted and the order constructed from the schedule of rates with the minimum of delay.

The potential risks may be:

- Reliance on a limited number of contractors for all adaptations in the city should problems arise with the quality of their work;
- Perception by service users that the Council will be liable for any problems with workmanship on the job and subsequent maintenance.

The potential benefits of this approach are considered to outweigh the potential risk at this time.

Budgets & out-turn

The 2011/12 Budget for HRA adaptations is £826,000, which includes £76,000 budget carried forward from 2010/11.

Year	Expenditure (000s) HRA adaptations budgets	Number of adaptations completed
2007/8	£612	336
2008/9	£814	531
2009/10	£800	538
2010/11	£773	498

The budget for minor adaptations in owner occupier and privately rented properties is £305k for 2011/12. This is broken down into:

- £205k Annual Revenue contribution to capital from the Adult Social Care Budget

- £100k Allocation from the Department of Health funding

DFG budget was £723k capital allocation last year, topped up locally to £1.1m.

Year	Expenditure (000s)	Grants completed
2007/8	£ 930	124
2008/9	£ 820	115
2009/10	£ 1,219	142
2010/11	£ 1,060	161

Cost benefit & demand

In relation to housing adaptations, the Audit Commission identified that investment of £20,000 in adaptations can make savings of £6,000 a year in home care costs.

Housing Needs Survey found that 19.8% of households in the City contain somebody with a long term illness or disability (around 22,362 households). The largest group affected by a named support need were those with a walking difficulty but who did not use a wheelchair, representing 52.3% of those with a support need. 8.1% of all households reported that they contained a member who was a wheelchair user, suggesting 1,765 households in the City as a whole.

There is a projected 15% increase in the retired population and 60% in the over 80 year old population up to 2026. Over a quarter of all people with a disability are over 75 and over half have a walking difficulty with likely requirements for adaptations.

The Private Sector Housing Stock Condition Survey (2008) estimated that there is a need for around 916 Major Adaptations each year in the Private Sector. Currently around c160 private sector housing adaptations are supported by Disabled Facilities Grant each year.

In terms of anticipating public sector demand we know that:

- BHCC council housing has over double the average of households with a disability compared with other main tenures in the City;
- 35% of those currently waiting for a major adaptation are council tenants while council housing stock accounts for 11% of all residential in the City

By definition, adaptations increase independence and can reduce social care costs. Most prevent or at least slow down the rate of deterioration in health, others promote rehabilitation and health gain. There are significant potential savings to health e.g. faster hospital discharge and reductions in the cost of GP visits, factors that are relevant in deciding the most effective way to pool resources to achieve cost benefits.

The provision of adaptations work also supports the Government's personalisation and prevention agenda and national research demonstrates that most service users would choose the one-off provision of equipment or adaptations that supports their continued independence rather than the more costly and ongoing intervention of a care package.

4. CONSULTATION

- 4.1 Officers plan to include representatives from Tenants Disability Network and the Brighton and Hove Federation of Disabled People at all stages throughout the procurement process including pre-planning and evaluation.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications

- 5.1 The procurement of an extended framework agreement for minor and major adaptations should ensure value for money is achieved and avoid the delays associated with tendering for each major adaptation. The capital programme for 2011/12 provides for £826,000 of expenditure for HRA disabled adaptations and £305,000 on minor adaptations in owner occupier and privately rented properties. The three year HRA capital programme for 2012/13 and beyond includes a budget for Disabled Adaptations [and reports to Cabinet on 9th February 2012](#). It is anticipated that the minor adaptations budget will be set at a similar level to 2011/12.

Finance Officer consulted: Mike Bentley

Date: 19/12/11

Legal Implications:

- 5.2 The UK Public Contracts Regulations will apply in full to the procurement of the Framework Agreement.

Under contract standing order 3.1, the authority of the relevant Cabinet member or Cabinet itself must be sought where the expenditure exceeds £500,000 as it does in this instance.

As set out in the body of this report there are statutory requirements for Local Authority to assess and meet eligible community care needs and the needs for facilities and adaptations for disabled people. In meeting these needs the Local Authority must have regard to individuals rights as enshrined in the Human Rights Act 1998.

Lawyer consulted:

Isabella Sidoli

15/12/11

Equalities Implications:

- 5.3 The nature of disabled adaptations is to promote the equality of disabled people and empower them to be as independent as possible within their own home and to be able to access the local community.

Sustainability Implications:

- 5.4 Timely provision of adaptations allows disabled people to maintain their independence and contributes towards the council's vision for sustainable communities. Every effort is made to source sustainable and recycled materials and close attention will be paid to contractor working practices during the evaluation process.

Crime & Disorder Implications:

- 5.5 No foreseeable implications

Risk & Opportunity Management Implications:

- 5.6 Construction work does include inherent risks however the Housing Adaptation Service carries out its duties as client and designer under HSE Construction (Design and Management) regulations.

- 5.6.1 Health and Safety is a standing item on all contractor review meetings.

Corporate / Citywide Implications:

- 5.7 The following council priorities are directly supported by the approval of the term contract for disabled adaptations:

Reduce inequality by increasing opportunity – disabled people are empowered to live safely and independently in their own home and enabled to access the local community.

Better use of public money – competitive tendering ensures the best value services can be procured.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 See above

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Ensure best value
- 7.2 Ensure quick work flow and avoid delays to adaptations
- 7.3 Ensure high-quality, accountably provided adaptations

SUPPORTING DOCUMENTATION

Appendices:

- 1. None

Documents in Members' Rooms

1. None

Background Documents

1. None

Housing Cabinet Member Meeting

Agenda Item 72

Brighton & Hove City Council

Subject:	Additional Licensing for Houses in Multiple Occupation (HMO) Consultation & Amendment of Standards for Licensed HMOs.		
Date of Meeting:	18 January 2012		
Report of:	Strategic Director Place		
Contact Officer:	Name: Martin Reid	Tel: 293321	
	E-mail: Martin.reid@brighton-hove.gov.uk		
Key Decision:	Yes/No	No	
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Brighton & Hove has one of the highest levels of Houses in Multiple Occupation (HMOs) in the Country. Over 800 full HMO licences have been issued in the City to date under the existing mandatory HMO licensing scheme. However, resident and community feedback, consultation and other evidence has led us to consider our response to issues arising in wards where we have very high concentrations of smaller HMOs that our current licensing scheme doesn't cover.

Additional licensing proposals extend to all smaller HMOs meeting criteria identified in this report not just those occupied by students. Proposals are not limited to and do not seek to target student households. The Student Housing Strategy 2009-2014 did include in its action points a recommendation that the Council considers the implementation of additional licensing schemes in the City where over-concentration of HMOs has been identified.

- 1.2 January 2011 Housing Cabinet Member Meeting approved the initiation of a 12 week consultation on additional licensing of Houses in Multiple Occupation (HMO) of two or more storeys and three or more occupiers in the wards of Hanover and Elm Grove, Moulsecoomb and Bevendean and St Peters and North Laine, Hollindean & Stanmer and Queen's Park, the wards with the highest concentrations of smaller HMOs.
- 1.3 This paper updates Housing Cabinet Member Meeting on the progress of consultation on the proposal to introduce additional licensing for smaller HMOs in the wards identified. This includes information & feedback gathered to date as part of the initial evidence gathering stage.
- 1.4 This paper proposes extension of consultation on proposals to introduce additional licensing of HMOs in the identified wards in light of: evidence gathered to date; additional information on concentrations of HMOs in the wards indicated;

feedback received on initial consultation & ongoing issues raised by community groups and residents.

- 1.5 In addition, we wish to ensure consultation is compliant with updated guidance from Local Government Regulation (formerly LACORS) on local authority consultation on such schemes in order that any evidence presented to Cabinet Member for any final decision on additional licensing is compliant with the relevant Housing Act 2004 legislation and guidance.
- 1.6 We also propose to consult upon proposed changes to the Brighton & Hove City Council Standards for Licensable HMOs.
- 1.7 The paper includes information on fees & charges in compliance with reporting requirements of the Council's Corporate Fees & Charges Policy.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member for Housing notes the update on the progress of consultation on the proposal to introduce additional licensing for smaller HMOs in the wards identified.
- 2.2 That the Cabinet Member for Housing notes authority under existing scheme of delegation for Strategic Director Place to extend consultation on additional HMO licensing of HMOs of two or more storeys and three or more occupiers in the wards identified and on proposed changes to the Brighton & Hove City Council Standards for Licensable HMOs between January 2012 and March 2012.
- 2.3 That the Cabinet Member for Housing note that the fees for existing mandatory HMO licences remain unchanged for 2012/13.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

A. Consultation on the Proposal to Introduce Additional Licensing

- 3.1 Housing Cabinet Member Meeting on 5 January 2011 approved the initiation of a 12 week consultation on additional HMO licensing of HMOs of two or more storeys and three or more occupiers in the wards of Hanover and Elm Grove, Moulsecoomb and Bevendean and St Peters and North Laine, Hollindean & Stanmer and Queen's Park, the wards with the highest concentrations of smaller HMOs, including student HMOs, as identified in the Student Housing Strategy action plan.
- 3.2 Under additional licensing proposals landlords and managers would have to:
 - meet appropriate personal and professional standards of conduct;
 - upgrade poorer buildings to minimum health and safety standards including fire and electrical safety;

