

BRIGHTON & HOVE CITY COUNCIL
HOUSING MANAGEMENT CONSULTATIVE SUB-COMMITTEE

3.00pm 3 SEPTEMBER 2013

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present:

Councillors: Kennedy (Chair), Peltzer Dunn (Opposition Spokesperson), Davey, Shanks, Mears, Pidgeon, Morgan and Robins

Tenant Representatives Jean Davis (Central Area Housing Management Panel), Keith Cohen (Hi Rise Action Group), Tony Worsfold (Leaseholder Action Group) and Charles Penrose (Sheltered Housing Action Group)

PART ONE

10. PROCEDURAL BUSINESS

10(a) Declarations of Substitute Members

10.1 Councillor Morgan declared that he was attending as a substitute for Councillor Farrow
Councillor Robins declared that he was attending as a substitute for Councillor Wilson
Councillor Shanks declared that she was attending as a substitute for Councillor Randall

10.2 As Councillor Randall was not able to attend the meeting nominations were requested for the position of Chair. Councillor Kennedy was nominated and appointed Chair for the meeting.

10(b) Declarations of Interests

10.3 There were none.

10(c) Exclusion of the Press and Public

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

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

11. MINUTES

11.1 Sub Committee considered the Minutes of the meeting held on 28 May 2013.

11.2 Councillor Peltzer Dunn referred to paragraphs 7.14 and 7.18 and asked if there was any further information on properties being transferred to Seaside Homes. The Head of Housing, Mr Sharma, advised that work on this matter was still on going and the Sub Committee would be briefed in due course.

11.3 **RESOLVED** – That the Minutes of the Housing Management Consultative Sub Committee held on 28 May 2013 be agreed and signed as a correct record.

12. CHAIR'S COMMUNICATIONS

12.1 The Chair gave the following communication:

Housing Management Consultative Sub Committee Tenant Representatives

Elections have recently been held for the positions of Tenant Representatives and Deputy Tenant Representatives to sit on the Housing Management Consultative Sub Committee. Following the elections I would like to welcome Chris El-Shabba, Heather Hayes, Alison Gray, Janet Gearing and Ron Gurney who have been appointed to the meeting. I would also like to welcome Ted Harman, Martin Cullen, Jason Williams, Kim Gearing, Muriel Briault and Joe Macrae who have been appointed Deputy Tenant Reps. May I take this opportunity to thank Lynne Bennett, David Murtagh, Trish Barnard, Rita King, Rob Spacie, Tina Urquhart and Barry Kent for their contribution to the HMCSC.

Financial Inclusion Work

I would like to draw to the attention of the committee the success of the Council's Financial Inclusion Strategy for Council Tenants and Leaseholders. Through joint working with MACS, we have helped more than 370 people manage their debts and claim the benefits they are entitled to. This is an additional £350k income for council tenants and residents in the first 9 months that the Housing Inclusion Team has been operational.

Service demand has risen dramatically since April 2013 as a result of welfare reform changes coming in. Impact of benefit changes/loss of benefit is the most common issue identified by tenants, so we do not expect this level of demand to reduce. The majority of cases have been complex with individuals presenting with a number of issues that have needed resolving over several casework sessions rather than one intervention or session.

Flood at Nettleton Court and Dudeney Lodge

On 1st August there was a major flood at Nettleton Court and Dudeney Lodge. Unfortunately the flood caused water damage to a number of properties and

meant that 5 households have had to move out into emergency accommodation while their homes dried out and were refurbished. On the day this happened staff from Housing, Mears and Adult Social Care were in attendance and stayed until late in the evening to ensure that the residents affected received the help and support that they needed. Some Mears staff remained throughout the night to try to limit the damage to resident's homes. The cause of this was connected to some old pipe-work which was being decommissioned and removed and so this would not happen again. Mears had accepted full responsibility and have provided the statement below:

We are very sorry for the inconvenience residents have experienced during the recent flood at Nettleton Court and Dudeney Lodge. Mears are now rapidly undertaking the relevant repairs and reinstatement of residents' homes and belongings damaged as a result of the incident. We anticipate the remaining five residents that were moved out will be returning home by the end of next week. As a gesture of goodwill, Mears are providing them with welcome home food hampers as they return. We are keeping residents informed of our actions through regular communication. I can confirm that Mears are accepting liability for this incident and this incident alone and only damage caused as a result of this incident.

