

BRIGHTON & HOVE CITY COUNCIL

HOUSING COMMITTEE

4.00pm 6 MARCH 2013

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Wakefield (Chair)

Also in attendance: Councillor Powell (Deputy Chair), Peltzer Dunn (Opposition Spokesperson), Farrow (Opposition Spokesperson), Barnett, Davey, Fitch, Jarrett, Mears and Rufus

PART ONE

48. PROCEDURAL BUSINESS

48A Declarations of Substitute Members

48.1 There were no substitutions

48B Declarations of Interests

48.2 Councillors Fitch, Peltzer Dunn and Rufus each declared a Disclosable Pecuniary Interest in Item 43c, as landlords of residential property within the City.

48C Exclusion of the Press and Public

48.3 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

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

49. MINUTES

49.1 The Committee considered the Minutes of the Housing Committee meeting held on 16 January 2013.

- 49.2 Councillor Farrow noted that paragraph 46.6 stated that he was 'involved with a group who supported ex service personnel' and asked that it read 'a member of the Civil Military Partnership Board, a group who supported ex service personnel'.
- 49.3 Council Farrow referred to paragraph 46.9 and asked when a Workshop would be held. The Strategic Director Place said that it would be arranged in due course.
- 49.4 Councillor Powell referred to paragraph 46.9 and asked that the first sentence include the wording 'the average person who could lose their job and end up homeless'.
- 49.5 Councillor Mears referred to paragraph 39.2 and thanked the Strategic Director for his response, but noted that information on where the funding for the new structure had come from had not been provided.
- 49.6 RESOLVED** – That, with the above amendments, the Minutes be agreed as a correct record

50. MINUTES OF THE HOUSING MANAGEMENT CONSULTATIVE SUB COMMITTEE

- 50.1 The Committee considered the draft Minutes of the Housing Management Consultative Sub Committee held on 12 February 2013.
- 50.2 **RESOLVED** – That the draft Minutes of the Housing Management Consultative Sub Committee held on 12 February 2013 be noted.

51. CHAIR'S COMMUNICATIONS

- 51.1 The Chair welcomed Councillor Rufus to the Housing Committee.
- 51.2 The Chair informed the Committee that the Chartered Institute of Housing were currently holding their conference in the city. The Chair and the Mayor had taken a delegation from South Africa and Canada so see both new builds and social housing within the city, and they had been very impressed with what they saw. A Reception for members of the Institute was being held in the Pavilion on 7 March 2013, and all members of the Housing Committee were invited.

52. CALL OVER

- 52.1 It was agreed that all items would be reserved for discussion.

53. PUBLIC INVOLVEMENT

- 53.1 There were no Petitions, Written Questions or Deputations.

54. ISSUES RAISED BY COUNCILLORS

- 54.1 There were no Petitions, Written Questions, Letters or Notices of Motion

55. NEW HOMES FOR NEIGHBOURHOODS - ESTATE REGENERATION PROGRAMME

- 55.1 The Committee considered the report of the Head of City Regeneration on New Homes for Neighbourhoods, Estate Regeneration Programme. The report updated the Committee on progress with the development of new affordable housing on council owned Housing Revenue Account (HRA) land. It reported the creation of a small Estate Regeneration team in a new City Regeneration Unit and outlined the proposed framework for an Estate Regeneration Programme of three phases and how it will be delivered.
- 55.2 The Head of City Regeneration presented the report and referred the Committee to the Recommendations, and said that on legal advice recommendation 2.3 (3) would be withdrawn. That recommendation asked for delegated authority to be given to the Housing Committee to approve any further demolition of buildings on HRA land. Legal advice was that under the current constitution this was not possible. The matter would be considered when the constitution was reviewed.
- 55.3 Councillor Farrow referred to paragraph 3.26 which related to Self Build Housing, and asked if Housing Cooperatives could be involved. Councillor Farrow referred to paragraph 3.35 and asked the Head of City Regeneration whether there could be a rent level between Target Rent and Affordable Rent. The Chair said that she too would like Housing Cooperatives to be involved and agreed that it was important to keep rent levels as low as possible.
- 55.4 Councillor Mears noted that a report went to Cabinet on developing new homes on HRA land back in November 2010, and was concerned that the current anticipated time for completion of works to the former garage sites was still some years away and asked if the time line could be looked at. Councillor Mears referred to paragraph 3.24 and asked what steps were being taken to enable the sale of the former Whitehawk Library site.
- 55.5 Councillor Barnett said she was also concerned at the potential time for completion of the former garage sites.
- 55.6 Councillor Jarrett agreed that things did move slowly and asked officers to consider ways of speeding up the process. With regard to rent levels, Councillor Jarrett noted that if people were currently paying 100% market rent in the private rented sector, then Affordable Rent of 73% market rent in a new council home would be a big improvement. The more money collected in rent, would result in more properties being built.
- 55.7 Councillor Powell agreed that the sale of the former Library site was important and asked officers to look into the matter. Councillor Powell referred to paragraph 5.7 and noted that 5% of the new units would be wheelchair adapted and asked how many that would be.
- 55.8 The Head of City Regeneration referred to the former Whitehawk Library site and said that Cabinet approval had previously been given to sell the site with the assumption it would achieve a capital value of £1m. Development options were being considered with corporate partners, but the prior approval of Cabinet had to be considered. Rent levels would be fully considered for each scheme, and reports for scheme approval would come to a future meeting of the Housing Committee. The 5% of new units being wheelchair adapted would equate to one unit. The development of new housing was