- exercise appropriate management and supervision of the buildings to help reduce any adverse impact of HMO on the neighbourhood;
 - Meet council standards for licensable HMOs.
- 3.3 Brighton & Hove has one of the highest levels of HMOs in the Country.
- 3.4 On 6 April 2006 national licensing for certain categories of Houses in Multiple Occupation (HMOs) came into effect as required by the Housing Act 2004 (The Act). Since then there have been nationally prescribed criteria that describe which HMOs must be licensed, plus the provision for local housing authorities to pursue additional licensing areas – defined geographically and/or by HMO type – if appropriate.
- 3.5 The Housing Act 2004 introduced a statutory duty on local authorities to licence privately rented HMOs that are of three or more storeys housing five or more persons forming two or more households. The Council currently licences over 800 HMOs of three or more storeys which have 5 or more tenants across the City.
- 3.6 The highest concentrations of mandatory licensed HMOs occurs in the 5 wards identified in this report. These wards also having the highest overall over -concentration of HMOs including smaller unlicensed HMOs.
- 3.7 Recent mapping of concentrations of HMOs & Student Housing by Planning (Appendix 2) in order to inform their consultation on Article 4 direction in relation to proliferation of HMOs in certain parts of the City identifies streets within the 5 Lewes Road wards where there are particularly high concentrations of HMOs. This mapping utilises information on homes licensed under the existing mandatory scheme and Council Tax exempt shared houses occupied by undergraduates. This will not show other small shared HMOs not currently licensed but occupied by non-undergraduate households, but gives a good indication of levels of over concentration in more detail than was previously available.
- 3.8 The Housing Act permits a local housing authority to designate additional licensing area(s) if occupiers of HMOs or members of the public are being caused problems due to sufficiently ineffective management. Such 'areas' can be defined geographically and/or by type of HMO.
- 3.9 Many HMOs in the City, especially smaller HMOs, are occupied by students. However, any additional licensing of smaller HMOs will focus on all smaller HMOs meeting criteria, not just those occupied by students, in the 5 wards identified as having the highest concentration of HMOs.
- 3.10 While recognising the many benefits that students bring to the city, and supporting the role of the private rented sector, and many excellent landlords, in providing accommodation for students the Student Housing Strategy 2009 – 2014 acknowledges the negative effects that can arise for local neighbourhoods and associated risk to community cohesion and social

relations where over concentration of student households and HMOs in general occur. In light of this the Student Housing Strategy includes in its action points a recommendation that the council considers the implementation of additional licensing schemes in the City, identifying areas which may be appropriate for additional licensing.

3.11 Before making an additional licensing designation a local housing authority Must;

- consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public;
- have regard to any information regarding the extent to which any approved codes of practice have been complied with by people managing HMOs in the area in question;
- consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question;
- consider that making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well);
- consult people likely to be affected by the designation;
- ensure that the exercise of the power is consistent with their overall housing strategy;
- seek to adopt a coordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector as regards combining licensing with other action taken by them or others;
- consider whether there are any other courses of action available to them that might provide an effective method of achieving the objective(s) that the designation would be intended to achieve;
- consider that making the designation will significantly assist them to achieve the objective(s) (whether or not they take any other course of action as well).

3.12 Some buildings that would otherwise be HMOs are excluded from mandatory HMO licensing and these are also excluded from additional licensing. They include:

- Buildings where the person managing or having control of it is a local housing authority, a police authority, a fire and rescue authority, a health service body or a body which is registered as a social landlord;
- Certain buildings where the occupation is regulated under other enactments, such as those governing detention centres, children's homes and care homes;
- Certain buildings occupied by students which are controlled by the educational establishment that the students attend;
- Buildings occupied principally for the purpose of a religious community whose principal occupation is prayer, contemplation, education or the relief of the suffering.

3.13 In addition, additional licensing proposals would not cover premises which are not HMOs or those which are, under Schedule 14 of the Housing Act 2004, not HMOs for licensing purposes. These include:

- Houses occupied by single households;
- Houses where there are up to 2 lodgers in addition to the main household;
- Households that act as host families for foreign students studying for short periods in these areas;
- Tenants of Housing Associations;
- Student accommodation operated or owned by an approved educational establishment.

3.14 Brighton & Hove City Council must comply with the specific requirements set out within sections 56 and 57 of the Housing Act 2004. This includes being satisfied that a significant proportion of the HMOs proposed under the additional scheme are being managed significantly ineffectively. Consultation must also take place and the scheme must be consistent with the authority's overall housing strategy.

3.15 Results of initial Evidence Gathering Consultation

The initial consultation on additional Licensing for HMOs took place from 5 January 2011 to 30 March 2011, including via the council's Consultation Portal. A total of 183 responses-were received

- 73% of those who responded disagreed with the proposal to introduce additional licensing.
- Of those who responded nearly half (46%) declared themselves as landlords or lettings agents and they were overwhelmingly opposed to the proposal (98%). Many were concerned that the costs would put a lot of landlords out of business and couldn't understand how licensing would deal with anti-social behaviour. Many asked that the council use the powers we already have to tackle the problem before taking this step.
- Landlords & lettings agents were also concerned to clarify the standards that would be applied to HMOs under any additional licensing scheme.
- The majority of owner occupiers were in favour of additional licensing (54%). Many wanted to see more controls on the numbers of students in a property and improvement in the poor quality of many of these homes.
- The majority of private tenants were against the proposal (85%). Many cited concerns that the costs would be passed to them.
- Resident groups were generally supportive of the proposal – on the portal & in written responses each resident group's reply is counted as one response which does mean that one response on behalf of a group who support the proposal may under-report the extent of those in agreement with the proposal.

3.16 Reasons for the Extension of consultation

A decision to adopt an additional HMO licensing scheme would lie with the local authority Housing Cabinet Member providing they are satisfied that the specified criteria have been met.

The aim of the proposed extension of consultation is to ensure any decision on implementation of the additional licensing proposal is based on sufficient evidence and justification for an additional licensing scheme to be compliant with the relevant Housing Act 2004 legislation and guidance.

The proposal to extend consultation is based upon the following:

- Relatively low number of responses to initial evidence gathering;
- Continued calls from communities and residents' associations in the areas concerned for action to mitigate the impact of over-concentration and management issues relating to HMOs in their area, now mapped through joint work with Planning as part of their complementary options work on Article 4 direction;
- Concerns raised by landlord & lettings agents groups seeking clarity over proposed standards to be applied to HMOs licensed under any additional licensing scheme;
- Concerns raised by landlords & lettings agents around robustness of initial consultation;
- Updated guidance from Local Government Regulation - in particular in relation to consultation with businesses - there is no indication that any current responses are from businesses and there has been no formal consultation with business groups or representatives;
- Peer review with other local authorities on their approaches to consultation for such schemes;
- LGR guidance in relation to consultation use of questionnaires states "A survey involving a questionnaire can be started either during the evidence gathering stage or during the consultation stage. A survey started in the evidence collecting stage can be extended for use during the consultation stage to obtain a representative sample from all groups".

3.17 Proposed extended consultation

Proposed parameters for extended consultation stage are below:

- Publish evidence gathering results from initial consultation on the council website and be clear why we are extending consultation;
- Evidence gathering from initial consultation will now be extended but not double counted in the extended consultation stage or excluded from the final evidence base presented in support of any additional licensing decision.

In addition:

- At an appropriate point before the consultation period commences press release and adverts on the initiative would be issued;
- Briefing notes on what the proposed scheme means will be available on council website;
- Door to door consultation survey with resident and businesses in the 5 wards (1000 randomly selected homes and businesses), undertaken from within existing identified resources;
- Develop online consultation methods for residents and stakeholders at large;
- Engage with partners and other local authority services;
- Consult with: neighbourhood forums; resident group meetings; student unions; landlords' & lettings agent forums; business forums;
- Demonstrate that we have considered other strategies to address any problems;
- Present robust evidence of problems in the relevant areas;
- Refer to Planning Department consultation work on Article 4;
- All consultation feedback will be logged, recorded, analysed and collated.

Final collation and analysis of all consultation responses will be reviewed against stated aims of the additional licensing proposals and an outcome report with the results of the consultation and any proposals to implement a scheme will be considered by Housing Cabinet Member before a final decision is made.

Once any additional licensing scheme has been approved there are specific requirements relating to publicity and when the scheme may come in to force (not less than 3 months after the date of adoption). The authority must review the designation from time to time and may revoke it if considered appropriate.

3.18 Proposed timetable for consultation

Action	Time	Dates
1. Final Consultation <ul style="list-style-type: none"> · Update to Housing Cabinet Members Meeting · Questionnaire – consultation portal & door to door questionnaire of 1000 households in proposed wards · Analyse responses received already from stage 1 · Press releases/Public Notices · Adverts in newspapers and publications used by landlords and tenants · Social networking – twitter & facebook · Ensure that consultation has been thorough and includes: <ul style="list-style-type: none"> • Residents groups in wards including Local Action Teams, Registered Providers, voluntary sector organisations, youth organisations, Brighton Housing Trust Local Action Teams • Businesses in locality of proposed additional licensing and groups representative of business interests. • Landlords & lettings agents, accredited landlords, Landlord Organisations, Brighton University & Sussex University. • Police, fire & rescue, NHS, other Council departments e.g. Planning, Environmental Health, Temporary Accommodation, Housing Strategy • Ward Councillors, local MPs 	10 weeks	19 Jan – 31 Mar 2012
2. Evidence Analysis <ul style="list-style-type: none"> · Detailed description of proposed area · Current position regards management problems · Detailed explanation of how Additional Licensing will improve these problems · Analysis of stakeholder consultation · Equalities Impact Assessment 	4 weeks	7 Feb – 31 Mar 2012
3. Prepare Report for Housing Cabinet Members Meeting	4 weeks	From 22 Mar 2012
4. Housing Cabinet Member consideration. If additional licensing proceeds: -		19 Apr 2012
5. Publish and notify all consultees	4 weeks	20 Apr – 20 May 2012
6. Consider any representations made	4 weeks	May - June 2012
7. Implement (3 months after any approval)	12 weeks	July / August 2012
8. Monitor impact	Ongoing	

B. Alterations to Brighton & Hove City Councils Standards for Licensable Houses in Multiple Occupation

3.19 The Housing Act 2004 enables Local Housing Authorities to set local standards for licensable Houses in Multiple Occupation. Brighton & Hove City Council standards were approved by Housing Cabinet in 2006 and they incorporate the standards prescribed by national regulations. Officers have reviewed the standards and, in the light of experience over the past five years, they propose certain changes (where the council has discretion) to improve conditions for tenants and management of the houses. The draft revised standards are attached in appendix 1 and will be included in consultation proposals.