Lifts at Hereford Court and Lift Programme

Over the weekend of 9th & 10th of August we were in the unfortunate situation of having both lifts at Hereford Court out of service. Both breakdowns were due to the failure of very old components that are now obsolete. The first lift required a component to be sent away for repair. When the second lift went down during the early hours of the Saturday night, our contractors Liftec attended promptly but found that an original 1960's component had disintegrated. The engineer was not able to repair this lift straight away, and finding a suitable substitute part was quite a challenge given the timing of the breakdown. However, Liftec were able to draw on their stock of spare parts saved from old lifts that have been replaced and a replacement part was sourced and fitted by the following Monday morning, returning the lift to service. Both lifts were in service by 19th August. We are always concerned about the impact on our residents when a lift is out of order. We are aware that many of our residents have health issues or are older people and using several flights of stairs is not always an option for them. When two lifts go down, this can have a very serious impact on residents with mobility issues. In view of this we do aim to provide the support and assistance that residents need to manage when lifts are out of service. We will provide emergency accommodation in cases where people really can not manage and have no where else to stay. In other cases we may help with shopping and keep a check on people who so not have anyone else to help them. On Saturday 9th August while the lifts were out of action a council officer attended Hereford Court and tried to make contact with residents who we knew would find it difficult to manage without the use of a lift. She put up posters so that anyone who had difficulties who she had not made contact with could contact us over the weekend. This incident demonstrates the importance our lift replacement programme. Hereford Court is due to be replaced in this financial year. This lift replacement programme started in 2011 and so far 9 lifts have been replaced and 2 are in progress. The programme runs to 2019 and there are 43 more lifts that need to be replaced.

The lift replacement programme is reviewed annually in conjunction with High Rise Action Group. If a lift starts to break down more frequently and/or parts become obsolete it may need to be brought forward in the programme.

- 12.2 Mr K Cohen referred to the flood at Nettleton Court and Dudeney Lodge, and said that everyone had been very happy with the way it had been handled and thanked the Council staff and Mear's employees for what they did.
- 12.3 Councillor Morgan thanked officers and Mears for the way the matter was dealt with, but asked why it had happened in first place and why the problems hadn't been noticed before. Councillor Mears asked what surveys had been carried out prior to the flooding. Mr Sharma said that a lot of work had gone into dealing with the situation and lessons had been learnt. He suggested that a paper be brought to the next meeting providing more detail on what had happened.
- 12.4 A member of the public asked to speak. The Chair said she would use her discretion and allow them to speak. The member of the public referred to the lifts at Hereford Court and said that only one lift was now working. Ms R Chasseaud, Head of Tenancy Services, said that one of the lifts had recently stopped working; she would find out further information and advise the members of the Sub Committee.

13. CALL-OVER

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

14. PUBLIC INVOLVEMENT

- 14.1 (a) There were no petitions
(b) There were no written questions
(c) There were no deputations

15. ISSUES RAISED BY MEMBERS OF THE SUB COMMITTEE

- 15.1 (a) There were no petitions
- 15.2 (b) A written question was submitted by Mr C Penrose (Sheltered Housing Action Group). The item was taken as read at the meeting. The question and response was as follows:

