



**Brighton & Hove
City Council**

Housing & New Homes Committee

Title:	Housing & New Homes Committee
Date:	11 November 2015
Time:	4.00pm
Venue	Friends Meeting House, Ship Street, Brighton - Friend's Meeting House
Councillors:	Meadows (Chair), Hill (Deputy Chair), Mears (Opposition Spokesperson), Gibson (Group Spokesperson), Atkinson, Barnett, Lewry, Miller, Moonan and Phillips
Contact:	Caroline De Marco Democratic Services Officer 01273 291063 caroline.demarco@brighton-hove.gov.uk
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AGENDA

PART ONE

Page

34 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest:

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

***NOTE:** Any item appearing in Part Two of the Agenda states in its heading 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 exempt categories is available for public inspection at Brighton and Hove Town Halls.

35 MINUTES OF THE PREVIOUS MEETING

7 - 26

To consider the minutes of the meeting held on 23 September 2015 (copy attached).

36 CHAIR'S COMMUNICATIONS

37 CALL OVER

HOUSING & NEW HOMES COMMITTEE

- (a) Items 40 to 43 will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

38 PUBLIC INVOLVEMENT

27 - 28

To consider the following matters raised by members of the public:

- (a) **Petitions:** to receive any petitions;
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the 4 November 2015;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 4 November 2015 (copy attached).

39 ISSUES RAISED BY MEMBERS

To consider the following matters raised by councillors:

- (a) **Petitions:** to receive any petitions submitted to the full Council or at the meeting itself;
- (b) **Written Questions:** to consider any written questions;
- (c) **Letters:** to consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Council or submitted directly to the Committee.

40 RESPONSE TO THE TENANT & RESIDENT SCRUTINY PANEL ON RESPONSIVE REPAIRS

29 - 48

Report of Acting Executive Director Environment, Development & Housing (copy attached).

Contact Officer: Glyn Huelin
Ward Affected: All Wards

Tel: 01273 293306

41 RESPONSE TO SCRUTINY PANEL REPORT ON PRIVATE SECTOR HOUSING

49 - 92

Report of Acting Executive Director Environment, Development & Housing (copy attached).

Contact Officer: Martin Reid
Ward Affected: All Wards

Tel: 01273 293321

42 SENIORS HOUSING SCHEME REVIEW

93 - 106

Report of Acting Executive Director Environment, Development &

HOUSING & NEW HOMES COMMITTEE

Housing (copy attached).

Contact Officer: Simon Pickles

Tel: 01273 292083

Ward Affected: Hanover & Elm Grove

43 FORMER OXFORD STREET HOUSING OFFICE - REVIEW OF FUTURE OPTIONS **107 - 116**

Report of Acting Executive Director Environment, Development & Housing (copy attached).

Contact Officer: Simon Pickles

Tel: 01273 292083

Ward Affected: St Peter's & North Laine

44 HOUSING AND PLANNING BILL - PRESENTATION

45 ITEMS REFERRED FOR FULL COUNCIL

To consider items to be submitted to the 17 December 2015 Council meeting for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting

PART TWO

46 PART TWO MINUTES **117 - 120**

To consider the part two minutes of the meeting held on 23 September 2015 (copy circulated to Members only).

47 PART TWO PROCEEDINGS

To consider whether the items listed in Part Two of the agenda and decisions thereon should remain exempt from disclosure to the press and public.

HOUSING & NEW HOMES COMMITTEE

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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

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Date of Publication - Tuesday, 3 November 2015

BRIGHTON & HOVE CITY COUNCIL

HOUSING & NEW HOMES COMMITTEE

4.00pm 23 SEPTEMBER 2015

FRIENDS MEETING HOUSE, SHIP STREET, BRIGHTON

MINUTES

Present: Councillor Meadows (Chair); Councillors Hill (Deputy Chair), Mears (Opposition Spokesperson, Gibson (Group Spokesperson), Atkinson, Barnett, Lewry, MacCafferty, Miller and Moonan.

PART ONE

17 PROCEDURAL BUSINESS

17a) Declarations of Substitutes

17.1 Councillor MacCafferty declared that he was attending as a substitute for Councillor Phillips.

17b) Declarations of Interests

17.2 There were none.

17c) Exclusion of the Press and Public

17.3 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.

17.4 **RESOLVED** - That the press and public be excluded from the meeting during consideration of the item contained in part two of the agenda.

18 MINUTES OF THE PREVIOUS MEETING

18.1 Councillor Mears referred to paragraph 2.4. She was pleased to see a report on Supporting People on the agenda but had also asked for a report on the Oxford Street Housing Office. Councillor Mears referred to paragraph 13.6 and stated that she had

had no response to her query about office accommodation in Bartholomew House for Housing Services staff.

- 18.2 The Acting Director Environment, Development & Housing explained that there would be a report on Oxford Street at the next meeting of the Committee. The consultation period on the Housing Services staff accommodation at Bartholomew House had just closed. There would be a report on the outcome when the process was completed. The Acting Director confirmed that there would be no moves until the consultation responses were reviewed.
- 18.3 Councillor Gibson referred to paragraph 8.27 which stated that 2 members had abstained from voting. Councillor Gibson reported that Councillor Philips abstained from voting but he had supported the Findon Road scheme.
- 18.4 Councillor Gibson referred to paragraph 13.7 which stated that he considered that there needed to be robust evidence to show that call centres were cost effective. Councillor Gibson stated that he had been talking in terms of customer satisfaction rather than cost effectiveness. He was concerned that the quality of service was sustained.
- 18.5 Councillor Gibson referred to paragraph 14.10 and stated that this should read '...scheme costs per **square** metre'.
- 18.6 Councillor Miller referred to paragraph 8.1 in relation to the Findon Road scheme. He asked if there could be a breakdown of costs. The Acting Executive Director Environment, Development & Housing replied that officers could supply costings of the site.
- 18.7 **RESOLVED** - (1) That the minutes of the Housing Committee held on 17 June 2015 be agreed and signed as a correct record subject to the amendments outlined in paragraphs 18.3, 18.4 and 18.5 above.

19 CHAIRS COMMUNICATIONS

- 19.1 The Chair reported that all Committee members would have received the latest edition of the New Homes for Neighbourhoods Update, which reports progress with the council's programme of building much needed new homes across the city. Some hard copies were also available at the Committee meeting.
- 19.2 The Chair reported that she was very pleased to open 2 new wheelchair accessible family bungalows this summer, both of which had now been let.
- 19.3 The Chair reported that another 77 new council homes for affordable rent were now being built at six sites in Brighton, Hove and Portslade, with more in the pipeline.

20 CALL OVER

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

21 PUBLIC INVOLVEMENT

21.1 There were no petitions, written questions or deputations from members of the public.

22 ISSUES RAISED BY MEMBERS

22.1 There were no Petitions, Written Questions, Letters or Notices of Motion from Councillors.

23 NEW HOMES FOR NEIGHBOURHOODS - SMALL SITE STRATEGY

23.1 The Committee considered the report of the Acting Executive Director Environment, Development and Housing which sought approval for a fourth pilot under the small site strategy; to test whether system and modular build can achieve economic and viable development on other small, challenging sites, in order to help meet the target of 500 new homes on Housing Revenue Account (HRA) land. The report also updated the new Housing & New Homes Committee on the first three small site strategy pilots. All proposed schemes coming out of these four pilots would be reported back to the Committee for approval before they proceeded. The report was presented by the Estate Regeneration Project Manager.

23.2 Councillor Atkinson commended the report and the imaginative projects. He considered it important to make best use of the space available for such schemes.

23.3 Councillor Mears asked for it to be recorded that she had not been invited to the site visit to see the KSD system & modular build project undertaken by Lewes District Council. She suggested that site visits could be arranged for Housing & New Homes Committee members to see some examples of such schemes.

23.4 Councillor Mears stressed that garage sites were reviewed in 2010, and there was a need to push forward with the schemes. Councillor Mears noted that £5 million had been set aside in the HRA and asked how this was to be used.

23.5 The Acting Executive Director, Environment, Development & Housing explained that a cross party board had visited the Lewes site. He was happy to look at ways in which the Committee were provided with as much information as possible. The Acting Executive Director explained that unfortunately, the Finance Officer had not been able to attend the meeting due to illness. He would therefore have to come back with the information relating to the query about £5 million being set aside in the HRA. A breakdown would be provided.

23.6 Councillor Miller welcomed the three original options, especially the self build project. He also supported Councillor Mears suggestion to visit modular building schemes in other authorities. Councillor Miller suggested bigger as well as smaller sites to maximise value for money.

23.7 Councillor MacCafferty stated that there had been discussions with architects with regard to these projects particularly the RIBA competition. There would be more certainty when the City Plan was adopted in December. The Economic Development and Culture Committee was working in tandem on these projects.

23.8 Councillor Gibson welcomed the report. He hoped that the options could be explored as soon as possible and that visits to schemes could be arranged. Councillor Gibson was pleased to hear about new building techniques which would lead to lower costs and more affordable rent.

23.9 RESOLVED:-

- (1) That progress be noted with Pilots 1-3: the RIBA design competition, co-operative housing and Passivhaus pilots to develop new rented homes on small, challenging sites under the New Homes for Neighbourhoods small site strategy.
- (2) That approval be given to the proposed Pilot 4 proposal set out in paragraphs 3.9 to 3.15 of the report to invite proposals from potential development partners for modular or system built new homes on small, challenging council housing land sites; such proposals may involve leasing of Housing Revenue Account (HRA) land but any scheme would be subject to prior Housing & New Homes Committee approval and any lease to Policy & Resources Committee approval as set out in paragraph 3.11.