3.20 This report seeks cabinet approval to consult on the proposed changes to standards outlined in appendix 1.

3.21 Fees & charges

- HMO licence fee covers the cost of the administration, issuing of licences, inspections, enforcement and monitoring of properties.
- The Council's Corporate Fees & Charges Policy requires that all fees and charges are reviewed at least annually and should normally be increased by either the standard rate of inflation, statutory increases, or actual increases in the costs of providing the service as applicable. Non-statutory increases above the standard rate of inflation and/or changes to concessions or subsidies should be reported to and considered at the relevant Cabinet Member Meeting. Where appropriate, details of fees and charges changes for 2012/13 are therefore being presented to the relevant Cabinet Member Meetings prior to Budget Council.
- The Government's advice is that HMO licensing schemes should be self financing. There should be no element of profit and any shortfall would have to be subsidised through revenue budgets.
- The setting of the licence & renewal fees has been achieved with reference to the principles set out in guidance and recommendation on the justification, calculation and structuring of HMO Licence Fees produced on behalf of the East and West Sussex Chief Environmental Health Officers by an independent consultant in October 2005.
- A licence or renewal of licence is granted for a maximum period of five years.
- The licence fee payable at the point of initial licence or re-licensing is up front and generally for this 5 year term.

- Given the nature of mandatory HMO licensing the vast majority of fee income is received from landlords in year one of any 5 year scheme or subsequent renewal and covers the whole 5 year term.
- In relation to fees for our existing mandatory HMO licensing scheme, Housing Cabinet Member Meeting on 5 January 2011 agreed that the revised fees for initial HMO licence applications, be approved, as outlined in the 5 January HCMM report and that new fees be introduced to apply to applications to renew a licence that has expired.
- The fees are calculated on the basis of recovering the costs of the estimated officer time taken to process the applications. There have been a large number of renewals in 2011/12 and as previously, the income will continue to be aligned over the period of the licence (5years).
- Given the parameters outlined above the licensing fee framework for mandatory HMO licensing is not currently subject to annual review.
- Any future licence fee relating to any additional HMO licensing scheme approved by a future Housing Cabinet Member Meeting will be agreed and applied in the context of above parameters.

4. CONSULTATION

Consultation on the proposed declaration of an additional licensing scheme is required in law (Section 56 of the Housing Act 2004) and so as part of this all relevant stakeholders will be consulted as outlined in this report.

Consultation will also take place with relevant stakeholders on changes to the standards for licensable HMOs.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

The financial implications of any proposals to introduce licensing for smaller HMO's will be included in a future report.

In respect of mandatory HMO licenses, the rates agreed at the Housing CMM on 5th January were based on the recovery of the estimated costs of processing and monitoring the licences over the 5 year period. Given that the majority of the existing licenses have already been renewed during 2011/12 for a further 5 year period, is not proposed to increase the fees for mandatory HMO licenses for 2012/13. The income received will continue to be aligned over the period of the license.

Finance Officer Consulted:

Michelle Herrington

Date: 06/01/12

5.2 **Legal Implications:**

It is important that the extended consultation process is carried out properly, otherwise any decision taken based on its findings may be vulnerable to challenge by judicial review. The courts have said, "It is common ground that, whether or not consultation of interested parties and the public is a legal requirement, if it is embarked upon it must be carried out properly. To be proper, consultation must be undertaken at a time when proposals are still at a formative stage; it must include sufficient reasons for particular proposals to allow those consulted to give intelligent consideration and an intelligent response; adequate time must be given for this purpose; and the product of consultation must be conscientiously taken into account when the ultimate decision is taken."

Lawyer Consulted:

Name Liz Woodley

Date: 06/01/12

5.3 **Equalities Implications:**

A full equalities impact assessment will be undertaken as part of the process to look at the impact of the proposed changes.

5.4 **Sustainability Implications:**

Maintenance and improvement of existing housing stock is generally more sustainable than continued deterioration. Licensing of HMOs should improve standards for the residents in those homes and the liveability of residential areas more generally.

5.5 **Crime & Disorder Implications:**

5.5.1 **Additional Licensing- Stage 2 Consultation**

The proposed consultation will help to produce a better understanding of any problems in the area and the views of the communities who may be affected. This in turn could be helpful in addressing concerns about crime and disorder.

5.5.2 **Alterations to Brighton & Hove Standards for Licensable Houses in Multiple Occupation**

Generally speaking the proposals have no implications for crime and disorder but in some cases they may help reduce the likelihood of neighbourhood nuisance.

5.6 Risk and Opportunity Management Implications:

The risks associated with the proposals in this report will be managed in compliance with the Council's risk management strategy

5.7 Corporate / Citywide Implications:

- Corporately the proposed consultation will help the council to become better informed when deciding whether to introduce Additional Licensing
- Proposals to further consult on Additional Licensing should be considered alongside Planning consultation on possible Article 4 directions to control numbers of new HMOs.
- Residents in other parts of the City may consider that issues that have led to proposals for additional licensing in the 5 identified wards also exist in their area.
- Experience with mandatory licensing suggests that Additional licensing would have no significant adverse effect on property supply.

5.7.2 Alterations to Brighton & Hove Standards for Licensable Houses in Multiple Occupation

The proposals outlined in this report are related to strategies that support the overarching Citywide Housing Strategy 2009-2014: healthy homes, healthy lives, healthy city. The proposed alterations may improve standards in the houses concerned and address issues arising from over-concentration of HMOs in the wards identified.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Additional Licensing consultation on proposals with landlords and residents & others in the proposed wards is required by law. Evaluation of evidence, consultation responses and any alternative options to Additional Licensing will be presented in a full report to a future Housing Cabinet.Member Meeting

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 These are addressed above and in the relevant appendices

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix 1 - Draft Standards for Licensable Houses in Multiple Occupation
2. Appendix 2 - Concentration Mapping of HMOs & Student Housing in the 5 wards (indicated in the paper)

Background Documents

1. Student Housing Strategy 2009-2014
[http://www.brighton-hove.gov.uk/downloads/bhcc/Brighton and Hove Student Housing Strategy Jan 2010.pdf](http://www.brighton-hove.gov.uk/downloads/bhcc/Brighton_and_Hove_Student_Housing_Strategy_Jan_2010.pdf)

Appendix 1

Standards for Licensable Houses in Multiple Occupation

The proposed new standards are underlined and highlighted

The associated current standards are typed in bold text

The reasons to change the standard are typed in italics

Standards for Licensing of Houses of Multiple Occupation

These are the standards for deciding the suitability for occupation of an HMO by a particular maximum number of households or individuals.

These Standards should be read alongside the Operating Guidance scheduled in the Housing Health and Safety Rating System and The Licensing & Management of Houses in Multiple Occupation & Other Houses (Miscellaneous Provisions) (England) Regulations 2006 - Schedule 3.

Contents	Page No.
PART 1 – Shared Houses	3
PART 2 – Bedsit / Non-self contained units	7
PART 3 – ALL HMOs	10
Heating	10
Gas Safety	10
Electrical Safety	10
Fire Precautions	11
Testing of Alarms, etc	11
Furnishings	11
Landlord & Tenant Obligations	11
Disposal of Rubbish	12
Advice	12

PART 1 - SHARED HOUSES

Washing Facilities

Amenity Standards in Relation to Number of Persons	
1 - 4 occupiers	<p>At least 1 bathroom and 1 WC (the bathroom and WC may be in the same room)</p> <p>Wash hand basin required in bathroom and in separate WC (if provided)</p>
5 occupiers	<p>1 wash hand basin required where practicable in each sleeping room plus</p> <p>1 bathroom AND 1 separate WC with wash hand basin (but the WC can be contained within a second bathroom)</p>
<p>Proposed 6 - 8 occupiers</p> <p>Current 6-10 occupiers</p> <p><i>Reason</i></p>	<p>1 wash hand basin required where practicable in each sleeping room plus</p> <p>2 bathrooms with 2 WCs and wash hand basins</p> <p>1 wash hand basin required where practicable in each sleeping room plus</p> <p>2 bathrooms AND 2 separate WCs with wash hand basins (but one of the WCs can be contained within one of the bathrooms).</p> <p><i>Some smaller houses with 6, 7 and 8 occupiers cannot accommodate the separation of two WC compartments.</i></p>
9 – 10 occupiers	<p>1 wash hand basin required where practicable in each sleeping room plus</p> <p>2 bathrooms AND 2 separate WCs with wash hand basins (but one of the WCs can be contained within one of the bathrooms)</p>
11-15 occupiers	<p>1 wash hand basin required where practicable in each sleeping room plus</p> <p>3 bathrooms AND 3 separate WCs with wash hand basins (but two of the WCs can be contained within 2 of the bathrooms)</p>

Bathroom means a room containing a bath or shower.

- All baths, showers & wash hand basins should be equipped with an adequate supply of cold & constant hot water and be connected to an appropriate drainage system.
- All baths, showers & wash hand basins should be equipped with adequate splashbacks (300mm to baths & wash hand basins, full heights for showers) with an adequate waterproof seal between the splashbacks and the fitting.

Current All baths, showers & wash hand basins should be equipped with adequate splashbacks (300mm to baths & wash hand basins, full heights for showers) **with an adequate waterproof seal.**

Reason: To clarify the requirement for an effective waterproof seal.

- All bathrooms should be suitably & adequately heated & ventilated (see heating section above- adequate mechanical ventilation in accordance with Approved document F of the Building Regulations 2006.)
- All bathrooms & toilets should be of an adequate size & layout.
- All bathrooms should be of an appropriate size to provide adequate changing & drying space for the users
- All WCs and bathrooms should be provided with suitable floor coverings that are slip resistant, impervious and easily cleansable.
- All bathrooms & WCs should be conveniently and suitably located in or in relation to the living accommodation in the HMO
- All WC compartments should contain a wash hand basin equipped with adequate splashbacks and waterproof seal

Current: Not included in standards

Reason: To improve standard of amenities.