Question

At the Sheltered Housing Action Group meeting held on 10th July concern was shown when the decent homes standard was due to be completed by December 13th 2013. We question this timing as we still have tenants in sheltered housing having to share bathing facilities with 3 other tenants. Sanders House 12 tenants and Evelyn Court has 14 tenants. Also Evelyn Court were to have a new boiler fitted in 2012 and that has been delayed indefinitely. We were fortunate to have Councillor Randall present at this meeting who expressed a wish to visit Evelyn Court and his comments will be

appreciated. We feel that if Evelyn Court cannot be improved to a decent homes standard, it will be a severe blow to S.H.A.G. and diminish our purpose to improve the standards our tenants deserve. We would appreciate a report on the condition of sheltered housing considering the age of some of the properties. Leach Court opened in 1974, Woods House in 1975. Original government guide lines were 25 years old for a replacement kitchen and 30 years for a replacement bathroom. I was informed at the City Assembly in May that the goal posts had been moved, now 30 years for kitchen and 40 years for a bathroom. When did this happen and by whose authority? Clarification of this would also be appreciated.

Response

The Housing Team and in particular Sheltered Housing are committed to improving our sheltered housing service. Following our presentation at the HMCSC in March we've started reviewing our sheltered service with the help of the Chartered Institute of Housing (CIH). One of the important reasons for reviewing our service is the anticipated rise in the 'very old' population in Brighton & Hove. Already a third of our sheltered tenants are over 80. As people in this higher age group are likely to need more assistance due to physical frailty, chronic conditions and/or multiple conditions (including dementia) we need to ensure that both our sheltered service and the scheme buildings are able to sustain them. The CIH have been asked to look at models of support that link more to the work of health and social care in supporting the very old remain independent and well in their home. A review of our scheme buildings will help us better plan our investment programme to meet the needs of the ageing population.

Update on works

The council has spent over £1 million on upgrading many of the sheltered blocks, where it has been relatively straight forward and cost-effective to do so. This includes Hazelholt, Laburnum as well as upgraded heating systems at Walter May House, including free solar hot water. The council is currently on site at Jubilee Court and Lindfield Court doing similar works. Despite some design challenges to be overcome at Sanders Court, which will be worked on over the next few months, the council will be looking to convert the existing 12 shared facility flats to self-contained (subject to resident agreement), along with a possible communal boiler replacement and solar panels. Economic Development and Housing Teams are currently evaluating the regeneration options of Evelyn Court and it is anticipated that these will be adequately progressed for presentation to Members at an imminent HSCMC.

Properties with shared facilities

Some flats do still have shared facilities and work is underway to address this in a number of areas. Properties such as these would not fail decent homes on this basis as sometimes it is not possible to make the required improvements to properties for physical or planning restrictions. The Decent Homes guidance published by government allows for these cases.

Sheltered housing and decent homes

Sheltered housing is not exempt from decent homes and a large amount of improvement works have been undertaken to sheltered properties. The council is undertaking a project reviewing the Brighton & Hove Standard for works after the achievement of decent homes. As part of this work council officers will be meeting with the Sheltered Housing Action Group and Tenant Disability Network to see whether there

are specific items that they would like to see built into the standard. This will look at the potential for delivering elements of “lifetime homes” through the standard in the future.

Disabled adaptations and the decent homes standard

Changes to the Brighton & Hove Standard in relation to which properties benefit from new kitchens and bathrooms under the council’s investment programme were agreed at Housing Committee in June 2012. This report proposed changes so that where a tenant has had a substantial adaptation carried out (for example a wet room or level access shower) this is not taken into account when assessing whether the property should have a kitchen or bathroom replacement. In practice this means that if the bathroom was substantially adapted and the kitchen was old and in poor condition then the kitchen would be replaced under the council’s investment programme. The changes proposed were discussed and supported by the Repairs & Improvement Partnership Core Group and a meeting of the Tenant Disability Network and the Repairs and Maintenance Monitoring Group.

- 15.3 Mr Penrose thanked the Chair for the response, and asked if after considering the response he could submit a further question on this matter. The Chair agreed.
- 15.4 (c) There were no Letters
- 15.5 (d) There were no Notices of Motion.