important, and everything would be done to ensure all steps were undertaken as quickly as possible.

- 55.9 Councillor Peltzer Dunn noted that there were nine possible garage sites in the package to be offered to one developer, and suggested that if some sites were offered to smaller providers the process could be speeded up. Councillor Peltzer Dunn also referred to the table of rent levels and asked what the current average housing association rent was for a two bedroom property. The Head of City Regeneration said that the sites were being packaged together as it was thought that that would make it more attractive to developers, but soft marketing was being undertaken to test the market. With regard to rent, the allocation of homes would not exclusively be to those who were currently in the private rented sector, and the rents would be in line with housing association rents. The Head of Financial Services (HRA) said that housing association rents were calculated using the government set formula so it was likely the Target Rent for a housing association property would be the same as for a similar council home.
- 55.10 Councillor Peltzer Dunn asked that when the Constitution was reviewed that a request be made that Housing Committee be given authority to approve the demolition of buildings on HRA land. The solicitor confirmed that such authorisation was already included in the draft Constitution which would be considered by the Policy & Resources Committee and Full Council.
- 55.11 **RESOLVED**
- (1) That the Housing Committee note the next steps and processes in the proposed Estate Regeneration Programme.
- (2) That the Housing Committee note progress with the garage site procurement (Phase 1 of the Estate Regeneration Programme) and give delegated authority to the Strategic Director of Place in consultation with the Director of Finance and Resources to award the contract following completion of procurement of a delivery partner for the development of new housing at the sites specified in paragraphs 3.12 and 3.13 in the report and any substitute or additional garage sites.
- (3) That the Housing Committee recommend that the Policy and Resources Committee agree:
- (i) that the four vacant and unlettable prefabricated bungalow units in the rear gardens of 243-245 Preston Road, Brighton (as shown on the annexed plan at Appendix 1) be demolished as required to enable redevelopment of that garden site with new housing, subject to planning consent, under Phase 2 of the Estate Regeneration Programme as outlined in paragraphs 3.21 and 3.22 in the report;
 - (ii) that the vacant former Housing Office at Manor Place, Brighton (as shown on the annexed plan at Appendix 2) be demolished in order to be redeveloped, subject to planning consent, under Phase 2 of the Estate Regeneration Programme as outlined in paragraph 3.23 below;
- (4) That the Housing Committee agree that a range of funding, rent and homeownership options should be provided in new housing to be developed on HRA land under the Estate Regeneration Programme in order to ensure that development is viable and to

increase the number of new homes the Estate Regeneration Programme can deliver, as set out in paragraphs 3.31 to 3.42 in the report.