24 REVIEW OF THE COUNCIL'S HOUSING ALLOCATION POLICY

- 24.1 The Committee considered the report of the Acting Executive Director Environment, Development and Housing which proposed that the council carried out a fundamental review of the policy used to allocate council housing and to nominate to housing associations. This would mean developing a new Housing Allocations Policy in consultation with a number of statutory and voluntary sector organisations. Residents would also be key stakeholders in the development and consultation of the policy. This was to ensure that the council made the best use of the limited housing resources available. The review would be subject to full ratification at a future meeting of the Committee. The report was presented by the Service Improvement Manager.
- 24.2 Councillor Mears referred to paragraph 3.5 which stated that the current policy did not conform to the latest government guidance. She felt it would have been helpful to have seen the latest policy guidance. Councillor Mears referred to the last two lines of paragraph 3.6 and said she wanted to see the pilot evaluation reported back to the Committee.
- 24.3 Councillor Barnett stated that she welcomed the new review. She was aware that all over the city business people were being housed in social housing. The Service Improvement Manager replied that there were financial caps to deal with fraud. The Chair informed Councillor Barnett that it would be helpful if she was to pass on details of cases that concerned her to officers.
- 24.4 Councillor Miller welcomed the government approach to charge full rent if earnings were £30,000 or more. He welcomed the review and noted that 22,000 were currently on the waiting list. Councillor Miller asked if officers had considered looking at whether some of these people had now moved away. He agreed that there should be focus on those people who would make a positive contribution and who were in most dire need.

- 24.5 The Service Improvement Manager explained that a future report could suggest options for everyone to re-register, caps on income and positive contribution along with other options. The aim was to provide clarity on what decisions could be made by members.
- 24.6 Councillor Atkinson stated that he received many queries about the policy and welcomed the review. He also welcomed the possibility of being able to understand the pieces of legislation behind the policy.
- 24.7 Councillor Gibson referred to paragraph 1.1 which stated that there was a need to ensure the council made the best use of the limited housing resources available. He asked what was meant by 'best use'. He wanted to know by what criteria the review would be measured against. The Head of Temporary Accommodation & Allocation replied that there were several criteria used to allow the list to get down to a manageable size. Subject to the consideration of legal criteria it was up to the council to decide on priorities. For example, the council might want to use the allocations policy to save money in terms of homelessness and to concentrate on housing people on low incomes. There would be a range of options that would be brought to a future meeting.
- 24.8 **RESOLVED:-**
- (1) That a review and consultation of the Policy used to allocate social housing in the city be approved.
 - (2) That a new Housing Allocation Scheme is submitted for approval to a future Housing & New Homes Committee by the end of March 2016.

25 ALLOCATION OF TEMPORARY ACCOMMODATION POLICY

- 25.1 The Committee considered the report of the Acting Executive Director Environment, Development and Housing which stressed the need to manage the demand for temporary accommodation at a time of budget reduction. There was a need to procure and place households in good quality accommodation and this was increasingly out of the city. The report outlined how the council would allocate temporary accommodation, within and outside of the city, and presented the policy for adoption. The report was presented by the Service Improvement Manager.
- 25.2 Councillor Mears stated that she could not see any details of consultation in the report. She referred to paragraph 1.4 which related to a recent Supreme Court case. Councillor Mears asked what had happened up to now and who was carrying out the checks on how many families had been moved out of the city. Her concern was not about moving people to local towns such as Eastbourne. She was more concerned about people being moved further afield and would not be happy to support the proposal until she had seen details identified in a report.
- 25.3 The Service Improvement Manager explained that if the council failed to have a policy it was in danger of a legal challenge in every case where a person was placed outside of the city. The longer the decision was delayed the more likely a challenge would occur. This could have a huge impact on finding local accommodation. Some people such as victims of domestic violence, wanted to be placed further away. There had been

ongoing consultation for a number of years. The current report was ratifying the situation.

- 25.4 Councillor Mears asked for clarity regarding where the boundaries would be for placing people outside of the city. The Interim Head of Housing explained that members were being asked to agree a policy framework on which decisions are taken. It was a criteria they were being asked to agree not a location. Location was dependent on affordability for the council and the tenant. Brighton was a hotspot for high housing costs. Cheaper housing was found in the near vicinity and families were being placed in areas such as Peacehaven and Newhaven. Recent government reforms would make this situation more difficult. The Interim Head of Housing confirmed that if a policy was agreed the council could not be challenged in court.
- 25.5 Councillor Moonan stressed that it was the reality that the city had higher rents. There was a need to identify people in the highest need and to supply appropriate accommodation.
- 25.6 Councillor Barnett asked if the council would pay moving expenses for people to be relocated out of the city. She was concerned at the effect on people's health and for children who would be taken out of their schools to re-locate. Councillor Barnett was concerned that the policy would lead to mental health problems.
- 25.7 The Service Improvement Manager explained that an assessment would consider education and health needs. This was all contained in the policy. Even if the council could afford suitable accommodation in the city, it was difficult to find. The council could not procure enough accommodation from private landlords. Meanwhile, many people were travelling into the city for schooling, colleges and work. The policy would allow people in the greatest need to stay in the city. Not all cases were vulnerable people.
- 25.8 Councillor Miller referred to page 59, Group C (Location of temporary accommodation). He had concerns about this section. Meanwhile, Group A would only include children in year 11. Councillor Miller felt that the council could be far more inventive about the use of accommodation within the city. For example, he asked if studio flats and new homes for neighbourhood properties could be used as temporary homes; or whether four bedroom properties could be split into smaller units.
- 25.9 The Head of Temporary Accommodation & Allocation assured Councillor Miller that officers had explored every option. There was very little suitable private rented property in the city. The rent of a one bedroom flat averaged £875 to £900 a month. There was a 10% increase projected next year. Affordability was getting more out of people's reach. Officers were maximising the amount of accommodation in the city and were looking further afield. Because the housing benefit rate was static there was a gap between what income was obtained and the money required for leases.
- 25.10 The Interim Head of Housing referred to pages 40 to 41 of the agenda. These pages gave details of placements. Over the last two and a half years the numbers of households outside the city boundaries had increased. There were 1449 homeless households in temporary accommodation. The council had looked at a number of initiatives to reduce costs. For example, the use of Brighton & Hove Seaside Homes properties.

- 25.11 Councillor Miller asked why people who were allocated one bedroom flats could not be given studio flats. The Interim Head of Housing replied that new models would be brought back to a future meeting. Every option was being explored.
- 25.12 Councillor Lewry expressed concern that Brighton & Hove was pushing problems onto other councils. The Service Improvement Manager stressed that the council would keep people in the greatest need in the city, or prioritise them so that they were returned to the city as soon as possible. In terms of procurement, the council were already working with Lewes District Council.
- 25.13 The Interim Head of Housing stressed that the council had a statutory duty to notify the receiving authority. The council took its responsibility with other local authorities very seriously. The council did work closely with other local authorities in a co-operative way.
- 25.14 Councillor Hill mentioned that there had been a recent report on how much it cost to rent and buy in the city. She shared Councillor Barnett's concern about the effect of the policy on children. Councillor Hill referred to paragraph 3.5 of the report which stated that the potential for more vulnerable households to become homeless was increasing. Councillor Hill stated that a great deal of the problems were caused by welfare reforms.
- 25.15 Councillor Gibson considered the report to be thorough. He paid tribute to officers in terms of expanding temporary accommodation. He agreed that there was a need to be inventive and creative, with welfare reforms placing a cap on allowances. For example, there had been discussions about a good landlord scheme, which might lead to a small improvement in expanding the supply of private sector landlords. Tenants could be matched with landlords and there could be a commitment from landlords to continue the tenancy.
- 26.16 Councillor Atkinson stated that many private landlords only wanted to rent their properties to professional people. All councillors wanted to keep accommodation in the city but there was a need to take account of the current financial situation. Councillor Atkinson asked for more information about resettlement. He hoped the policy could be monitored and reviewed carefully on a regular basis.
- 26.17 Councillor Gibson agreed that the policy and criteria needed to be monitored. He wanted to know how many people these options affected. He would like to see this information in due course. The Service Improvement Manager replied that the policy would only be instigated if the council did not have accommodation when the person concerned needed to be housed. Officers could bring back a monitoring report on the numbers of people placed inside and outside the city.
- 26.18 The Chair stated that a monitoring report would be very useful and agreed that this should be in six months.
- 25.19 **RESOLVED:-**
- (1) That the Allocation of Temporary Accommodation Policy set out in Appendix 3 of the report be adopted.

26 REVIEW OF THE LONG LEASE HELD BY THE BRIGHTON LIONS AT LIONS COURT

- 26.1 The Committee considered the report of the Acting Executive Director Environment, Development and Housing which informed Members that the Brighton Lions, through its Housing Society, were leased council (Housing) land at Manor Way, Brighton in 1968 in order to build affordable residential accommodation to rent. They built 30 older peoples flats which they managed. The Brighton Lions now wished to buy the freehold to enable them to grow and invest in new projects. The Brighton Lion's Manor Way scheme supported the council's housing strategy and sale of the freehold would provide a capital receipt that could be used to subsidise the housing capital programme. The report was presented by the Housing Stock Review Manager.
- 26.2 Councillor Miller asked why only one valuation had been obtained for the freehold. He also asked why an accurate valuation had not taken place shortly before the Committee decision was made. The Housing Stock Review Manager replied that the valuation had been negotiated by external chartered surveyors. Paragraph 7.1.3 of the report set out how the current freehold price was agreed between the relevant chartered surveyors in April 2015. The delay had been caused by the timing of the committee cycle.
- 26.3 Councillor Mears commented that she had previously been a ward councillor in the Manor Way area. It was a well kept area and residents were happy in Lions Court.
- 26.4 Councillor Moonan asked how the Brighton Lions allocation policy matched up to the council's allocation policy. The Housing Stock Review Manager referred to paragraph 3.2 of the report which related to the allocations process/nomination rights. This stated that the Brighton Lions operated their own waiting list. Applicants must be residents of Brighton and Hove, be over 55 years of age and have been resident for 5 years. Applicants are allowed up to £16,000 'liquid assets' but must not own a property. The Brighton Lions did not have a public scheme. They had a points scheme.
- 26.5 Councillor Moonan asked if the tenants who were allocated homes were people who would otherwise approach the council for help. The Housing Stock Review Manager confirmed that this was the case. The Brighton Lions were meeting housing needs in the city.
- 26.6 Councillor Gibson expressed disappointment that the council were not exercising 100% nomination rights. It was not known whether housing needs were being met by the nomination scheme of the Brighton Lions. Councillor Gibson was concerned that if the freehold was sold, the council was potentially losing an asset. He asked if any of the people housed by Brighton Lions were on the council housing waiting list.
- 26.7 The Housing Stock Review Manager replied that people were always advised to join the council housing list. Brighton Lions were a social housing provider who were committed to social housing.
- 26.8 Councillor Gibson asked if it could be confirmed that the rents charged by Brighton Lions were social rents. The Housing Stock Review Manager confirmed that rents charged would be social rents.