- No WC compartment should open directly onto an area of kitchen where food is prepared unless mechanical extract ventilation and a wash hand basin is provided in the compartment
- Personal washing or WC facility should not normally be more than one floor distant from the sleeping accommodation

Kitchens

Where all or some of the units of accommodation within the HMO do not contain any facilities for the cooking of food –

(a) there should be a kitchen, normally not more than one floor distant, suitably located in relation to the living accommodation, & of such layout and size and equipped with such facilities so as to safely enable those sharing the facilities to store, prepare and cook food;

(b) the kitchen should be equipped with the following equipment, which should be fit for the purpose & supplied in a sufficient quantity for the number of those sharing the facilities:

- (1) sinks with draining boards;
- (2) an adequate supply of cold (from rising main) & constant hot water to each sink supplied;
- (3) installations or equipment for the cooking of food;
- (4) electrical sockets;
- (5) adequate worktops for the preparation of food
- (6) cupboards for the storage of food or kitchen & cooking utensils;
- (7) refrigerators with an adequate freezer compartment (or, where the freezer compartment is not adequate, adequate separate freezer);
- (8) appropriate refuse storage and disposal facilities;
- (9) appropriate extractor fans, fire blankets & fire doors;
- (10) dining facilities (either within the kitchen or in a separate room on the same storey)

FACILITY	MINIMUM STANDARD	UP TO & INCLUDING 5 PERSONS	>THAN 5 PERSONS – UP TO 9
sinks with draining boards; an adequate supply of cold & constant hot water to each sink supplied;	A fixed impervious sink, with a drainer. It should be provided with an adequate and wholesome supply of cold water & a adequate supply of constant hot water	1 for up to 5 occupiers	1 per 4 occupiers or part thereafter – a dishwasher may be considered as an alternative to an additional sink Current: Not included in stds <i>Reason: To give landlords an option in smaller kitchens.</i>
installations or equipment for the cooking of food; (Cooker)	The primary facility should comprise an electric or gas hob with 4 rings and an oven with a grill.	1 for up to 5 occupiers	1 per 4 occupiers or part thereafter – a microwave oven may be considered as an alternative to an additional cooker
electrical sockets;	30amp supply for an electrical cooker. Points should be set at a convenient and safe position.	6 sockets (3 doubles) Additional dedicated sockets are required for a	An additional double for each two occupiers over 5 sharing. Additional dedicated sockets

		cooker, refrigerator and washing machine.	are needed for additional cookers, refrigerators and washing machines.
worktops for the preparation of food;	The worktops should be secure, fixed & of an impervious material	1500mm (length) x 600mm (depth)	Additional 500mm length per user.
cupboards for the storage of food or kitchen & cooking utensils;	Single cupboard (wall or floor mounted) per person. This excludes any cupboard under a sink.		Capacity to be increased proportionately for each additional occupant.
refrigerators with an adequate freezer compartment (or, where the freezer compartment is not adequate, adequate separate freezer);		A standard sized combined fridge/freezer	Additional fridge/freezer for up to 9 occupiers
appropriate refuse disposal facilities;	The refuse facilities should not cause problems of hygiene or attract pests & should not obstruct the means of escape in case of fire.	A sufficient number of refuse receptacles should be provided for the storage of refuse awaiting collection both internally & externally	A sufficient number of refuse receptacles should be provided for the storage of refuse awaiting collection both internally & externally
appropriate extractor fans;	Electrical extractor fan in accordance with approved document F under the Building Regulations 2006.	As minimum standard	As minimum standard
appropriate fire blankets;	To be supplied but not to be sited immediately adjacent to or over a cooker	To be supplied but not to be sited immediately adjacent to or over a cooker	To be supplied but not to be sited immediately adjacent to or over a cooker

Kitchens **should be provided with suitable floor coverings** that are slip resistant, impervious and easily cleansable.

Current: Kitchen floors should be slip resistant, impervious and easily cleansable.

Reason: To confirm that kitchen floors should have a floor covering.

Kitchen walls adjacent to cookers, sinks and food preparation areas should be provided with impervious splash backs.

If there are 10 or more occupants a second fully equipped kitchen should be provided.

Room Sizes

(1) a child (regardless of age) will be considered as a separate occupant in terms of these standards

(2) the minimum room sizes are also subject to each room being of a shape and floor to ceiling height offering adequate useable living space:

Proposed:

<u>Shared Houses</u>	<u>No. of Occupiers</u>	<u>Size</u>
<u>Kitchen (without dining facilities)</u>	<u>5</u>	<u>10m²</u>
<u>Kitchen (with dining facilities in it)</u>	<u>5</u>	<u>15m²</u>
<u>Separate dining room</u>	<u>5</u>	<u>10m²</u>
Bedroom - single	1	6.5m ²
Bedroom - double	2	10.2m ²

If there are 6 – 9 occupiers of the building, an additional 1m² per occupier is required. If there are 10+ occupiers, additional rooms of the same dimensions are required.

Conservatories which do not have suitable fixed heating and thermal insulation in accordance with current Building Regulations, will not be counted as a bedroom, lounge, dining room or kitchen.

Current:

Shared Houses	No. of Persons	Size
Lounge*	Up to 5	11m²
Kitchen (with lounge)*	Up to 5	7m²
Kitchen (without lounge)*	Up to 5	10m²
Kitchen with dining*	Up to 5	11.5m²

The table was included with 'Bedsits'. The entry regarding conservatories is not included in the current standards.

Reason:

- The current standards for licensable 'shared' HMOs require a space for dining, which may be in the kitchen, a lounge or dining room. A separate lounge is not a requirement.
- Some landlords have changed rooms used as a lounge and separate dining room in traditional 'family' homes into bedrooms and allocated space for dining in the kitchen. This has increased the number of occupiers in the house.
- The small increases in the room sizes proposed above will ensure that tenants have adequate space for safety in the kitchen.
- Where the kitchens are too small, a dining room will need to be provided. .
- The new proposed table of room sizes clarifies the requirements and is more user friendly.
- Where conservatories have been created and used as the only shared living and / or dining space issues of thermal comfort have arisen for occupiers and noise and light issues have been reported by neighbours. It is therefore proposed that only conservatories which fully comply with Building Regulations, including suitable fixed heating and thermal insulation, will be considered as meeting the room standards for HMO licensing purposes. This will avoid excess cold issues for the tenants and insulation may also provide a noise barrier for neighbours.

PART 2 – BEDSIT / NON-SELF CONTAINED UNITS

Shared Bathrooms

Amenity Standards in Relation to Number of Persons	
1- 4 occupiers	At least 1 bathroom and 1 WC (the bathroom and WC may be combined) Wash hand basin required in bathroom and in separate WC (if provided)
5 occupiers	1 bathroom AND 1 separate WC with wash hand basin (but the WC can be contained within a second bathroom)
6 - 8 occupiers	2 bathrooms with 2 WCs and wash hand basins
Current 6-10 occupiers	1 wash hand basin required where practicable in each sleeping room plus 2 bathrooms AND 2 separate WCs with wash hand basins (but one of the WCs can be contained within one of the bathrooms).
<i>Reason</i>	<i>Some smaller houses with 6, 7 and 8 occupiers cannot accommodate the separation of two WC compartments</i>
9 – 10 occupiers	2 bathrooms AND 2 separate WCs with wash hand basins (but one of the WCs can be contained within one of the bathrooms)

11 -15 occupiers	3 bathrooms AND 3 separate WCs with wash hand basins (but two of the WCs can be contained within 2 of the bathrooms)
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Individual Bathrooms

Where there are no adequate shared washing facilities provided for a unit of living accommodation, an enclosed & adequately laid out & ventilated room with a toilet & bath or fixed shower supplying adequate cold & constant hot water should be provided for the exclusive use of the occupiers of that unit either –

- (a) within the living accommodation; or
- (b) within reasonable proximity to the living accommodation.

These amenities should be located not more than one floor distant from the unit of accommodation.

All baths, showers & wash hand basins should be equipped with taps providing an adequate supply of cold & constant hot water and be connected to an appropriate drainage system.

All baths, showers & wash hand basins should be equipped with adequate splashbacks (300mm to baths & wash hand basins, full heights for showers) with an adequate waterproof seal between the splashbacks and the fitting. (See above)

All bathrooms should be suitably & adequately heated & ventilated (see heating section above- adequate mechanical ventilation in accordance with Approved document F of the Building Regulations 2006.)

All bathrooms & toilets should be of an adequate size & layout to provide adequate changing & drying space for the users.

All bathrooms should be provided with suitable floor coverings that are slip resistant, impervious and easily cleansable.

Kitchens

Where a unit of living accommodation contains kitchen facilities for the exclusive use of the individual household, & there are no other kitchen facilities available for that household, that unit should be provided with –

- (a) Adequate appliances & equipment for the cooking of food;
- (b) A sink with an adequate supply of cold (from rising main) & constant hot water;
- (c) A work top for the preparation of food;
- (d) Sufficient electrical sockets;
- (e) A cupboard for the storage of kitchen utensils & crockery;
- (f) A refrigerator;
- (g) A slip resistant, impervious and easily cleansable floor covering.

Current: Not included

Reason: To improve standards

FACILITY	MINIMUM STANDARD	EACH UNIT
a sink with an adequate supply of cold & constant hot water;	A fixed impervious sink with a drainer. It should be provided with an adequate and wholesome supply of cold water and a adequate supply of constant hot water	Per unit
adequate appliances & equipment for the cooking of food;	A cooker with at least two rings with an oven and a grill. Rings should be at a height level with adjacent worktops.	Per unit
sufficient electrical sockets;	Points should be set at a convenient height & safe position.	4 sockets (2 doubles) Additional dedicated sockets are required for a cooker & refrigerator.
a work top for the preparation of food;	The worktop should be secure, fixed & of an impervious material	Minimum size 600mm X 1000mm (in useable sections – do not include area underneath microwave or cooker) Current: Not included <i>Reason: microwaves and cookers have been placed on worktops and the area is unusable.</i>
a cupboard for the storage of kitchen utensils & crockery;	Standard floor or wall mounted cupboard. The space below the sink unit is not acceptable to comply with this standard.	
a refrigerator	A standard refrigerator	A refrigerator with a minimum capacity of 0.15m ³

Room Sizes

(1) a child (regardless of age) will be considered as a separate occupant in terms of these standards

(2) the minimum room sizes are also subject to each room being of a shape and floor to ceiling height offering adequate useable living space:

Bedsit Rooms	No. of occupiers	Size
Bedsit with kitchen in room	1	13m ²
	2	15m ²

Bedsit with separate kitchen	1	10.5m ²
	2	14m ²
Separate Kitchen		4.6m ²

Conservatories which do not have suitable fixed heating and thermal insulation in accordance with current Building Regulations, will not be counted as a bedroom, lounge, dining room or kitchen.

Current: Not included

Reason: See above

PART 3 – ALL HMOS

HEATING

Each unit of living accommodation in an HMO shall be equipped with adequate means of space heating capable of reaching and maintaining 21°C **regardless of the weather**.