56. EXTRA CARE HOUSING UPDATE

- 56.1 The Committee considered the report of the Strategic Director Place, which provided an update on the progress to secure extra care housing in the city in relation to the recent bid to the Homes & Communities Agency (HCA). The report also provided details of the proposed Brooke Mead Extra Care Scheme. In addition to the report the Committee were given a presentation from the designers of the aforementioned Brooke Mead development.
- 56.2 Councillor Barnett thanked officers for the report and presentation and said the scheme looked very good. Councillor Barnett asked whether the units would have wet rooms or bathrooms, and also said that she was concerned that there were only 3 car park spaces for 45 units. The designers of the scheme said that the bathrooms would not have baths, but there would be a communal bath within the building. They were working with the planning authority on the parking provision.
- 56.3 Councillor Powell thanked officers for the report and presentation and said that she was happy to support the scheme. Councillor Powell said that as the local Ward Councillor she was very familiar with the area and was aware that residents who lived very close to the site were hoping that the land in question would be used as a garden, and asked if it were possible for part of the site to be used for that. The designers said that there would be an area of garden in the new development. Councillor Powell asked if solar panels would be used, and was advised that it was a possibility and would be looked at.
- 56.4 Councillor Farrow asked if it were possible to add another floor to the building. The designers said that it was very unlikely planning permission would be given for that; the top of the proposed building could be seen from The Steine and planners had asked the architects to check the height of the building.
- 56.5 Councillor Fitch said it was a venture which should be supported, and agreed with Councillor Powell that it would be useful if there were some open space too.
- 56.6 Councillor Davey asked what the timescale would be for the scheme, and was advised that the planning application would be submitted in April 2013, with a decision in July, and if it was agreed for work to start at the end of the year. The Strategic Director Place reiterated that the scheme was still dependent on getting HCA funding.
- 56.7 Councillor Peltzer Dunn thanked officers for the report and complimented the architects on the design of the building. He noted that there was a discrepancy in the report and appendix, on the number of units in the building. Officers confirmed that the intention was to have 45 units (39 x 1 bedroom and 6 x two bedrooms). Councillor Peltzer Dunn asked about the Service Charge and whether that would include the cost of any extra care. It was confirmed that the Service Charge would cover heating, water rates and ancillary services, but any care charges would be separate.
- 56.8 Councillor Mears asked for clarity on the cost of the scheme, why it was not being funded from the General Fund and why it was being parted funded from Housing and

not just from Adult Social Care. The Head of Housing Strategy said that if HCS funding were agreed a further report would be provided giving full information on the cost of the scheme.

56.9 RESOLVED

(1) That Committee note the proposed Brooke Mead Extra Care scheme which will be funded through affordable rents, a contribution from Adult Social Care revenue budgets, shared ownership and subsidy funding incorporated within the recent bid to the Homes & Communities Agency (HCA).

(2) That Committee note proposals to proceed with a Planning application for the approval of extra care housing on the Brooke Mead Extra Care scheme, the current timetable for the proposed development and the pursuit of other funding options as detailed in the report.

(3) That the Committee recommend that the Policy and Resources Committee agree that the vacant Housing Revenue Account ('HRA') block of Brooke Mead, Albion Street, Brighton [as shown on the annexed plan] be demolished in order to be redeveloped, subject to Planning consent.

57. REGISTER OF LANDLORD SCHEME

57.1 Councillors Fitch, Peltzer Dunn and Rufus declared a Disclosable Pecuniary Interest in the matter and left the room for this item. At the Housing Committee meeting held on 13 January 2013, Councillor Farrow submitted a letter asking officers to investigate and report on the feasibility of implementing a register of all landlords in the city.

57.2 Councillor Farrow and the Committee were advised:
In recent years we have seen a growth in the private rented sector to 34,081 homes, 28% of all housing stock. The most recent census indicates that the private rented sector in Brighton & Hove has increased by 37% since 2001 and that the City has the 6th highest proportion of converted dwellings or shared houses (houses in multiple occupation and bedsits) in England & Wales.

The sector:

- Caters for a highly mobile population
- Supports university growth to benefit of local economy, labour market and cultural offer
- Is key to addressing housing need in the city
- Supports investment in improving City housing stock
- Supports direct and indirect employment, including in local trades and businesses

We currently licence over 800 larger Houses in Multiple Occupation across the City under the existing mandatory HMO licensing scheme

Following resident and councillor concerns, Housing Committee approved the recent additional licensing designation on the basis of evidence that a significant proportion of the smaller HMOs in the five Lewes Road wards affected are being managed sufficiently ineffectively as to give rise to one or more particular problems either for those occupying

the HMOs of for members of the public. The designation was agreed following an extensive two phase consultation exercise. Housing Committee considered representations and a comprehensive evidence base before they made their decision to approve the additional licensing designation. Over 1,000 additional licensing applications have been received since the commencement of the additional licensing designation on 5 November. London Borough of Newham has sought to implement borough wide licensing to ensure that the private rented sector provides decent quality accommodation and that anti-social behaviour is effectively managed. Newham have evidence that poor property and tenancy management, and associated anti-social behaviour, is found in all types of private rented properties and in all wards of the borough. Therefore, Newham proposes to introduce a comprehensive, borough-wide licensing scheme with the clear objective to secure a consistent level of responsible property management among all private landlords. Newham has declared 2 licensing designations operative from January 2013 each encompassing the whole of the borough of Newham but capturing different property use types:

- Firstly, Newham has introduced a borough wide Additional Licensing designation of Houses in Multiple Occupation (HMOs) that will require all landlords who let a property that is occupied by 3 or more non-related occupiers that sharing some basic facilities or amenities such as a kitchen or bathroom to have a licence;
- Secondly Newham has introduced a borough wide Selective Licensing designation that requires landlords who let all other residential accommodation that falls outside of the mandatory and additional HMO definition to have a licence.

All private landlords that let properties within the borough which will be designated as an Additional or Selective Licensing designation will require a licence from Newham for each of their rented properties. Newham believe that this will address the negative issues identified

The Housing Act sets out circumstances where a local authority may consider establishing a Selective Licensing scheme or any further designation of additional licensing and the evidence needed to support this. The Chair of Housing has requested an initial scoping study and report back to Housing Committee in order to establish whether there is sufficient evidence to satisfy the legal requirements for implementing either further additional licensing or a Selective Licensing scheme in Brighton & Hove at this time.

58. SELF BUILD HOUSING SCHEME, POTENTIAL SITES

58.1 At the Housing Committee meeting held on 13 January 2013, Councillor Farrow submitted a letter asking officers to report on the feasibility of using self build schemes in the city.

58.2 In response to that letter, Councillor Farrow and the Committee were advised of the following:

Our City-wide Housing Strategy expressly recognises and supports the important and innovative work of housing co-ops in the City. The Strategy states that we will continue to engage with local housing co-ops and will review any opportunities that may arise to develop their role. This includes supporting development of new co-operative housing and self build homes. The Council have a long term working relationship with the City's housing co-operatives through Co-operative Housing in Brighton & Hove (CHIBAH) the

local co-op network. We have engaged with and support the work of housing co-ops over a number of areas outlined below:

- Bringing empty private sector properties back into use through housing co-ops continued input into the Council's Empty Property Strategy.
- Supporting local housing co-ops and community groups in their successful bid under the Communities element of the Government Empty Homes Programme 2012–15. Four groups were allocated £712,598 to bring up to 10 long term empty homes back into use.
- Continuing to support housing co-ops through joint work on short life lease end and lease renewal issues.
- Supporting local housing Co-ops in their business modelling to achieve our shared goal of developing new co-operative housing in the City via the Commission for Co-operative Housing Warehouse funding model.

Brighton & Hove has a long history of self build schemes. Hedgehog Housing Co-op was supported by the Council and self build work undertaken in partnership with a Registered Provider in receipt of a substantial amount of Housing Corporation funding. In line with our on-going partnership with the Homes & Communities Agency and housing co-ops the Chair of Housing has requested that we review the HCA's recent Custom Build Homes Fund Prospectus to identify and prepare a written report back to Housing Committee on 8 May on any opportunities for loan finance for community groups with plans for self build schemes. In particular, where this funding may be aligned to marginal public sector land that may be available for release in the City, including any opportunities that may arise on Council owned land. Local authorities are not eligible to apply for funding but may work closely with eligible applicants to support them to bring forward a project.

HCA Custom Build Homes Fund Prospectus

In [Laying the Foundations – a Housing Strategy for England](#), the Government announced that it would be making up to £30m of funding available to provide short-term project finance to help unlock group custom build – or self-build – schemes. The aim of the fund is two-fold:

1. To stimulate the growth of the Custom Build Homes market by enabling more multi-unit custom build home projects and attract more commercial lenders and investors to this market, thereby increasing the number of custom built homes developed annually over the next decade.
2. To focus exclusively on multi-unit 'group' projects with the objective of bringing forward sufficient numbers of successful schemes to demonstrate to commercial funders that the lending model is a viable and sustainable business which can be taken forward by industry, without public funding support, when the fund closes on 31 March 2015.

Eligible groups including appropriately constituted Community Organisations can make funding applications subject to scheme conditions. Local authorities are not eligible to apply for funding but may work closely with eligible applicants to support them to bring forward a project. Funding is in the form of loans repaid with interest at a range of commercial rates. Eligible projects must comprise a minimum of five homes up to a cap of £3m for any single project. Maximum eligible cost of each home to be supported by a

Custom Build loan is £250,000 with loans capped at maximum of 75% of eligible costs meaning the applicant must have access to a minimum of 25% of the projects funding. Projects will be prioritised for loan funding that have secured at least outline Planning permission.