- 26.9 At this point in the proceedings the Chair drew Members' attention to two separate amendments to the recommendations that had been received from the Conservative and Green Groups.
- 26.10 Councillor Mears proposed the following amendment which was seconded by Councillor Miller:

Delete the word "housing" on line 3 in recommendation 2.4 and replace with the word "HRA" so it would read:

"That Housing & New Homes Committee recommends to the Policy & Resources Committee that it approves that the capital receipt be used to support the **HRA** capital programme."

- 26.11 Councillor Gibson proposed the following amendment which was seconded by Councillor MacCafferty:

Amend the recommendations by adding 1 new clause so that it would read:

Paragraphs 2.1 to 2.4 unchanged.

Add

"2.5 The Housing & New Homes Committee negotiate a fixed % of nomination rights and report back to Housing & New Homes Committee for final authorisation to proceed with the sale."

- 26.12 The Chair pointed out that it was not in the power of the Housing & New Homes Committee to authorise the sale to the Brighton Lions. This was the responsibility of the Policy & Resources Committee.

- 26.13 The Interim Head of Housing suggested that the Committee might want to consider an alternative amendment to set a condition on the sale so that new tenants housed in the scheme were on the housing register prior to their being housed. Paragraph 2.1 could be amended to add "subject to the Lions allocation scheme stating that new tenants should be on the Council's housing register". Councillor Gibson found this acceptable. He wished to see a tighter register and a tighter criteria for people on the housing list.

- 26.14 The Committee voted on paragraph 2.1 as amended below:

"That Housing & New Homes Committee recommends to the Policy and Resources Committee the sale of the freehold of Lions Court to the Brighton Lions for a consideration equal to its market value, in the sum of £670,000, **subject to the Lions allocation scheme stating that new tenants should be on the council's housing register.**"

- 26.15 The amendment was agreed by 8 votes for the amendment. There were two abstentions.

- 26.16 Members agreed recommendations 2.2 and 2.3, and then considered the Conservative amendment as follows:

"Delete the word "housing" on line 3 in recommendation 2.4 and replace with the word "HRA" so it would then read:

“That the Policy and Resources Committee be recommended to approve that the capital receipt be used to support the **HRA** capital programme. “ This amendment was agreed.

26.17 RESOLVED:-

- (1) That the Policy and Resources Committee be recommended to approve the sale of the freehold of Lions Court to the Brighton Lions for a consideration equal to its market value, in the sum of £670,000 subject to the Lions allocations scheme stating that new tenants will be on the council’s housing register.
- (2) It is agreed that if a decision is taken to sell the freehold, a restrictive covenant is placed on the land for social housing use only.
- (3) That it is noted that the council will be offered nominations by the Brighton Lions if they are unable to let a vacant flat.
- (4) That the Policy and Resources Committee be recommended to approve that the capital receipt be used to support the HRA capital programme.

27 HOUSING RELATED SUPPORT BUDGET & COMMISSIONING REPORT

- 27.1 The Committee considered the report of the Executive Director Adult Services, Acting Executive Director Environment, Development and Housing, Director of Public Health, and the Executive Director Children’s Services which provided information of the current position with regard to the Housing Related Support (HRS) Budget, HRS procurement activities and the development of the new Rough Sleeper Strategy. Housing Related Support Services were formally known as Supporting People services and incorporated Homeless Prevention Grant Funded services. These services aimed to prevent homelessness and provide support which help individuals move towards or maintain independent living. The report was presented by the Commissioning Officer, Rough Sleepers, Single Homelessness, Substance Misuse and the Head of Adults Assessment.
- 27.2 Councillor Mears stated that she was pleased to see a report on Supporting People, however there were a number of issues that concerned her. Councillor Mears referred to paragraphs 1.3 and 1.4 and stressed that the approach of working with commissioners was not new. It had been happening in housing for 10 years and in 2012 the council had been commended for work on rough sleepers. Councillor Mears referred to paragraph 3.6 which spoke about the impact of the overall budget reductions. She was concerned about the increased pressures on other services. Councillor Mears was particularly concerned about the proposals in paragraph 3.8 (Single Homeless Supported Accommodation) as there was already a waiting list of over 80 people. Councillor Mears considered that these proposals would increase the waiting list.
- 27.3 Councillor Mears referred to paragraph 3.10 (Mental Health Supported Accommodation) which she felt conflicted with paragraph 3.15 (Tiered Mental Health Pathway). Councillor Mears was concerned at the professional jargon used in the report and felt it was lacking detail. She noted that officers were indicating that there would be a £2 million budget cut and was concerned at the impact of cuts across the city. Councillor Mears felt that Housing & New Homes Committee members had little

control over budget matters and stressed that there was no longer an Adult Services Committee.

- 27.4 Councillor Mears considered that the role of councillors on the Committees was to address inequality. She asked if members were being asked to note recommendations that would lead to more deaths amongst homeless people. Councillor Mears emphasised that Supporting People had been ring fenced by a previous administration. She asked that it be recorded that that she was not prepared to note the report.
- 27.5 The Head of Adults Assessment informed members that the budget cut of £2 million was a Council decision not an officer decision. The Commissioning Officer, Rough Sleepers, Single Homelessness, Substance Misuse informed members that officers were aware of the impact of reductions in adult accommodation. Officers were trying to ensure that as much money as possible went into the single homeless account and were trying to fill the gap with initiatives such as the women only service and Housing First & Severe Weather Emergency Provision. Officers were trying to improve services that were being commissioned to reduce the impact of budget cuts. Mental health tired services were jointly financed and would be remodelled.
- 27.6 Councillor Mears referred to paragraph 3.11 which stated that the Rough Sleepers Outreach Service had been tendered and the contract awarded to St Mungos Broadway. To date she had not seen any details on contracts and was interested in knowing how the contract would be administered.
- 27.7 The Commissioning Officer, Rough Sleepers, Single Homelessness, Substance Misuse replied that she could come back with an overview of the contract. It was also possible to arrange for service providers to meet with Committee members or to attend a future committee meeting.
- 27.8 Councillor Mears stressed that previously the Housing Committee had been able to review all contracts. The Chair referred to paragraph 3.2 which stated that on 22 January, Policy & Resources Committee agreed to delegate authority to the Executive Director of Adult Services to procure and enter into any contract to secure effective delivery of support services for vulnerable people. Councillor Mears replied that the report should have been submitted to Housing Committee before being considered by the Policy & Resources Committee.
- 27.9 Councillor Moonan shared some of Councillor Mear's concerns and would have liked to see more detail in the report. Councillor Moonan agreed that the proposals would have a real impact on homeless people and rough sleepers. She acknowledged that there had been a great deal of good work in the past and a great deal of good practice at the moment. The administration had prioritised rough sleeping. There was a need to implement the remodelling of homeless services before quarter 3. This was a matter of urgency. Councillor Moonan reported on the Neighbourhood approach of the administration and of the important work of the Neighbourhoods, Communities and Equalities Committee. As Deputy Chair of that Committee she had special responsibility for homelessness. She stressed that Brighton & Hove was blessed with a rich diversity of voluntary sector organisations. She would link information to the Housing & New Homes Committee.

- 27.10 Councillor Miller expressed concern at the loss of 136 adult bed spaces. The proposals would impact other services. Councillor Miller asked if there would be better value for money if the contracts were combined.
- 27.11 The Commissioning Officer, Rough Sleepers, Single Homelessness, Substance Misuse replied that some services had been combined into one contract, however officers had not yet considered combining all services together. This would require a consortium bid which would cause an issue when working with individuals. For example, if one person was banned from a source of accommodation, they would be banned from all accommodation whereas they can currently move on elsewhere.
- 27.12 Councillor Gibson stated that he considered that the level of cuts visited on the city were due to the proposals put by the previous administration being turned down. He echoed Councillor Mear's comments and he expressed concern at the equalities implications set out in paragraph 7.3.
- 27.13 Councillor Gibson noted that the financial comments in paragraph 7.1 stated that the risks identified in the report would need to be quantified. He felt this work should have been carried out already. Councillor Gibson noted that the parts of the service being cut were non statutory. This could lead to more problems and he considered that prevention was better than cure. The Commissioning Officer, Rough Sleepers, Single Homelessness, Substance Misuse replied that floating support had been remodelled and this would help to build resilience. Officers were trying to reach people more effectively.
- 27.14 The Head of Adult Assessment informed members that the aim was to target those most in need. Prevention was not always about money. It was about working in a different way. There was a risk involved in the proposals but the work was part of an overarching strategy with regard to wellbeing. This was a city wide issue.
- 27.15 Councillor Mears referred to Councillor Moonan's comments and stated that the voluntary services were exceptional in this field. However, she asked why St Mungos Broadway had been awarded the Rough Sleepers Outreach contract rather than an organisation closer to home. Meanwhile, Councillor Mears stated that many vulnerable people were being discharged from Millview Hospital and there needed to be more work in this area.
- 27.16 Councillor Hill agreed that the budget cuts would have a negative impact but stressed that the local authority was facing budget cuts year on year.
- 27.17 Councillor Atkinson shared the concerns about the report which he did not fully understand. He felt that Councillor Moonan's work on the Neighbourhoods, Communities and Equalities Committee would provide members with more understanding on this issue. Councillor Atkinson expressed concern that winter was approaching and he was not sure how homeless people would cope if there was severe weather.
- 27.18 **RESOLVED:-**
- (1) That the report be noted.