Current: heating capable of reaching and maintaining 21°C when the external temperature is +5°C.

Reason: The current requirement is confusing to landlords and tenants

- Adequate fixed space heating to be provided in every room including bathrooms and (where space allows) kitchens.
- The heating should be provided with controls to allow the occupants to regulate the temperature within each individual letting room.
- Heating systems should be designed to be of adequate size for the dwelling.
- Adequate structural thermal insulation should be provided to the building. This would include minimum 270mm of mineral wool insulation material in any loft or accessible eaves area, **or equivalent insulation value if alternative material is used, e.g. ridged insulation board.**

Current: Not included

Reason: To provide an alternative

GAS SAFETY

If gas is supplied to the property, the licence holder must provide the Council with a copy of the current gas safety certificate(s) to cover the common ways and all rented parts of the property. This certificate should state that the full gas installation, covering the supply pipes, flues and gas appliances are safe for operation.

The annual inspection must be carried out by a **Gas Safety Registered Engineer**. (No longer 'CORGI' in the regulations). The Gas Safety and Use Regulations 1998 (as amended) require an inspection to be carried out annually.

A safety certificate must be retained for at least two years following its issue. The safety of the gas installation and appliances must be constantly maintained.

ELECTRICAL SAFETY

All electrical appliances made available by the licence holder should be in a safe condition. Declarations as to the safety of the appliances should be provided.

The licence holder must provide the Council with a copy of Form 6 produced by the Institute of Electrical Engineers for a periodic inspection and report based on Appendix 6 of BS 7671 which is used when carrying out routine periodic inspection and testing of existing electrical installations. The report must cover the whole installation. The inspection must be carried out by a competent electrical engineer to show that the installation is safe and satisfactory and may have been obtained within the last 5 years. Further information may be obtained from the Institute of Electrical Engineers (website www.iee.org.uk). **As a minimum requirement carry out all work required to rectify recommendations by the report classified as 1- 'requires urgent attention', 2 'Requires Improvement' and 3 'Requires further investigation'.**

Current: Not included in standards

Reason: To provide more information to landlords on the safety requirements

FIRE PRECAUTIONS

Appropriate fire precaution facilities and equipment must be provided of such type, number and location as are considered necessary. **For guidance see the Local Government Regulation publication: LACORS Housing - Fire Safety Guide, (website www.lacors.gov.uk).**

Current: Not included in standards

Reason: To provide more information to landlords on the safety requirements

TESTING OF FIRE ALARMS AND EMERGENCY LIGHTING

When a fire alarm and emergency lighting system have been installed, the licence holder must provide the logbook for inspection by the council. This logbook will need to demonstrate that correct maintenance of the systems has been carried out. Correct maintenance will include annual tests and periodic checks, in accordance with British Standard 5839 Part 6 & Part 1. The applicant must make provision for future inspections to be carried out.

FURNISHINGS

All soft furnishings supplied by the landlord to tenants must comply with the relevant safety tests (as prescribed under the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended)).

All furniture will be labelled to show that it complies with these tests. These labels must not be removed.

Advice on fire and furnishings may be sought from Trading Standards, telephone 08454 040506.

LANDLORD AND TENANT RIGHTS AND OBLIGATIONS

There is a need to ensure that tenants are aware of their rights and also their obligations and that these will be enforced. The council requires that the licence holder should provide tenants with a written statement of their tenancy rights and obligations to include a clause on anti-social behaviour. This may be displayed in a suitable position and be readily visible to residents in the house. Tenants will be required to take reasonable care to avoid causing damage in the property and any nuisance to their neighbours and that if these requirements are disregarded the licence holder may instigate possession proceedings.

The licence holder should undertake to inform tenants about rubbish collection, causing excessive noise and other potential causes of conflict and about their responsibility to comply with any reasonable arrangements made in respect of the means of escape from fire and anything provided by way of fire precautions. All occupiers regardless of tenure should recognise their responsibility with regard to these matters. The licence holder should ultimately bear some responsibility for any **continuing** nuisance caused by tenants and should undertake to discuss complaints from neighbours with tenants and, **when**

asked to do so by the council, should produce evidence to show that they are taking appropriate action to enforce tenancy conditions relating to nuisance prevention.

Current: Not included in standards

Reason: When neighbours of HMOs complain of noise, some landlords do not take appropriate action to try and prevent noise nuisance and the inclusion of the above will highlight that they have responsibility to do so.

A licence holder may seek help from the council's Housing Options Team in relation to difficulties with tenants arising from drug and alcohol misuse. This Team can help support private sector landlords by helping vulnerable tenants to meet their tenancy obligations and retain their accommodation.

The manager or licence holder must display a visible notice in a suitable position in the house containing the name and address and telephone number of the person managing the house including an emergency contact number and ensure that necessary amendments are regularly made to this notice.

DISPOSAL OF RUBBISH

The Local Authority requires that the licence holder or manager of the HMO should ensure that refuse is not allowed to accumulate in the house except where properly stored pending disposal. There must be:

1. Suitable **and appropriately sited** refuse containers provided which are on a scale adequate to the requirements of the residents;
2. Supplementary arrangements for the disposal of refuse from the house as may be necessary having regard to any service provided by the local authority.

Other than in areas of the city where communal street bins are provided for use by residents, the local authority undertakes to collect the refuse from properties on a certain day once per week **and recycling once per fortnight.** **The licence holder should notify the tenants of the collection days for refuse and recycling.**

If there is no adequate space to store rubbish within the boundaries of the house from week to week and no way of providing extra space, the licence holder / Manager may have to make arrangements for extra collections.

The Licence Holder should ensure that at the end of each tenancy any rubbish or unwanted household goods left behind should be removed and disposed of appropriately before the start of the next tenancy. In particular, any rubbish or goods left in front or back gardens or the pavement in the front of the HMO should be removed immediately.

Current: Not included in standards

Reason: To improve the areas in front of the HMOs where rubbish is stored and to avoid unsightly accumulations of rubbish which are a nuisance to neighbours and attract vermin.

ENERGY PERFORMANCE CERTIFICATES

Energy Performance Certificates (EPCs) give information on how to make your home more energy efficient and reduce carbon dioxide emissions. All rented homes require an EPC. The Local Authority requires that the licence holder or manager of the HMO must

provide a copy of the most recent EPC for the property, including the recommendation report with suggestions on how to reduce energy use and carbon dioxide emissions.

Current: Not included in standards

Reason: Advice on new legislation

ADVICE

The license holder / Manager should comply with all the requirements of the Housing Act 2004 and relevant regulations, which relate to the Housing Health & Safety Rating System and the management of HMOs. There is more information available on these matters on the Private Sector Housing pages of the council's website www.brighton-hove.gov.uk.

Current: Not included in standards

Reason: To provide advice on legislation.

At the start of a tenancy, each unit of accommodation must be in a clean condition and good repair before the tenants move in. The manager must ensure the common parts of the house are repaired and maintained in a clean condition and in good order.

In shared properties it is recognised that the cleaning of shared facilities is usually the tenants' responsibility. However, it is the licence holder's responsibility to ensure this is monitored and addressed should any problems arise. Where the tenants have separate tenancies, it is the responsibility of the Manager to ensure that all common parts and shared facilities are cleaned on a regular basis, e.g. by employing a cleaner.

Current: Not included in standards

Reason: To improve conditions for tenants. Some landlords/letting agents do not adequately clean the property prior to new tenants moving in and also promise that repairs will be carried out but do not so.

The current regulations relating to the management of Houses in Multiple Occupation are The Housing (Management of Houses in Multiple Occupation) Regulations 2006. For help and advice telephone (01273) 293156 or email psh@brighton-hove.gov.uk.

For help and advice on fire and furnishings telephone 08454 040506 or email trading.standards@brighton-hove.gov.uk.

For help and advice on noise or other nuisances telephone: Hove Area (01273) 292424, Brighton Area (01273) 292400 or email EHL.environmentalprotection@brighton-hove.gov.uk.

For help and advice about the Tenancy issues telephone (01273) 294400 or email housing.advice@brighton-hove.gov.uk.

For help and advice on storage and collection of waste telephone (01273) 274674 or email at cityclean@brighton-hove.gov.uk.

If the HMO comprises of bedsits and or self-contained flats you may be required to carry out a Fire Safety Risk Assessment in accordance with the Regulatory Reform (Fire Safety) Order 2005. Further information can be obtained from the East Sussex Fire and Rescue Service on 0845 130 8855 or www.esfrs.org. Detailed written guidance can be found in the Government's guide to fire safety in buildings where there are "sleeping risks". This can be obtained from bookshops, The Stationery Office Online (www.tsoshop.co.uk) or see the Government web site <http://www.firesafetyguides.communities.gov.uk> for details of how to download it.