16. ANTI-SOCIAL BEHAVIOUR

- 16.1 Mr R Jordan-Penswick, Anti-Social Behaviour Manager, gave a presentation on how anti-social behaviour (ASB) was dealt with.
- 16.2 Mr Jordan-Penswick said that ASB was one of the most important issues for tenants of social housing. Its impact could be very serious and far reaching and it damaged lives and communities. One person committing acts of ASB could destroy the quality of life for an entire area and bring misery to their neighbours. It was consistently one of the top three priorities for tenants in surveys carried out country wide. Legislation placed a statutory duty on local authorities to "do all it reasonably can to prevent crime and disorder in its area" and to publish policies and procedures on how they would do this. The Housing service would not tolerate acts of nuisance and antisocial behaviour and would take prompt, robust and assertive actions to tackle each situation as quickly as possible using appropriate enforcement and support measures. Most reports would come via customer contact centre. The Customer Contact Officers would then decide if the report was to be treated as ASB or nuisance. A risk assessment would be carried out and the matter referred to the relevant team; either the Tenancy Officer Team and or the ASB Team. The Tenancy Officer Team dealt with low and medium level ASB, such as garden nuisance, noise complaints, behaviour arising out of substance dependency or misuse or family members etc. There were 10 Tenancy Officers currently holding 189 open ASB cases. Their role was to investigate the case, establish the facts on the balance of probabilities and resolve the case by bringing an end to the nuisance through using the tools and powers and support interventions that were available. The ASB Team dealt with high level ASB cases which affected more than one household or were more serious or complex in nature. Work processes were the same for both Teams. On referral the Case Officer would assess, evaluate and establish an action plan which

would address the needs of that particular situation and which established a comprehensive package of measures to address any offending behaviour and any support or diversionary needs. The clear priority was to bring an end to the ASB as quickly as possible. The working approach had to be thorough, transparent and able to withstand detailed scrutiny. Officers must be able to show that they had thoroughly addressed the complaints with the perpetrator and given them a chance to change their behaviour. The key principles to the casework were a combination of enforcement/support and victim support. With regard to enforcement action there were many powers and legal remedies which could be used by the council and the police. These included Acceptable Behaviour Contract (ABC), Antisocial Behaviour Order (ASBO) Warnings (written and verbal) and informal action such interviews and letters. Mediation, Fixed penalty notices, Parenting Orders, Individual Support Orders, Injunctions, Forfeiture, noise Abatement Notices, Dispersal Powers, Crack House and Property Closure Orders, Introductory tenancies, Demoted Tenancies and ultimately repossession and eviction. There were often significant underlying problems which contributed to a person's anti-social behaviour, such as mental health issues, anger management, lack of parenting skills, lack of perception of what is acceptable behaviour, substance dependency (alcohol / drugs) etc. It was important not just to stop the anti-social behaviour but also to tackle its root cause. In recent years it has become increasingly clear that services were not focussing sufficiently on the needs of the victim of ASB and the impact that it was having on the individual victim. Brighton and Hove made the decision to be at the front of pushing for change and so the Council signed up to work alongside the Home Office and four other authorities to develop new ways to provide enhanced victim support and better joint case working with the police and other agencies. The result was that in 2010 we introduced new services. Officers now assessed the impact the ASB was having on victims. If they were assessed as being at high or medium risk the council officer would discuss and agree risk reduction measures which would be put in place without delay. One specific officer was assigned to the victim to act as the regular point of contact between the victim and all agencies. Together with the police and the community safety team we have established a highly integrated case management system where all agencies can jointly work on each case through one unified computer data system, which had proved to be highly effective. We meet formally with the other agencies each month to action plan all high risk cases.

A new ASB Bill was currently working its way through Parliament, and the current powers would be replaced with just four new Orders; Criminal Behaviour Order (replacing ASBO), the Crime Prevention Order (replacing Injunctions and Individual Support Orders), Level 1 Community Protection Order (replacing Noise abatement notices, Litter Clearing Notices*, Graffiti/Defacement Removal Notices) and level 2 Community Protection Orders (replacing Premises Closure Orders, Crack house Closure Orders). The Bill was anticipated to become law in 2013 / 2014.