NOTES: A vote was taken. Six members voted for the recommendation and four voted against.

Councillors Mears and Miller requested that it be recorded that they did not wish to note the report.

28 FUEL POVERTY & AFFORDABLE WARMTH STRATEGY FOR BRIGHTON & HOVE

- 28.1 The Committee considered the report of the Acting Executive Director Environment, Development and Housing which informed Members that the National Institute for Health and Care Excellence (NICE) released guidelines in March 2015 entitled 'Excess winter deaths and morbidity and ill health associated with living with cold homes'. The guidance provided evidence based recommendations on how to reduce the risk of death and ill health associated with living in a cold home. The guidelines proposed that year round planning and action by multiple sectors was needed to reduce these risks. In response to the NICE guidelines and the recent national fuel poverty strategy for England, 'Cutting the cost of keeping warm', a Fuel Poverty and Affordable Warmth Strategy for Brighton & Hove was being developed with an associated action plan. The action plan in response to the NICE guidelines was attached as appendix 1. The report was presented by the Housing Sustainability Contracts Manager. The draft strategy would be presented to the Committee in January 2016.
- 28.2 Councillor Mears found the report very interesting. She referred to paragraph 7.7 relating to travellers and gypsies. She was concerned about the safety issues raised by having calor gas canisters in vehicles on the highway and was not sure interventions would work with travellers. The Housing Sustainability Contracts Manager agreed to send Councillor Mears information on this subject.
- 28.3 Councillor Atkinson considered the report to be very important and stressed that it was vital to give people the best advice. He asked how the council would evaluate whether the strategy was a success or not. The Housing Sustainability Contracts Manager replied this would be from looking at the numbers of excess winter deaths but this would vary from year to year. Officers were reliant on national statistics but there was an 18 month time lag. There would be interventions and an action plan. For example, there would be a number of interventions with regard to financial advice. A key consideration would be to properly manage, review and decide how outcomes were reported.
- 28.4 Councillor Gibson found it a useful report. He stressed that there were two sides to fuel poverty. One was poverty and the other was hard to heat homes. With regard to the poverty there was now a living wage but there was a need to see what more could be done.
- 28.5 **RESOLVED:-**
- (1) That the contents of the report and the NICE guidelines and recommendations be noted.
 - (2) That the ongoing work to develop a wider Fuel Poverty and Affordable Warmth Strategy be noted. A draft of the strategy will be brought to a future meeting for approval.

29 LIVING RENT

29.1 The Committee considered the report of the Acting Executive Director Environment, Development and Housing which outlined some of the key challenges and considerations when developing a Living Rent model. The report was prepared in response to a public question concerning Living Rent calculations on new council housing being developed in the city. The report was presented by the Head of Housing Strategy & Development.

29.2 Councillor Gibson proposed two alternative amendments to the recommendations as follows:

First amendment

Amend the recommendations by adding 3 new clauses so they would read:

2.1 "That the Housing & New Homes Committee notes the contents of this report" and add

"2.2 A budget report outlining different HRA and HRA capital budget options for wider consultation be prioritised for the November Housing & New Homes Committee

2.3 The November budget report should set out a proposed budget options consultation timetable with tenants which will include consideration by Housing Area Panels.

2.4 That a working group of members from each group, officers and tenant representatives be set up with immediate effect to review apportionments of expenditure between the General Fund and the Housing Revenue Account with a view to identifying changes and consultation with tenants on about what their rent pays for."

Second amendment

Amend recommendations by adding 1 new clause so they would read:

2.1 the Housing & New Homes Committee notes the contents of this report and add

"2.2 In order to consider how best Brighton & Hove City Council support truly affordable renting it is proposed that this report be referred to the Fairness Commission".

29.3 The Chair stated there was already a consultation process with tenants on their part of the budget. Councillor Gibson replied that he was asking for this process to be brought forward.

29.4 The Acting Executive Director Environment, Development & Housing explained that the budget was agreed by Policy & Resources Committee in July 2015. This process had to be followed. If members wanted a report which outlined the July budget, he could bring a report to the November Housing & New Homes Committee. It was confirmed that the July P&R meeting had agreed both the housing general fund and the Housing Revenue Account budgets

29.5 The Chair stated that she was taking a decision as Chair not to accept the first amendment as all amendments should relate to the subject of a report. However, the

second amendment could be put to the vote. The Chair asked if there was a seconder and Councillor MacCafferty seconded the amendment.

- 29.6 The Chair stressed that the budget was a Policy & Resources Committee decision and could not be challenged. The budget had been agreed and there was a proper process. However there could be a report on the implications of the July budget on future budgets.
- 29.7 The Senior Lawyer confirmed that the Chair's action was supported by the Procedural Rule 13.3 as set out in the Council's constitution. The budget was a Policy and Resources Committee function.
- 29.8 The Chair stressed that there was already an existing consultation forum where the council had consulted with tenants very successfully for a number of years. A new one would add to costs and would be adding to an existing forum.
- 29.9 Councillor Gibson asked if the Housing & New Homes Committee had the right to set up a working group. The Senior Lawyer explained that if the matter fell under the remit of the Policy & Resources Committee, then Housing & New Homes Committee did not have the power to set up a working group.
- 29.10 Councillor Gibson asked if the Committee could comment on the budget. The Chair replied that the Committee did help to set budgets through the existing lines of consultation. However, Policy & Resources Committee and Full Council had the final responsibility for the budget.
- 29.11 At this point Members voted on the second amendment as follows:
- Amend recommendations by adding 1 new clause so they would read:
2.1 the Housing & New Homes Committee notes the contents of this report and add
"2.2 In order to consider how best Brighton & Hove City Council support truly affordable renting it is proposed that this report be referred to the Fairness Commission".

29.12 The above amendment was agreed

29.13 **RESOLVED:-**

- (1) That the contents of the report be noted.
- (2) That in order to consider how best Brighton & Hove City Council support truly affordable renting it is agreed that this report be referred to the Fairness Commission.

30 HOUSING MANAGEMENT PERFORMANCE REPORT QUARTER 1 2015/16

- 30.1 The Committee considered the report of the Acting Executive Director Environment, Development and Housing which set out the performance for the first quarter of the financial year 2015/16. The report was presented by the Head of Income, Involvement & Improvement.

- 30.2 Councillor Mears referred to paragraph 4.0.1 – Rent collected as proportion of rent due for the year by area. She stated that members used to be presented with previous year's figures so a comparison could be made. Councillor Mears referred to page 116, paragraph 4.2 – Average re-let time, excluding time spent in major works. She asked for an explanation of the figures.
- 30.3 Councillor Mears thanked officers for supplying the paragraph at 4.3.3 on asbestos and legionella safety compliance inspections, but considered that the section did not provide much information about asbestos and the response on legionella concerned her. She stressed that the work was statutory. Councillor Mears referred to paragraph 4.5 – anti-social behaviour and wanted to know whether there was joined up working with the police to ensure the best results.
- 30.4 The Head of Income, Involvement & Improvement explained that with regard to paragraph 4.0.1, officers had had discussions with members on how they wanted the report to be presented, and it had been hoped that the trend arrow was sufficient. With regard to paragraph 4.2, 1a showed the figures for all properties. Major works could be excluded. The Head of Income, Involvement & Improvement stated that more information was available about asbestos and legionella and a more detailed report could be provided for the next performance report.
- 30.5 The Head of Housing Strategy & Development referred to the Annual Assurance report and stated that there was a corporate mechanism for reporting. Councillor Mears and the Chair asked for this information to be included in the performance report. Councillor Mears also asked for more information about asbestos.
- 30.6 The Head of Income, Involvement & Improvement explained that officers did work with the police on anti-social behaviour. The Head of Tenancy Services explained that the council had clusters where housing staff met together. The Police and Environmental Protection would also be involved if relevant. There was a focus on risk management and there was a good working relationship with inspectors.
- 30.7 Councillor Miller asked if it could be explored if empty properties could be used for temporary accommodation if empty for a long period. The Interim Head of Housing explained that properties were considered for temporary accommodation if they were unoccupied for a long time.
- 30.8 Councillor Gibson raised a question about performance data. He asked what went on in terms of resident involvement. The Head of Income, Involvement & Improvement replied that when the council carried out the last review, officers suggested ways in which other organisations reported on outcomes of resident involvement, but currently there was information on outputs – eg numbers of people involved, costs etc. Councillor Gibson replied that he would be interested to know what information was available.
- 30.9 At this point of the proceedings Councillor Gibson referred to an amendment to the recommendations. He considered that a revision of resident involvement should take place. He was asking for a report to ensure resident involvement was carried out well. The second part of the amendment related to concerns expressed at the Area Panels about the abolition of the Housing Management Consultative Sub-Committee. He was

suggesting that members of the Committee meet with representatives of the Area Panels to understand why they were unhappy.

30.10 Councillor Gibson proposed the following amendment which was seconded by Councillor MacCafferty.

Amend the recommendations by adding 2 new clauses so they would read:

“2.1 That the Housing & New Homes Committee notes and comments on the report, which went to Area Panels in July and August 2015.”

And ADD

“2.2 The Housing and New Homes Committee will receive a report setting out the terms of reference, methodology and proposed timetable for a review of resident involvement for approval at a future Housing and New Homes Committee.”

2.3 That a meeting be arranged between the elected members of the Housing and New Homes Committee and Area Panel representatives to discuss concerns and a way forward.”