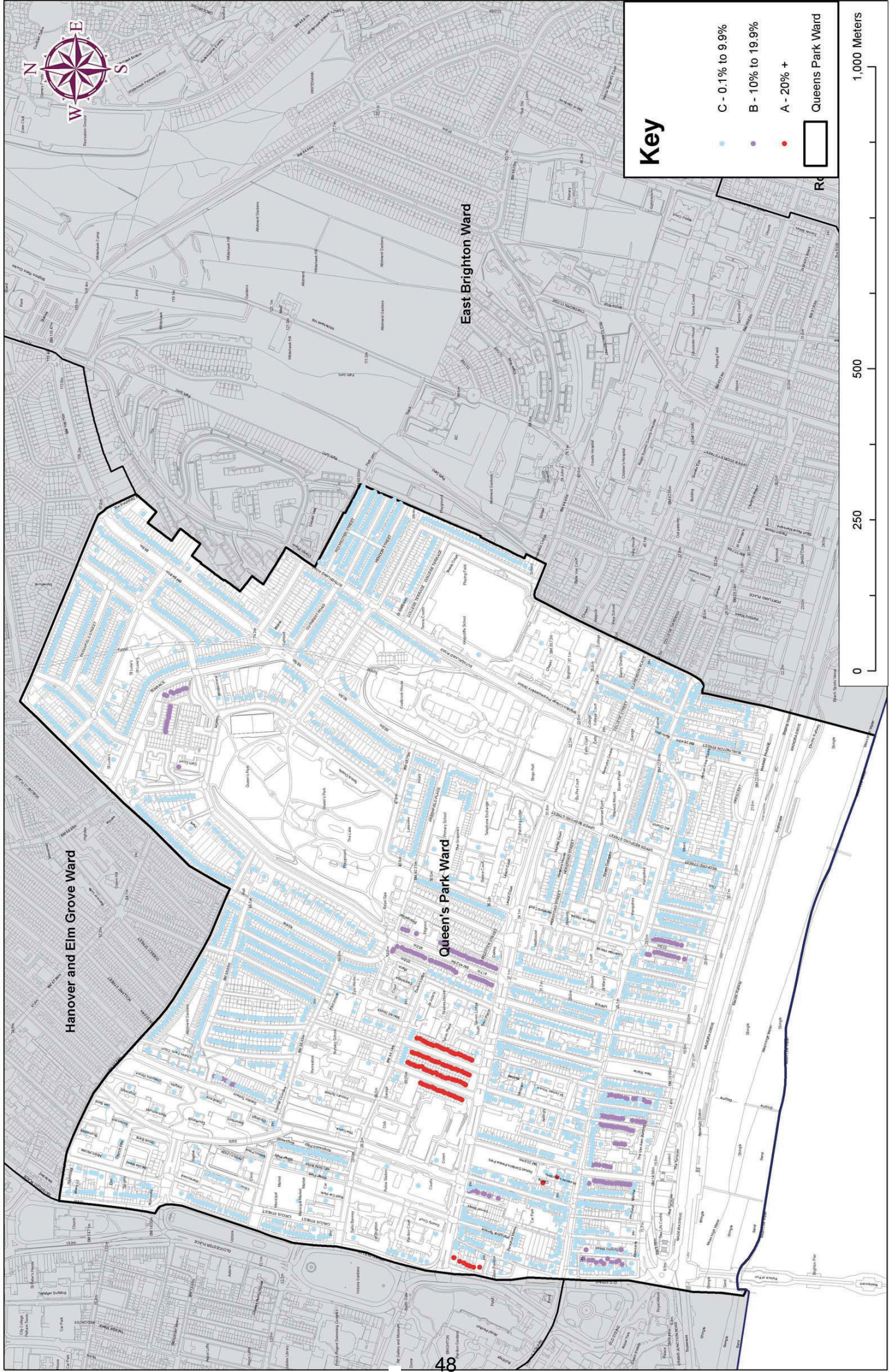
For advice on Energy Performance Certificates see the website www.direct.gov.uk

Current: Not included in standards

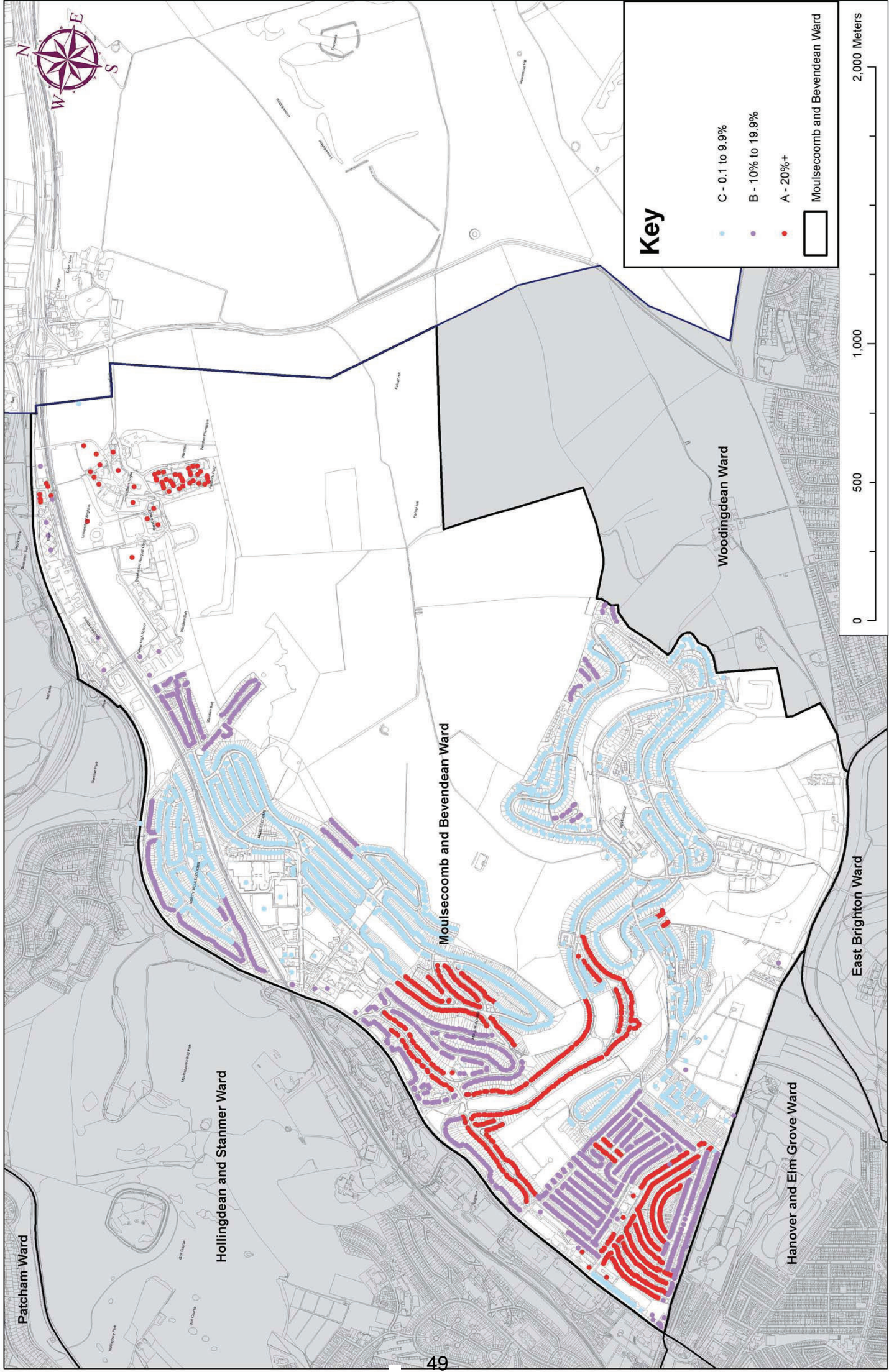
Reason: To provide advice on new legislation.

Concentration Mapping of HMO's and Student Housing in the 5 Wards

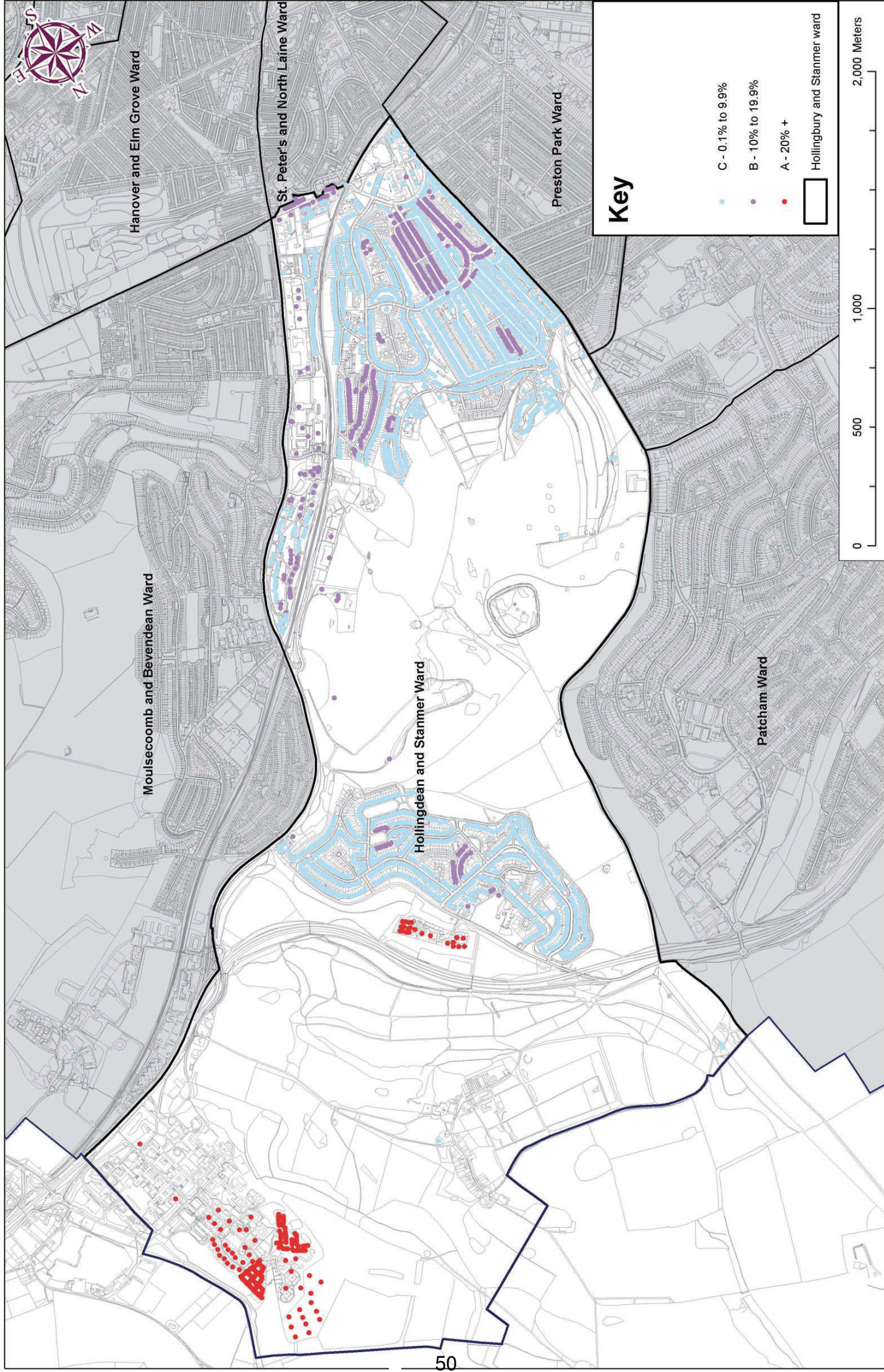
Student Housing and HMO Concentration Assessment: Queen's Park Ward