Qualifying expenditure includes:

- Land acquisition costs
- Site preparation costs
- Construction of supporting infrastructure
- S106 Planning obligations
- Construction costs for homes
- Post planning permission professional fees.

59. TENANCY STRATEGY 2013

- 59.1 The Committee considered the report of the Strategic Director Place on the Tenancy Strategy 2013. The Localism Act 2011 makes it a statutory duty for each local authority to produce and publish a strategic Tenancy Strategy that will guide providers of social housing in the development of their Tenancy Policies.
- 59.2 Councillor Mears thanked officers for the report, but was concerned that the draft Strategy had not been to either the Area Panels or Housing Management Consultative Sub Committee (HMCSC) for their comments. The Head of Housing said that consultation had taken place with tenants 18 months ago, working groups had been held with tenants, and Housing Associations consulted and their comments and suggestions had been included in the draft Strategy. Councillor Mears said she recalled consultation taking place, but since then there had been a change of councillors and tenant reps and felt that for openness and transparency the Strategy should be passed back to Area Panels. The Head of Housing said that the proper route for consultation had taken place and that the Housing Committee was the correct body to approve the Tenancy Strategy, however if the Chair wanted the report to go the Area Panels and/or HMCSC it could .
- 59.3 Councillor Farrow suggested the matter could be deferred to a later meeting, and asked when the deadline for agreeing the Tenancy Strategy was. The solicitor said that the Strategy should have been prepared and published by 15 January 2013. A number of Councillors were concerned that the deadline had already been missed and asked why it had not come to an earlier meeting of the Housing Committee. The Head of Housing said that the consultation process had been undertaken and the earliest meeting it could be considered at was the meeting being held today. Councillor Jarrett suggested that as the deadline had already passed, that the Strategy could be reviewed again by tenants and then come back to a future meeting of the Housing Committee. The Chair said she was happy for the Strategy to go back to tenants.
- 59.4 Councillor Davey suggested that given the timeframe, the Committee consider and possibly approve the Strategy now and then Area Panels could be asked to look again

at the Strategy in due course. Any comments/suggestions could be considered at a future meeting of the Housing Committee. That suggestion was agreed.

59.5 RESOLVED

(1) That Housing Committee approves the Tenancy Strategy 2013 (Appendix 1 in the report).

(2) That Housing Committee delegates authority to the Directors and Heads of Service to take all steps necessary or incidental to the implementation and delivery of the Tenancy Strategy 2013.

(3) That the Tenancy Strategy be passed to Area Panels for their comments and suggestions, and for the Strategic Director Place to report back to Housing Committee after that for the comments and suggestions to be considered.

60. RIGHT TO BUY RECEIPTS - DELIVERING REPLACEMENT AFFORDABLE HOMES

60.1 The Committee considered the report of the Strategic Director Place on Right to Buy receipt schemes, which was provided in response to a Notice of Motion.

60.2 RESOLVED

That Housing Committee note the response to Notice of Motion - Right to Buy Receipts Delivering Replacement Affordable Homes.

61. HCA EMPTY PROPERTY FUNDING ALLOCATION

61.1 The Committee considered the report of the Strategic Director Place. The report provided information on the Homes & Communities Agency Empty Property Funding.

61.2 RESOLVED

(1) That the Housing Committee:

(i) Note the successful bid to the Homes & Communities Agency for funding under the Empty Homes Programme 2012-15 (currently subject to contract).

(ii) Delegate authority to Strategic Director Place to enter into the Empty Homes (Revolving Fund) Agreement (2012-15 allocation (local authority)), the key elements of which are set out in paragraph (3.22) to the report.

(2) That the Housing Committee recommend that Policy & Resources Committee:

(i) Approve the Empty Property Capital Scheme and update the Capital Programme with budgets of £405K in 2013/14 and £495k in 2014/15 to be funded by £900k HCA capital grant (of which £675k relates to BHCC and £225k relates to Lewes to be managed via BHCC)

(ii) Approve forward funding to a maximum of £200k for this project due to the timing issues of awarding funding and the subsequent grant claim as detailed in paragraph 3.20 to the report.

62. ITEMS REFERRED FOR COUNCIL

62.1 It was agreed that no items be referred to the next meeting of Full Council.

The meeting concluded at 6.45pm

Signed

Chair

Dated this

day of