30.11 The Chair stated that the amendment had nothing to do with the Housing Management Performance Report. The two recommendations outlined above were about the tenant representative structure. The Chair referred to procedural rule 13.3 of the Council’s constitution which made it clear that an amendment must be relevant to the subject of the report and recommendation. She would therefore not accept the amendment. The Chair stated that there was a review of tenant participation which would be brought forward for full consultation and would be presented to the Committee in due course. The tenant participation strategy would include area panels and other tenant groups.

30.12 Councillor Mears asked if the report would be presented to the next Committee meeting. The Chair stated that the process was unlikely to be completed in time for the next meeting.

30.13 The Head of Income, Involvement & Improvement explained that there was a resident involvement service review. Officers were looking at making resident involvement more meaningful and purposeful, so the service provided value for money. There would be consultation with tenants and the outcomes would be reported to the Committee.

30.14 The Acting Executive Director of Environment Development & Housing stated that members of the Committee were able to ask for a briefing on resident involvement. Officers were happy to talk to Councillor Gibson or any other member about the process.

30.15 The Interim Head of Housing explained that the timetable for the review was likely to be later than the November Committee meeting. It would involve a large degree of consultation with tenants and leaseholders. It was therefore likely to be presented at the January 2016 meeting.

30.16 **RESOLVED:-**

(1) That the report, which was submitted to the Area Panels in July and August 2015, be noted, along with the comments of the Committee as outlined above.

31 ITEMS REFERRED FOR FULL COUNCIL/THANKS TO INTERIM HEAD OF HOUSING**31.1 RESOLVED:-**

31.2 That the following items be referred to the next Council meeting on 22 October 2015.

Item 27 – Housing Related Support Budget & Commissioning (referred by Councillor Mears).

Item 29 – Living Rent (referred by Councillor MacCafferty).

Thanks to the Interim Head of Housing

31.3 Councillor Mears thanked Patrick Odling-Smee, Interim Head of Housing for his help and support. She wished him all the best for the future following his departure. Councillor Barnett also thanked the Interim Head of Housing for his help. Councillor Gibson stated that he really appreciated the information provided by the Interim Head of Housing and wished him all the best for the future. The Chair thanked the Interim Head of Housing for his support and wished him well.

31.4 The Interim Head of Housing replied that it had been a great pleasure to work in Brighton & Hove. The new Head of Housing, Tracy John, would be a real asset and would start work on Monday 28 September.

Part Two

31.5 Members discussed whether the Part Two item should be discussed partly in public. The Senior Lawyer stated that this was a matter for members to decide, however it would be very unfortunate if some of the tenants concerned were identified at this stage. The Chair agreed that she was very concerned about the sensitivity of the report. After a lengthy discussion Members voted to exclude members of the press and public and consider the report in Part Two of the agenda. 8 members were in favour of the proposal and 2 against.

32 SENIORS HOUSING SCHEME REVIEW - EXEMPT CATEGORIES 1 & 2

32.1 The Committee considered the report of the Acting Executive Director Environment, Development and Housing which set out recommendations for a seniors housing scheme review. The report was presented by the Housing Stock Review Manager.

32.2 RESOLVED:-

(1) That the scheme review be noted and action approved as set out in the exempt minute.

Note: This item is exempt from disclosure to the press and public under categories 1 & 2. 1) Information relating to any individual. 2) Information which is likely to reveal the identity of any individual.

33 PART TWO PROCEEDINGS

33.1 **RESOLVED** – That the Part 2 report and minute remain exempt from disclosure from the press and public.

The meeting concluded at 7.54pm

Signed

Chair

Dated this

day of

DEPUTATIONS FROM MEMBERS OF THE PUBLIC

A period of not more than fifteen minutes shall be allowed at each ordinary meeting of the Council for the hearing of deputations from members of the public. Each deputation may be heard for a maximum of five minutes.

Deputation: Area Panel Housing Representatives – Reinstatement of Housing Management Consultative Sub Committee

At the last round of Area Panels all panels agreed that a proposal for the reinstatement of the Housing Management Consultative Sub-Committee (HMCSC) should be presented to the Housing & New Homes Committee (HNHC) for consideration.

Council Officers have presented Area Panels with various reasons as to why the HMCSC was abolished and why it should not be reinstated, however these have been rejected point by point. Given that the City Council faces severe financial constraints it would seem to be negligent to turn away from the considerable resource of voluntary talent, expertise and knowledge that is available from within the committees represented by Area Panels and by extension HMCSC.

Area Panels also suggested that Councillors on the HNHC should engage with tenant and leaseholder representatives by meeting with the Chairs of the Resident Only Meetings and the Special Interest Groups to discuss the way forward. We are disappointed to have heard nothing further regarding this suggestion.

We note that the matter of reinstatement of HMCSC was raised “ex situ” at the last HNHC Meeting and that it was indicated by the Chair that “the process was unlikely to be completed in time for the next meeting”. We do hope that this does not indicate procrastination on the part of the executive.

We do not think that Councillors are taking our concerns regarding the reinstatement of HMCSC with due seriousness and we would urge that HNHC make a formal commitment to engage with tenant and leaseholder representatives to reverse the decision of the previous administration and reinstate HMCSC.

Barry Hughes (Lead Spokesperson)

Charles Penrose

Ron Gurney

Chris El Shabba

Bob Spacie

Linda Shaw

Subject:	Response to the Tenant & Resident Scrutiny Panel on responsive repairs		
Date of Meeting:			
Report of:	Executive Director, Environment, Development and Housing		
Contact Officer:	Name:	Glyn Huelin	Tel: 01273 293306
	Email:	Glyn.huelin@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report sets out the Housing response to the recommendations of the Tenant & Resident Scrutiny Panel in their report on responsive repairs. That report can be found at Appendix 1.

2. RECOMMENDATIONS:

- 2.1 That the committee notes the evidence, findings and recommendations of the Tenant & Resident Scrutiny Panel relating to the responsive repairs service.
- 2.2 That the committee agrees the actions proposed in this report in response to the Tenant & Resident Scrutiny Panel's recommendations.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The Tenant & Resident Scrutiny Panel was set up in April 2013. The scrutiny review on Responsive Repairs is the panel's third scrutiny panel and was selected after analysing responses to tenant surveys submitted to the panel, with over half of the responses suggesting this as an area for scrutiny.
- 3.2 The scope of the panel was to:
- Focus on the repairs pathway for tenants when reporting a fault, right up to completion and for the feedback process afterwards.
 - Visit the Mears Repairs Helpdesk to listen into telephone calls and find out how the service operated; how are jobs prioritised?
 - Carry out visits with operatives to see how well the repair is fixed and how the tenant found the experience.
 - See if the responsive repairs service were meeting the needs of its residents by looking at tenant satisfaction data. To see how tenant satisfaction was received, recorded and used to improve the service. The panel also wanted to find out whether the council was carrying out sufficient monitoring itself of the repairs service
 - Identify if there were any improvements that the service could make.

3.3 The Housing team would like to thank members of the panel for their hard work reviewing the service. All officers and Mears staff found the input of the panel a valuable challenge and welcome the opportunity to share how the service operates with residents.

4. RESPONSE TO THE RECOMMENDATIONS

4.1 Recommendation one

4.2 ***The panel recommends that as part of their training and induction, the Repairs Helpdesk staff should spend time with repairs operatives so that they can get a better understanding what is involved in the various repairs jobs and the average time taken. Both new and existing helpdesk staff should shadow plumbers, carpenters and electricians, and any other staff who may be regularly involved.***

4.3 This recommendation is agreed in full and work is underway to implement it commencing in October 2015.

4.4 As the panel has identified the relationship between diagnosis (carried out by Repairs Helpdesk staff) and carrying out repairs is critical to delivering a right first time service to residents.

4.5 This recommendation will support the development of Repairs Helpdesk staff as the main contact point for residents with repairs enquiries. The recommendation has been fully agreed by Mears and will be monitored by the Partnership Core Group.

4.6 Recommendation two

4.7 ***The panel recommend that resident assessors are used to assess a percentage of the completed repairs, to get a fuller assessment of these repairs. The panel believes that by having another tenant visiting in person, it would lead to a more open discussion about the standard of the repair and increase the feedback for BHCC and Mears. The panel would expect that the assessors are able to choose for themselves the homes they visit to assess completed repairs and the number of assessments carried out.***

4.8 ***It might be necessary to increase the capacity of the resident assessor scheme to enable more assessments to take place. It would be sensible to use the existing expertise of tenants and leaseholders, e.g. for ex-builders to assess repairs.***

4.9 This recommendation is agreed in part and the council has been working with Resident Inspectors (previously Resident Assessors) to develop this initiative across the repairs service, however the recommendations around Resident Inspectors visiting in person and choosing which properties to visit present specific risk management concerns and it is not recommended that this is implemented.

- 4.10 The detail of the report from this scrutiny panel indicates that improvements can be made to how the service engages with residents and uses feedback to improve. The partnership has successfully integrated learning from complaints to change processes and improve customer service over the last few years. The council is developing the Resident Inspector programme and recognises that this programme should be effectively integrated into the responsive repairs service and also needs to operate with the existing Home Service Improvement Group.
- 4.11 Over the last six months existing Resident Inspectors, members of the Home Service Improvement Group and officers have been working to improve the Resident Inspectors project, increase the opportunities for residents to get involved and identify recommendations for where the service can improve.
- 4.12 Resident Inspectors meet together six times a year to identify what inspections they wish to carry out and to feedback to the Home Service Improvement Group. The inspectors are looking at a sample of empty properties before re-letting, reviewing sheltered scheme projects from a resident perspective, and contacting residents who have recently had a repair completed to get feedback on the service.
- 4.13 An article will be published in the autumn edition of Homing In to ask for more residents to join the Resident Inspector project and this will also be publicised through resident associations and online.
- 4.14 The recommendation includes details about visiting residents in their homes which has implications around health and safety, data protection, management of the clients of concern register and safeguarding. It would not be appropriate for resident inspectors to have access to repairs details for other residents and to select which properties to visit and further the council has specific controls and processes around safeguarding residents and staff which could not operate effectively under this model. An alternative way of enabling resident to resident discussion about the service may be to arrange a session with a number of residents that have had recent repairs to identify what went well and what could be improved.
- 4.15 Recommendation three**
- 4.16 *Panel members are aware that there are no current estate inspections such as Rate Your Estate. This scheme was a useful way of recording residents' concerns against a set of maintenance and appearance standards that were shared across the city. The panel recommends that this scheme is reintroduced with sufficient resources in order to enable residents to raise concerns about their estate. This will help to identify hotspots where there are problems such as fly-tipping, abandoned vehicles etc.***
- 4.17 The council operates a regular estate inspection programme throughout the city which residents can and do attend, therefore this recommendation is not agreed.
- 4.18 Residents on the Neighbourhood & Community Service Improvement Group are continuing to look at ways to maximise the involvement of residents in addressing issues on their estates, including using new technology to highlight

issues such as fly tipping, abandoned vehicles, and anti-social behaviour quickly so that the council can respond in a timely way.