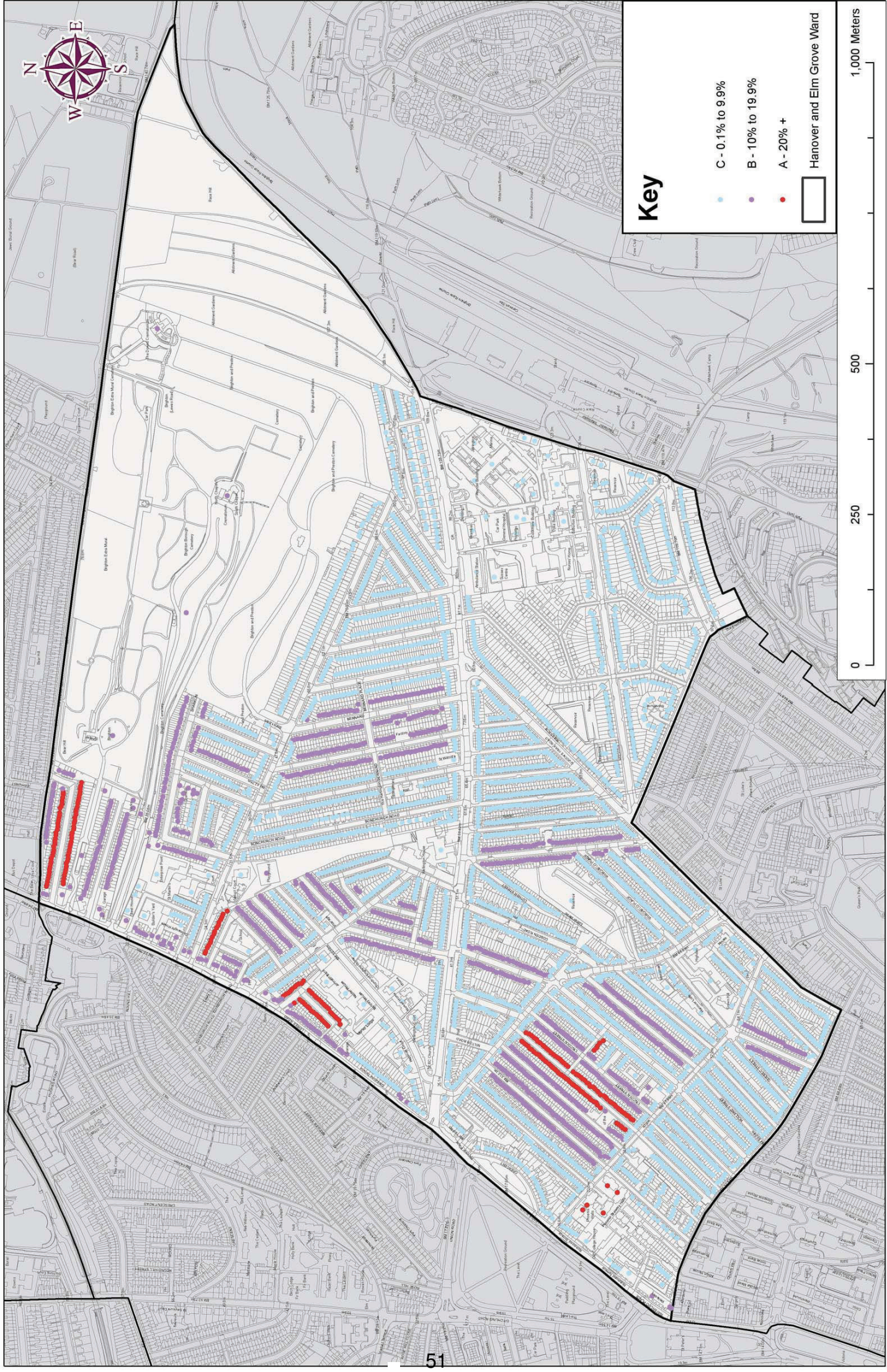
Student Housing and HMO Concentration Assessment: Moulsecomb and Bevendean Ward



Student Housing and HMO Concentration Assessment: Hollingbury & Stanmer Ward



Student Housing and HMO Concentration Assessment: Hanover and Elm Grove Ward

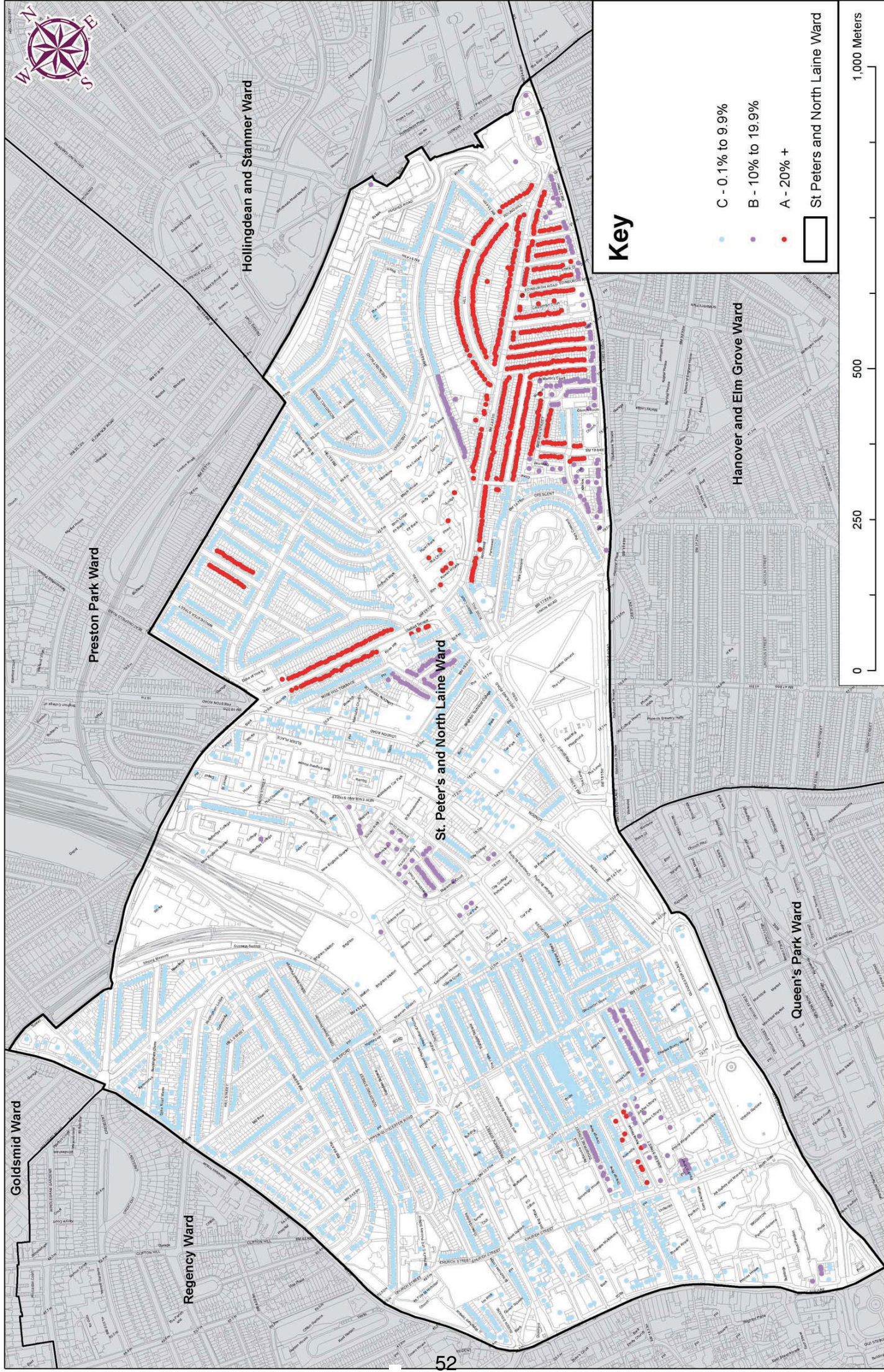


Key

- C - 0.1% to 9.9%
- B - 10% to 19.9%
- A - 20% +
- Hanover and Elm Grove Ward



Student Housing and HMO Concentration Assessment: St. Peter's and North Laine Ward



HOUSING CABINET MEMBER MEETING

Agenda Item 73
Brighton & Hove City Council

Subject:	Interreg IVa Learning Cities Bid		
Date of Meeting:	18 January 2012		
Report of:	Strategic Director of Place		
Contact Officer:	Name:	Emma Gilbert	Tel: 29-1704
	Email:	emma.gilbert@brighton-hove.gov.uk	
Key Decision:	No		
Ward(s) affected:	Moulsecoomb and Bevendean; North Portslade		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Brighton & Hove City Council is a partner in the Interreg IVa Learning Cities bid. The project is led by Centre Communal d'Action Sociale de Carvin (France) and involves 6 partners, from England, France and Belgium. The project aims to reduce inequality and social exclusion by fostering an increased engagement into lifelong and life wide learning for some of the most deprived and hardest to reach groups in the cities of Brighton and Hove, Carvin and Turnhout. The Project will develop and test activities dedicated to removing barriers and difficulties that particular groups experience in developing their education, skills and training, in order to improve their quality of life and promote active engagement in the community.
- 1.2 This report seeks approval and endorsement for participation in the Interreg IVa Learning Cities Project.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member for Housing approves and endorses city council participation in the Interreg Iva Learning Cities Project.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Interreg IVa is an EU funding programme that supports cross-border cooperation projects between neighbouring regions, across a range of themes including: economic development, social cohesion, culture, and the environment. Interreg funds up to 50% of eligible project costs, and projects require at least two partner organisations from a minimum of two eligible EU countries. Brighton & Hove is eligible under two programmes: '2 Seas' involving parts of the UK, France, Belgium (Flanders) and the Netherlands; and 'France (Channel)–England'.
- 3.2 Interreg IVa is a priority funding stream for the city council and city partners, as set out in the corporate International Strategy. In the current economic climate, and following

the reduction of national and regional bidding opportunities, this EU funding programme has become increasingly important as a source of external funding. The July 2011 deadline saw a record number of local bids submitted, including five city council bids. Given the increased Interreg IVa bidding activity, reports on individual Interreg IVa bids are to be taken to the relevant Cabinet Member Meeting (CMM) for formal sign-off. In future, CMM approval will be sought at an earlier stage of bid development. This bid was already in appraisal when the additional CMM sign-off process was established.