- 16.3 Councillor Morgan thanked Mr Jordan-Penswick for the presentation and the work his team did. Councillor Robins asked how victims were helped. He was advised that appointing one case officer to liaise with the victim had been transformative; contact was made with 24-48 hours and regular contact was maintained thereafter.
- 16.4 Ms Gray said that some elderly tenants could be too frightened to report a matter and asked what the best way was to report a matter. Mr Jordan-Penswick advised that people either report an incident to his team or contact the police. Officers now shared a

joint case management system with the police and so information was share. If necessary a report could be anonymous.

- 16.5 Councillor Shanks asked if officers helped to mediate between neighbours, and was advised that mediation was always a first option.
- 16.6 Mr Cohen said that he was aware of an ongoing case where it had taken a considerable length of time for a tenant to be served with a Notice to Quit and asked why cases could take so long to be concluded. Mr Jordan-Penswick said that each case was different, and all interventions would be considered but if a Notice to Quit was served it would then be for the Courts to award a Possession Order.
- 16.7 Mr Jordan-Penswick said that a report would come to future meeting of the Sub Committee once the Bill became law.

17. APPROACH TO NEIGHBOURHOODS

- 17.1 Mr Keelan, Neighbourhoods Manager, gave a presentation on the Council's approach to Neighbourhoods. The Neighbourhoods Team were auditing estates to look for potential problems and areas for improvement. Tenants could contact the team if they had any concerns or suggestions.
- 17.2 During a person's first year of tenancy they would be visited three times to ensure they were keeping to the terms of their tenancy agreement, and would then be visited every three years thereafter. Any issues or problems would then be referred to other teams or agencies where appropriate. Maps identifying all council properties were used by the team who worked on a ward basis.
- 17.3 Mr Keelan gave examples of the work of the Team. An example of the Ingram Estate with plastic wall coverings, covered in algae and looking unpleasant was presented. The Team were arranging for these parts of the buildings to be cleaned. The cost of the work was very low, but it transformed the front of the building. The Team held regular campaigns and a recent campaign concerned the state of residents' balconies. Some people used that area for storage and it could look very messy and become an eyesore for other residents. The Team had taken on the delicate job of asking people to tidy their balconies. Where necessary help and support was provided to tenants, such as assisting with disposing of goods which had been stored on balconies for some time. Fire Safety was another area the team was involved with; advising tenants on keeping common ways clear etc. There was some social housing which had been identified as areas of deprivation, and the Neighbourhood Team worked with tenants in those areas to support them. One area which had been identified was Kingswood Flats, and work had started with the tenants. The type of support provided included help in getting people into back into employment, assistance with education or even the provision of shared allotments etc. The Neighbourhood Team worked with different partners such as Community Payback, food banks, money advice centres, residents associations and

local community groups. This was a big project and the Sub Committee would be kept updated with progress. Mr Keelan said that the Neighbourhood Team could be contacted via email at Housing.CustomerServices@brighton-hove.gov.uk or by telephone on 01273 293030.

- 17.4 Councillor Mears thanked Mr Keelan for the presentation, but had two areas of concern. The first was that the Team were preparing maps and she asked if there wasn't already a definitive list of properties. The second area of concern was that the Neighbourhood Team was being funded from tenants' rent. Councillor Mears was advised that the Council did have a list of all properties it owned, but needed to clarify which ones were from the General Fund and which from the Housing Revenue Account. A list would be provided to the Sub Committee in due course. Councillor Morgan said that the work of the Neighbourhood Team was invaluable, and the quality of the environment in estates was important and could impact on levels of anti social behaviour.
- 17.5 Councillor Peltzer Dunn noted the work of the team with regard to fire safety to ensure common ways were kept clear, and that some tenants had a problem of where they could store their mobility scooters. The Chair said that was important issue and asked if an update could be provided on this matter at a future meeting.
- 17.6 Councillor Robins referred to the issue of fire safety, and said he had spoken with a fire officer who had informed him that walls covered in numerous coats of paint could itself be a fire hazard and asked if that was an issue being considered by the authority. He was advised that an action plan was being prepared with the Fire Service to look address issues such as this. When the action plan was completed it would be brought back to the Sub Committee.