- 4.19 The Rate Your Estate scheme was trialled as part of the Turning the Tide pilot in 2011 alongside the Housing and Estates Forum. Evaluation of the Rate Your Estate scheme identified that whilst the approach was popular with some resident representatives in the pilot area, there was a lack of response and poor engagement with local residents and resident representatives in other parts of the city, despite a proactive recruitment and training campaign. The scheme was not accessible to all communities/residents and was also a very resource-intensive model.
- 4.20 The Housing and Estates Forum brought together service providers at a neighbourhood level which residents found useful. The Council are currently looking at neighbourhood models as part of the Co-operative Council agenda and will use previous learning to determine future models.
- 4.21 The council is consulting on development of a new Asset Management Strategy which will be taken through a future committee and will include consideration of repairs and maintenance to communal areas and how this can link into the existing estate inspection programme.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The panel sought resident input into this scrutiny through a survey and through meetings with residents at the Home Service Improvement Group.
- 5.2 This report was on the agenda for noting at the four Area Panel meetings in September 2015 before going to Housing & New Homes Committee. The Tenant & Resident Scrutiny Panel report directly to Housing & New Homes Committee. Comments were made at Area Panel meetings as follows:

Central Area Panel – 18/09/15

- Question – How did the panel engage with the Core Group that manages the service? Answer – The panel attended a meeting of the Core Group (30/09/14), the Partnership Group (22/09/14) and the Home Service Improvement Group (10/02/15) for residents.
- Comment – There are some cases of scaffolding being left up for extended periods of time. Response – There have been changes around how scaffolding is managed by Mears with all sites now tracked by one supervisor. If residents have concerns please can they contact the repairs desk and Mears will investigate.
- Question – There are more issues with Sub-contractors than Mears operatives, how is this being managed? Answer – There is a robust process for managing sub-contractors with a regular review undertaken and a clear process in place for managing sub-contractors. If sub-contractors fall short of the standards that are required they are removed from the contract.
- Comment – More should be made of the Estate Inspections as these could be valuable in addressing repairs to communal areas. Response – This will be noted and fed in to the Estate Inspection review work that

residents on the Neighbourhood & Community Service Improvement Group are doing.

East Area Panel – 21/09/15

- Comment - Repairs desk is really good but out of hours there are sometimes issues with job numbers being given to residents. Response – This was noted and is in the business plan for the Core Group to review this year.
- Comment - Tenant involvement is really important for this contract and how it is managed. Response – Residents sit on the main Core Group that manages the contract and the Home Service Improvement Group keeps the service under review.
- Comment – Contract has lots of added value and needs to be an approach of enhancing what is in the contract as a baseline. Response – Agreed, commitments such as apprenticeships and resident involvement are key parts of the contract.

West Area Panel – 22/09/15

- Comment – Feedback that there are issues with sub-contractors and communication on particular schemes. Response – Feedback will go direct to project managers. There is a robust process for managing sub-contractors with a regular review undertaken and a clear process is in place for managing sub-contractors. If sub-contractors fall short of the standards that are required they are removed from the contract. Mears are reducing their reliance on sub-contractors wherever possible and have increased the number of directly employed operatives in a number of areas.
- Question – How many levels of sub-contracting are allowed? Answer – The contract is very clear that only one level of sub-contracting is allowed.
- Question – How do the panel decide which areas of the service to review? Answer – Feedback of residents is important, can give comments direct to the scrutiny panel.
- Comment - Role of estate inspections is important and should pick up issues such as blocked guttering and gullies. Response – Agreed, very important way of quickly addressing concerns and issues. This will be noted and fed in to the review work that residents on the Neighbourhood & Community Service Improvement Group are doing.

North Area Panel – 28/09/15

- Comment – Concerns around the effectiveness of estate inspections and issues don't appear to be addressed in the area. Response – Take this seriously and should be being dealt with, visit being arranged to see issues on the estate with the Head of Service.
- Question – Did the scope of this scrutiny panel work cover the Estates Service and Neighbourhood Response Team. Answer – No, the panel focused on the Responsive Repair service delivered by Mears.

6. CONCLUSION

- 6.1 This report sets out the actions proposed by Housing alongside the recommendations in the Tenant & Resident Scrutiny Panel's report on the responsive repairs service.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Financial Implications:

There are no direct financial implications to the Housing Revenue Account (HRA) budget from the actions recommended in this report. The actions proposed can be met within existing HRA budgets.

Finance Officer Consulted: Susie Allen

Date: 9/10/15

7.2 Legal Implications:

The approved ways of working for the Tenant Scrutiny Panel provide for the Panel's recommendations to be presented to the Housing and New Homes Committee. That Committee has to agree a response to the report/recommendations.

Lawyer Consulted: Liz Woodley

Date: 07/10/15

7.3 Equalities Implications:

There are no direct equalities implications arising from this report.

7.4 Sustainability Implications:

There are no direct sustainability implications arising from this report.

7.5 Crime & Disorder Implications:

There are no direct crime and disorder implications arising from this report.

7.6 Risk and Opportunity Management Implications:

There are significant risks around residents visiting other residents independently in their homes which are detailed in 4.14 and below and as result this element of the recommendation from the scrutiny panel is not recommended for implementation.

In particular the council operates a range of controls around resident information to comply with data protection responsibilities and it would not be appropriate to share information on clients of concern, recent repairs, tenure and address with other residents. In addition the council has a duty of care to ensure the safety of both staff and residents which is supported by detailed processes, risk management controls and working arrangements. A client of concern register is in operation to manage safety and access to this register could not be given to residents. Independent resident visits into the home to inspect repairs would not

be covered by these controls and would present significant risk to residents involved.

7.7 Public Health Implications:

There are no direct public health implications arising from this report.

7.8 Corporate / Citywide Implications:

There are no direct Corporate or Citywide implications arising from this report.

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1: Tenant & Resident Scrutiny Panel Report

Documents in Members' Rooms

None

Background Documents

None

Tenant & Resident Scrutiny Panel



Brighton & Hove

May 2015

Responsive Repairs

Panel Members:

Dave Murtagh (Chair)

Philip Bradick

Lesley Cope

Chief John Blackbear and another person were also members of the panel but resigned in March 2015.

Chair's Foreword

I have found the experience of chairing this Responsive Repairs panel a privilege. I have learned so much about the processes and planning that goes on to deliver the Responsive Repairs Service.

As part of the panel's work we visited the Mears Repairs Helpdesk at the Housing Centre in Moulsecoomb. We saw how the team worked in a pressurised environment in a professional manner; the team had good staff morale and were very well managed.

We noted that the Helpdesk staff had altered how they ran the service following tenant feedback. We think that the changes made were positive ones, which have improved the service that is offered. We welcome the changes, including the helpdesk actively contacting tenants after repairs to get feedback.

We were also able to go out with different repairs staff to see how they carried out their day to day work; between us we spent time with plumbers, electricians and carpenters. We would like to thank Mears for arranging these sessions for us, for the operatives for making us feel so welcome, and to the residents that we visited for allowing us to come to their homes.

Overall, we came away with a very positive view of the service that is provided by everyone we spoke to, and in particular, the Repairs Helpdesk.

Our main recommendation is around the lack of tenant involvement in assessing repairs after they have been carried out – we strongly support the tenant assessor scheme that is in place already and feel that it should be used more widely to improve honest feedback from tenants.

We would also like to see the re-introduction of the Rate your Estate scheme as a key part of the responsive repairs service. This will increase tenant involvement in services. The repairs service is a service paid for by the tenants and should have tenant involvement at its heart. We hope that this is something that can be taken forward to improve services for tenants across the city.

I would like to add my personal thanks to Chief John Blackbear and others for their part in this panel and other work that we have done together. This panel was originally chaired by Chief, but he had to leave before it could be completed, as did Andreas. I and the other panel members are grateful for their input and wish them well for the future.

Dave Murtagh

Chair of the Responsive Repairs Tenant & Resident Scrutiny Panel

May 2015

1. Executive summary

- 1.1 The panel selected this scrutiny review following suggestions from tenants, with over half of the responses suggesting this as an area for scrutiny.
- 1.2 The Responsive Repairs service is contracted to Mears Group (referred to as Mears in this report) by Brighton & Hove City Council, running from 2010 for ten years. The service provides unplanned ('responsive') repairs to the homes of council tenants (as opposed to planned maintenance repairs).
- 1.3 Members of the team spoke about the key concerns raised by tenants which were:
 - Low levels for customer feedback received after a repair job had been completed. There was also concern that 'mystery shopping' of repairs has been discontinued, adding to the lack of tenant involvement.
 - It appears that Mears are the only people who are currently collecting tenant feedback, which is seen as a conflict of interest, since Mears also provide the initial repairs service. The panel accepts that there is a role for Mears to play but the feedback that they collect should only be part of the overall picture.
 - There had been a pilot of tenant involvement in estate inspections but the most useful elements of this, such as tenants leading the process or the central reporting back on all repairs raised, had not been taken forward.
- 1.4 The Responsive Repairs service provided the panel with useful performance and benchmarking information. Senior managers and the Chair of Housing Committee emphasised the importance of having useful customer feedback to monitor and make service improvements.
- 1.5 The panel want to commend the Council and Mears on its partnership working. It found the staff were working to high standards and were working hard to achieve tough targets set by the council. In addition the panel was very impressed with much of what they saw and they would like to thank everyone who spoke to them as well as the tenants who contributed to its investigation.