- 3.3 The Learning Cities bid was submitted to the last deadline of the Interreg IVa 2 Seas programme on 8 July 2011. This is the final major 'open' bidding opportunity for the 2 Seas programme, although there may be smaller, targeted calls for proposals in 2012/13.
- 3.4 The bid was successfully appraised and agreed at the end of November, with formal notification received in early December 2011.
- 3.5 There are 3 key strands of the project that link together to achieve the overarching aims of the Learning Cities Project:
 1. Creating a citywide learning friendly environment;
 2. Fostering increased engagement and retention into lifelong and life wide learning for deprived and hardest to reach groups;
 3. Enabling progression into lifelong and life wide learning for deprived and hardest to reach groups.
- 3.6 Working in partnership with the Bridge Community Education Centre and Portslade Adult Learning, the funding provides the opportunity for Housing and Social Inclusion to carry out a range of targeted interventions with some of the City's hardest to reach communities to improve access to and engagement in learning, skills, employment and personal development opportunities.

Working with beneficiaries across all age groups, it is expected that the soft and hard outcomes achieved at an individual level will help to address some of the inequalities and exclusion experienced by a large number of our residents; whilst the indirect benefits eg staff training, development of peer mentors/learners within the community, better access to resources, improved networks and links, will provide a sustainable and lasting impact on the community beyond the life of the project.

- 3.7 The BHCC aspect of the bid funds:
 - 2x Learning and Participation Workers (LPW) - who sit in the Housing and Social Inclusion Delivery Unit. This role is 35% outreach (tenant visits; shadowing Tenancy Sustainment Officers and Housing Officers, door knocking, targeted approaches eg Housing centre, Children centres, schools, libraries, partner events); 35% one to one Information, advice and guidance and learner support; 30% delivery of learning/and progression activities in conjunction with the Bridge and Portslade Adult Learning
 - 1x basic skills tutor (one day per week) who can work between the Housing Centre/community locations delivering group literacy, numeracy, ICT sessions to residents

- A programme of staff training across all three partners to build capacity/skills in delivering services to residents: 6 x Motivational interviewing courses; 6 x Life skills coaching for support workers; Work focused coaching skills for staff; IAG qualification level 3 and PETALS teaching qualification level 4 (for key staff to build internal capacity to deliver training/IAG beyond the life of the project)
- All travel, subsistence and accommodation costs for the mandatory cross-border visits (based on the EU per dium allowances); staff travel for the L&P workers;
- Costs for the Study visits and activity events in Brighton and Hove
- Equipment and consumables; publicity; promotion; hospitality etc.

3.8 The partnership working with The Bridge and Portslade Adult Learning will bring additional value including peer mentoring programmes, volunteering and other progression activities; a range of Essential Life skills courses (World Health Organisation definition) and bridging activities, a community peer literacy project as well as a range of learner support and course activities.

3.9

Partnership working with the cities of Carvin and Turnhout will provide us with models of good practise in improving educational attainment with a particular focus on families and children, and reducing school dropout /exclusions.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 Local and international partnership opportunities were considered through the partnership search process, local forums and the International networking event held in Brighton in March 2011.
- 4.2 Consultation will form a key part of the ongoing evaluation process throughout the life of the project. The Community Engagement Framework will be implemented for all consultation processes.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

The total value of the Interreg IVa bid is £2,084,543 with 50% matchfunding being requested from the European Regional Development Fund (ERDF). Each partner organisation is required to match fund 50% of their requested budget. The total bid for Brighton and Hove City Council is £517,115 so match funding required is £258,557.50. This match funding has been identified from existing resources within the Housing Revenue Account budgets for 2011/12 and will be included within the HRA budget strategies for 2012/13 and beyond. The funding from ERDF of £258,557.50 will flow to the HRA over the period of the project to be used to fund the other half of this project. It is anticipated that there will be no additional costs to the HRA but this project does commit the HRA to this expenditure for the duration of the project. Care must be taken to ensure that no long term commitments or contractual arrangements are entered into (such as employment contracts) that would commit the HRA to extra expenditure after ERDF funding ceases.

Legal Implications:

- 5.2 Participation in the Learning Cities Project is within the Council's powers, and the Cabinet Member for Housing is the relevant Cabinet Member for formal sign off of this project, partly funded by the HRA. As the Lead Partner Carvin will sign a funding contract with the funding body, and will be legally accountable for the funds drawn down. However, before any funds are drawn down, the Council will be required to sign an agreement with the Lead Partner and the other parties involved in the project, setting out the relationship between them, and confirming the contribution to the project which the individual parties will make. Once the partnership agreement has been signed, the Council will be legally obliged to comply with its terms.

No individual's human rights will be adversely affected by the report's recommendation. The fostering of increased engagement into lifelong and life wide learning is compatible with the Right to Education.

Lawyer Consulted: Name Liz Woodley

Date: 5.1.2012

Equalities Implications:

- 5.3 An Equalities Impact assessment will be carried out as part of the project implementation

Sustainability Implications:

- 5.4 The Learning City project management and implementation will achieve environmental performance through cross-border visits combining different purposes to avoid unnecessary additional journeys; Use of ICT facilities (eg Skype, email etc) and the centralised development of shared resources such as the Website and the Moodle platform will reduce printing and paper editions.

Aspects of the Project will include the design and settlement of a "learning space model". Existing or new build structures will be improved in terms of functionality and service delivery programme eg Carvin's new central library and digital learning centres; "Foredown Tower" - Visitor/Learning Centre, the Housing Centre (Brighton); Learning platforms (Turnhout). Common specifications will take environmental performance and sustainability into account (purchase of furniture, pedagogical resources etc...).

A key aspect of the project is to train and build staff and resident capacity to deliver support, information advice and guidance, and learning/progression activities; providing a sustainable model for the community beyond the life of the project.

Crime & Disorder Implications:

- 5.5 None

Risk and Opportunity Management Implications:

- 5.6 HRA is not grant funded and is ring fenced which makes it a more secure funding stream. The budgets for match were carefully identified in order to anticipate the impact of corporate reductions in funding and savings targets over the duration of the project. However, further cuts could occur in the future which could impact on the delivery of the project.

The ongoing project management, financial controls, planning and evaluation process outlined in the Interreg IVa Programme Manual and Partnership Agreements should provide early identification of any funding issues and enable partners to take all necessary actions to minimise the impact this may have.

Under the ERDF system payment claims are made retrospectively on a six monthly basis so partners will need to “forward fund” activities in advance. Delays in payments have been an element of other Interreg bids and the six month periods do not coincide with the Authority’s financial years. The impact on reconciliation will need to be considered.

Public Health Implications:

- 5.7 The project aims to reduce inequality and improve the health and wellbeing for residents in two of the most deprived areas of the city. Targeted interventions include a key focus on the World Health Organisation’s definition of essential life skills.

Corporate / Citywide Implications:

- 5.8 The aims of the project links into and reflects the key priorities within the 2020 Sustainable Community Strategy, the City Performance Framework, the Council’s Corporate Plan, the City Employment and Skills Plan, Adult Learning Strategy, the draft Social Exclusion Strategy, Housing Strategy and the Housing Management Service Improvement Plan, and other key areas of work to ensure we are effectively meeting the needs of the city, and the Coalition government’s national priorities.

The project reflects the Intelligent Commissioning model currently being developed by Brighton & Hove City Council. The delivery model addresses service improvement and efficiency, encourages partnership working across sectors, agencies and services, and involves residents in meeting the needs and aspirations of the community as well as the individual.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 None

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To ensure approval and endorsement of the city council’s participation in the Interreg IVa Learning Cities Project

SUPPORTING DOCUMENTATION

Appendices:

1. Learning Cities Interreg IVa Bid Financial breakdown by year

Documents in Members' Rooms

None

Background Documents

1. Learning Cities Interreg IVa Bid
2. Interreg IVA "2 Seas Programme 2007-2013" Programme Manual
Guidance on Eligibility and Project Management
3. Guidance on First level Controls
4. Partnership Agreement between lead partner and project partners

Learning Cities Interreg Bid by Financial Year

Staffing	hourly rate in euros	2011/12	Euros	2012/13	Euros	2013/14	Euros	2014/15	Euros	Total Hours
PM	29	534	15486	1044	30276	668	19372	466	13514	2712
PO	20	249	4980	961	19220	935	18700	603	12060	2748
HO	21	390	8190	1560	32760	1560	32760	780	16380	4290
TSO	21	273	5733	1092	22932	1092	22932	546	11466	3003
FO	21	0	0	105	2205	84	1764	63	1323	252
IO	24	0	0	30	720	0	0	20	480	50
			34389		108113		95528		55223	293253
LPW Workers	18	962	17316	3848	69264	3848	69264	1924	34632	10582
Basic Skills Tutor	daily rate 210	12	2520	48	10080	48	10080	24	5940	303835
										132 days
travel/accom			1255		960		0		1680	3895
Lone phones			675		0		0		0	675
WFC Training			4500		0		0		0	4500
PETALS			13498		0		0		0	13498
LS/MI Training			1414		2828		2828		1414	8484
Printing			2000		2000		1000		1000	6000
Editing			0		1000		1000		1000	3000
Branding			1000		0		0		0	1000
Translation			0		1666		1666		1668	5000
IT etc			6435		0		0		0	6435
Indirect Costs			1500		2250		2250		1500	7500
FLC			460		920		920		460	2760
Frontliner event			0		1500		1500		0	3000
Meeting Brighton			0		1880		1780		0	3660
			32737		15004		12944		8722	69407
Total in Euros			86962		202461		187816		104517	581756
Total in GBP			77299		179965		166947		92904	517115
HRA Funding			38,650		89982		83473.5		46452	
ERDF Funding			38650		89982		83473		46452	
Total Match Funding HRA			£258,557.50							
Total match funding ERDF			£258,557.50							