18. HOUSING MANAGEMENT PERFORMANCE REPORT QUARTER 1 2013/14

- 18.1 The Sub-Committee considered a report of the Executive Director – Environment, Development & Housing on Housing Management Performance Report Quarter 1 2013/14. The report was presented by Ms Dafe, the Head of Income, Involvement & Improvement (Housing).
- 18.2 Councillor Peltzer Dunn thanked officers for the report and the information provided. He referred to paragraph 4.0 and suggested that the figure of £764,990 be referred to as 'arrears' and not 'Rent collected as proportion of rent due each year (current balance £764,990)'. Councillor Peltzer Dunn referred to paragraph 4.2 and the reference to properties with an up to date gas certificate, and asked why the number of properties fluctuated. Officers advised that the number varied as some properties were sold, some had recently had gas installed etc.
- 18.3 Councillor Peltzer Dunn referred to Appendix 2, and noted that two properties in Westbourne had been empty for 715 days. He accepted there would be delays with any major refurbishment, such as having to obtain planning permission, but asked why it was taking so long. The Head of Housing was unable to provide an answer at the meeting, and said more information would be provided later. Councillor Peltzer Dunn then referred to the number of households affected by the under occupation charge and the total arrears from under occupying households, and was concerned that the figures weren't consistent. Officers said the number of those affected by under occupation was

constantly changing as people's circumstances altered. Some tenants had moved out of council properties, or had completed a mutual exchange, or were no longer in receipt of Housing Benefit etc and so the figures would not remain constant. The Chair agreed that the information in the report could be clearer and asked that the next report provide more information.

- 18.4 Councillor Mears referred to Appendix 1 and asked why so many properties were being transferred to Seaside Homes when there were so many people on the waiting list for properties. The Head of Housing said that a review was currently being undertaken on the criteria for transferring properties, and the Sub Committee would be advised once the review had been completed. Councillor Mears was concerned that the format of the report had changed, and was advised that any amendments had only been made following requests from the Sub Committee.
- 18.5 Councillor Mears referred to paragraph 4.4.1 which gave the number of Anti-Social Behaviour incidents by ward, and asked why the number in East Brighton was comparatively high. The Chair said that the level of deprivation within the city varied and that could impact on the level of anti-social behaviour. The Chair suggested that it would be useful to have more information on the type of incidents.
- 18.6 Ms Hayes referred to under occupancy of properties and, as there were many people who were waiting for larger properties to become available, asked if those who were under occupying were being encouraged to move. Officers confirmed that a significant amount of work was being done to support those who were under occupying properties to move. In particular there was the Transfer Incentive Scheme (TIS), which provided assistance with all aspects of moving, such as the cost of the move, buying new carpets etc.
- 18.7 Councillor Shanks asked if any events were being held to publicise the TIS. Officers advised there were, and one was recently held to promote mutual exchange of properties. The event had been very successful and more were being planned.
- 18.8 Mr Penrose referred to paragraph 4.1 and asked if the figures included properties in Sheltered Housing, as he was aware of one property which had been empty for a year as the tenant had been moved into care and did not have the mental capacity to end the tenancy on their flat. Officers said that the issue of mental capacity and giving up tenancies was complex, and there were a number of cases under review at the moment.
- 18.9 **RESOLVED: That the Housing Management Consultative Sub Committee noted the report.**

The meeting concluded at 5.45pm

Signed

Chair

Dated this

day of