In particular the panel would like to thank the operatives who took them out to demonstrate the work that they carried out. The panel felt the operatives undertake a wide range of jobs to high standards, and wanted to recognise the key role that they play in keeping tenants' homes up to standard.

2. List of recommendations

- 2.1 The panel would like to make the following three recommendations based on the evidence they heard:

Recommendation One:

The panel recommends that as part of their training and induction, the Repairs Helpdesk staff should spend time with repairs operatives so that they can get a better understanding what is involved in the various repairs jobs and the average time taken. Both new and existing helpdesk staff should shadow plumbers, carpenters and electricians, and any other staff who may be regularly involved. (to check what is feasible in relation to the contract with Mears and whether this kind of recommendation can be implemented)

Recommendation Two:

The panel recommends that resident assessors are used to assess a percentage of the completed repairs, to get a fuller assessment of these repairs. The panel believes that by having another tenant visiting in person, it would lead to a more open discussion about the standard of the repair and increase the feedback for BHCC and Mears. The panel would expect that the assessors are able to choose for themselves the homes they visit to assess completed repairs and the number of assessments carried out.

It might be necessary to increase the capacity of the resident assessor scheme to enable more assessments to take place. It would be sensible to use the existing expertise of tenants and leaseholders, e.g. for ex-builders to assess repairs.

Recommendation Three:

Panel members are aware that there are no current estate inspections such as Rate Your Estate. This scheme was a useful way of recording residents' concerns against a set of maintenance and appearance standards that were shared across the city. The panel recommends that this scheme is reintroduced with sufficient resources in order to enable residents to raise concerns about their estate. This will help to identify hotspots where there are problems such as fly-tipping, abandoned vehicles etc.

3. Introduction

- 3.1 The panel selected this review after analysing the responses to their tenant surveys. Over half of the responses¹ received requested that the panel scrutinise responsive repairs. There were a range of issues raised, including the standard of repairs and how feedback was collected after repairs were carried out.
- 3.2 The panel's key concern was to find out whether the correct processes were in place for tenants when reporting a fault right up to completion, and for the feedback/ review process afterwards. They wanted to ensure that the current processes are the best ones for achieving tenant satisfaction.

4. The scope of the panel

- 4.1 The panel agreed the scope would be to:
- 1) Focus on the repairs pathway for tenants when reporting a fault, right up to completion and for the feedback process afterwards.
 - 2) Visit the Mears Repairs Helpdesk to listen into telephone calls and find out how the service operated; how are jobs prioritised?
 - 3) Carry out visits with operatives to see how well the repair is fixed and how the tenant found the experience.
 - 4) See if the responsive repairs service were meeting the needs of its residents by looking at tenant satisfaction data. To see how tenant satisfaction was received, recorded and used to improve the service. The panel also wanted to find out whether the council was carrying out sufficient monitoring itself of the repairs service
 - 5) Identify if there were any improvements that the service could make.

However, the panel resolved not to look into budgets or the cost of materials as tenants had been involved in the contract discussions.

5. How the panel collected evidence

Dates	Meeting
2 July 2014	Scope of the panel
5 August 2014	Evidence gathering private scoping meeting with Glyn Huelin (Partnering Business Manager), James Cryer (Partnering Manager- Mears) and Dave Warner

¹ A total of 31 tenant survey responses had been received. 19 responses referred to repairs.

	(Performance Manager-Mears)
2 September 2014	Evidence gathering private meeting. Analysis of repairs information requested by the panel. Draft survey for tenants.
16 September 2014	Private meeting. Continuation of the analysis of repairs information requested by the panel. Approval of Tenant Scrutiny survey on repairs to be emailed to residents on the resident involvement database.
7 October 2014	Private meeting. Compilation of scrutiny questions for their next meeting. Analysis of information from Amicus Horizon.
23 October 2014	Visit to Mears Repairs Helpdesk
11 November 2014	Private meeting with Benjamin Okagbue (Head of Property & Investment), Glyn Huelin and James Cryer
2 December 2014	Private meeting with the Head of Housing - Councillor Bill Randall & Member of the Housing Committee – Councillor Mary Mears
2 February 2015	Panel meeting to discuss report findings – Councillor Gill Mitchell spoke to the panel.
Early Feb 2015	Visits with operatives
March/ April 2015	Panel meetings to discuss report findings and recommendations

- 5.1 In addition the panel attended several housing meetings and analysed the tenant survey responses that they had received.
- 5.2 The panel was very impressed by the written information given to them by the Mears staff; they had a presentation on the repairs pathway from the first point of call up to completion and were provided with information about how feedback was collected. The panel was also grateful for the information supplied by Amicus Horizon, a housing association.

Improving resident engagement & the collection of performance information

- 5.3 Panel members were disappointed by the low level of resident responses to their email survey (with only nine responses received in total) and will continue to look at ways to improve resident engagement with the panel as part of their ongoing work programme.
- 5.4 The panel believes that the lack of resident response reflects the relatively low levels of engagement that the panel saw between council tenants and the Repairs Team; the lack of customer feedback is the biggest gap in the service provided by the Repairs Team.

- 5.5 The panel was also concerned that they did not receive the same level of information from the council about repairs, as they did from Mears. The panel regretted that projects such as mystery shopping and estate inspections had ended, because they had been used by both the council and residents to assess the performance of the repairs service. The panel would like to see both the council and residents collect more evidence about the repairs service.

6. The Responsive Repairs service

- 6.1 Mears hold a ten year contract for responsive repairs for Brighton and Hove City council; this began in 2010. The Mears helpdesk is the first point of contact for tenants reporting a fault or repair and is available 24 hours a day, seven days a week. It is responsible for calls from 11,000 council properties. The helpdesk has 9 call agents and a call centre supervisor. In one month (June 2014) it handled 6,500 calls. The team works to targets, with the aim to answer calls within 20 seconds; data supplied to the panel shows that they are reaching this target between 75% and 80% of the time, with their performance improving.
- 6.2 The panel was informed that one call agent carries out telephone customer satisfaction surveys every day and other call agents do so when volumes of incoming calls and emails are low. The most recent figures available for April 2015 show that Mears contacted 18% of tenants who received responsive repairs and 25% of tenants who received gas repairs. Service data shows that that 95.7% of residents rated the repair service as good/excellent².

The responsive repairs service has targets for the time taken to carry out routine and emergency repairs. The target is for 98% of responsive repairs to be carried out within the time specified- figures for the year 2014/15 show that this was achieved in 99% of responsive repairs.

- 6.3 Panel members observed the helpdesk staff at work, listening in to phone calls requesting responsive repairs and observing how the staff addressed the query. Panel members reported back that they were very impressed with the way in which the helpdesk operated and how the staff handled the calls. They felt the staff were well managed and well trained, and that they were highly motivated, working hard to answer all of the calls that were received.
- 6.4 The panel were particularly impressed with the detailed questions that the helpdesk staff asked to help identify the exact repair that was needed. Call handlers have to be skilled at asking residents detailed information about the issue and fittings per specification. The more information that is collated means that the operative can have the correct tools, fittings and background to fix the fault efficiently. The team also needed to be able to calm the tenant down in a crisis situation i.e. the flooding of a room.

² Data provided by the service

- 6.5 Overall the panel was very pleased with the way in which the helpdesk was managed and operated. The only suggestion that they had was for staff to develop their knowledge of the various repair types by shadowing operatives at work.

Recommendation One:

The panel recommends that as part of their training and induction, the Repairs Helpdesk staff should spend time with repairs operatives so that they can get a better understanding what is involved in the various repairs jobs and the average time taken. Both new and existing helpdesk staff should shadow plumbers, carpenters and electricians, and any other staff who may be regularly involved.

Operatives

- 6.6 Panel members were invited to join operatives to see the repairs pathway from an operative receiving the job number to completing it on-site. This was arranged with the resident's permission. The panel members accompanied electricians, plumbers and carpenters for a day each. Operatives said that they wanted office staff to spend more time shadowing them to see what their day to day work involved. Panel members agreed with the suggestion - please see above for Recommendation One which supports this.
- 6.7 Again panel members reported that they were happy with the standard of service provided by the operatives, and could not think of any ways in which this aspect of the responsive repairs service could be improved.
- 6.8 Following their visit to the helpdesk, the visits with the operatives and discussions with senior managers within Housing and within Mears, panel members agreed that they were satisfied with the way in which the service operated from the initial request for responsive repairs to the repairs that were carried out by the operatives.
- 6.9 The panel then moved on to examine how tenant satisfaction with the service was considered.

7. Tenant satisfaction with repairs service

- 7.1 The council carries out an annual Survey of Tenants and Residents (STAR). The most recent survey was in June 2014 with a sample of 3000 Brighton & Hove City Council tenants, who were sent the survey. There was a response rate of 24%- 724 respondents.³

³ Housing Committee- 12 November 2014, Agenda Item 38

- 7.2 Two thirds of the sample had had a repair in the previous twelve month period. Satisfaction with the last completed repair had dropped since the last STAR survey; 2014 responses indicated 76% were satisfied overall with the repair, which has gone down from 81% in 2011. There were also disappointing responses with regard to the time taken before the repair work started, which had fallen from 83% to 77%; results had also fallen for satisfaction with the speed of repairs completion.
- 7.3 It should be noted that these figures differ from the satisfaction responses that Mears' own surveys have received. Mears reported that telephone surveys to 477 residents gave a 93% satisfaction response.
- 7.4 This difference in results is one of the reasons that the panel feel that Mears may not be best placed to carry out their own satisfaction surveys; tenants may not feel that they can give an honest response if they have had a less positive, or less satisfactory, service. The panel believe that resources such as mystery shoppers and resident assessors could be used to fill this gap.

It should also be noted that Housing are now asking tenants the question 'what could we do better?' and analysing and feeding back the responses received.

How is satisfaction information currently collected?

- 7.5 In the past Mears used handheld PDAs (Personal Data Assistants) to capture tenant satisfaction information immediately after every repair job. However this had ceased due to concerns from tenants⁴.
- 7.6 Postcard response cards were also used to assess customer satisfaction, with tenants being asked to complete and return them giving their comments on the service received. Results showed that tenants only completed the cards if their experience was very positive or very negative. This meant that there was a low response rate for jobs that had been completed to a satisfactory level.
- 7.7 Mears has now moved to a telephone based system, where a member of the Mears team calls tenants to ask for their feedback on the service they have received. This has proved successful in increasing response rates and the most recent figures indicate that in April 2015 telephone surveys were carried out relating to 18% of the responsive repair jobs and 25.5% of gas repairs jobs.⁵ However panel members did not think that this was the best solution as tenants might not feel comfortable giving negative feedback to the service provider.

⁴ Tenants did not like using the handhelds, not enough time to carry out the inspection of work and whether the problem was fixed on a long term basis and tenants did not know how the repair should be fixed and to what standard. Housing Committee, 12 November 2014

⁵ Data provided by the service

- 7.8 The panel felt that, whilst most of the repairs service performed very well and was based around the needs of the tenant, this was one area that ought to be reviewed.
- 7.9 Amicus Horizon told the panel that they collected resident satisfaction for responsive repairs through carrying out telephone surveys of approximately 5% of residents who have had a repair completed the previous week. Amicus Horizon employs a survey team to carry out this survey and ask residents to rate their experience of their most recent repair. The panel felt that this was a more independent way of collecting repairs feedback than the contractor collating the feedback, However they were aware that there would be resource issues if employees were taken on specifically to carry out this role.
- 7.11 Panel members suggested that as an alternative, the existing role of Tenant / Resident Assessors could be expanded. These are tenants who have been trained to examine empty properties before they are let, to ensure that properties are up to a lettable standard before new tenants move in.
- 7.12 Two of the panel members are currently tenant assessors and felt that the assessor role's remit could be easily expanded to include checking the standard responsive repairs on properties that are already tenanted.
- 7.13 Panel members suggested that the Repairs Helpdesk staff advise all callers that they may be contacted by a Resident Assessor after the repair has completed, who would come and check the standard of repair. This would allow the tenant to opt out of the service if they did not wish to be contacted. The Resident Assessor could then carry out checks after the repairs had been completed and feedback any comments or issues to Mears.

Panel members thought that tenants talking to other tenants through the resident assessor scheme about their repairs could lead to more open discussions and more honest feedback. The panel feel it is essential to have proper tenant involvement throughout the repairs service, which should be tenant-led rather than officer-led.

- 7.14 Panel members felt that this could be extended to be used for a wider estates inspection service. Some of the panel members had been involved in the Rate Your Estate pilot in which residents were trained to carry out official estate inspections and report defects or concerns. The residents went on 'walkabouts' with other residents, putting together a photo-book scorecard looking at factors such as repairs, grounds maintenance, cleaning and the appearance of communal areas. One of the benefits was that there was an agreed set of standards across the city, increasing consistency.

Panel members were aware that there are no estate inspections of this nature at present, and feel that they could be re-introduced quite easily in order to increase resident involvement in estate inspections and identify problem areas.

7.15 The panel wanted to assure Mears and operatives that they were not querying the standard of repairs carried out but that they wanted to improve the feedback mechanism in order to provide another way of quality assurance.

7.16 Recommendation Two

The panel recommend that resident assessors are used to assess a percentage of the completed repairs, to get a fuller assessment of these repairs. The panel believes that by having another tenant visiting in person, it would lead to a more open discussion about the standard of the repair and increase the feedback for BHCC and Mears. The panel would expect that the assessors are able to choose for themselves the homes they visit to assess completed repairs and the number of assessments carried out.

It might be necessary to increase the capacity of the resident assessor scheme to enable more assessments to take place. It would be sensible to use the existing expertise of tenants and leaseholders, e.g. for ex-builders to assess repairs.

7.17 Recommendation Three:

Panel members are aware that there are no current estate inspections such as Rate Your Estate. This scheme was a useful way of recording residents' concerns against a set of maintenance and appearance standards that were shared across the city. The panel recommends that this scheme is reintroduced with sufficient resources in order to enable residents to raise concerns about their estate. This will help to identify hotspots where there are problems such as fly-tipping, abandoned vehicles etc.

8. Conclusion

8.1 Panel members were impressed overall with the service provided by the repairs service including the very high standard of service from Repairs Helpdesk staff and by the operatives that they spent time with. They would like to see greater work shadowing between the two teams to increase knowledge and skills.

8.2 The members of the panel did feel that the service could be improved by changing the way in which post-repairs feedback was collected. They considered various ways of doing this but agreed that the most effective way of doing so would be to widen the remit of the Resident Assessor scheme so that tenants could be more involved in assessing the standards of repairs. This is in order to provide more quality assurance which will be of benefit to tenants, the council and to Mears.

8.3 The panel would like to thank everyone who spoke to them about the repairs service for their helpful and open approach.

Subject:	Scrutiny Panel Report on Private Sector Housing		
Date of Meeting:	11 November 2015		
Report of:	Executive Director Environment, Development & Housing		
Contact Officer:	Name:	Martin Reid	Tel: 29-3321
		Andy Staniford	29-3159
	Email:	martin.reid@brighton-hove.gov.uk	
		andy.staniford@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF THE REPORT AND POLICY CONTEXT**

- 1.1 In 2014, a request was received from the Citizen's Advice Bureau to look at the private rented sector using a scrutiny panel, because of the '...worrying increase in the number of people seeking advice from CAB' in relation to the private rented sector and letting agents.
- 1.2 The request to set up a Panel was approved at the council's Overview and Scrutiny Committee on 20th October 2014. The Panel members were Professor Darren Smith, Professor of Geography, Loughborough University (Chair); Councillor Chaun Wilson and Councillor Phélim MacCafferty.
- 1.3 The Scrutiny Panel's formal report and recommendations were published in March 2015 and presented to the Housing and New Homes Committee on 17 June 2015 with a proposal that officers bring a report back to the Housing & New Homes Committee with a formal response to the recommendations for member consideration.
- 1.4 This report is the formal response to members of Housing & New Homes Committee. It is important to note that not all Private Sector Housing Scrutiny recommendations fall within the remit of the Housing & New Homes Committee. The report and Appendix identifies and recommends acceptance of Scrutiny Panel recommendations that align with Housing Strategy 2015 agreed at Housing Committee (14 January 2015), Council (29 March 2015) and Brighton & Hove Connected (Sept 2015). This encompasses most of the Scrutiny recommendations. Housing Committee and Council agreed to adopt the Housing Strategy and authorised the Executive Director take all steps necessary to implement the Strategy. The latter includes development of a detailed Action Plan for the Housing Strategy. It is proposed that the scrutiny recommendations within the remit of Housing & New Homes Committee are taken forward as part of the development of the Housing Strategy Action Plan.

2. RECOMMENDATIONS

- 2.1 That the Housing & New Homes Committee approves the proposed response to Scrutiny Panel Report on Private Sector Housing (Appendix 1) in relation to matters within the remit of the Housing & New Homes Committee. Other non

Housing matters will be reported to the relevant policy committee for consideration.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 In 2014 a request was received from the Citizen's Advice Bureau to look at the private rented sector using a scrutiny panel, because of the '*...worrying increase in the number of people seeking advice from CAB*'¹ in relation to the private rented sector and letting agents.
- 3.2 The request to set up a Panel was approved at the council's Overview and Scrutiny Committee on 20th October 2014. The Panel members were Professor Darren Smith, Professor of Geography, Loughborough University (Chair); Councillor Chaun Wilson and Councillor Phélim MacCafferty. The panel set their terms of reference to:
- Understand the current private sector housing market in the city, and how it has changed since 2011;
 - Consider the best ways of managing private sector housing and improving standards in this sector;
 - Determine whether the relevant actions identified for private sector housing in the Draft Housing Strategy 2015 tie up to the evidence gathered by the panel. Where possible the panel will suggest how these actions could be practically implemented.
- 3.3 The Panel's formal report and recommendations were published in March 2015. Members recognise that there is a lot of good practice in the city, particularly in terms of organisations joining forces in new and innovative ways.
- 3.4 The recommendations were presented to the Housing & New Homes Committee on 17 June 2015 and officers were asked to prepare a formal response.
- 3.5 Following the June committee, the recommendations were discussed at the Strategic Housing Partnership which agreed to a series of Task and Finish groups to consider in more detail those that were beyond the remit of the local authority or had a wider partnership impact.
- 3.6 As outlined below, Task and Finish groups have been held with Planning, the University of Sussex, Brighton University and Student Union representatives.
- 3.7 Three Task and Finish groups have meet during September and October 2015:
- 10 September the first meeting took place with Martin Reid, representing Housing and Sandra Rogers, representing Planning in attendance.
 - 6 October the second meeting took place with Councillor Tracey Hill, Martin Reid representing Housing, Sandra Rogers and Steve Tremlett representing Planning, Charles Dudley, Dean Spears representing the University of Sussex and Sarah Gibbons representing the University of Sussex Student Union in attendance.

¹ [http://present.brighton-hove.gov.uk/Published/C00000726/M00005368/AI00042816/\\$LettingAgentsPrivateRentalsFINAL.docx.pdf](http://present.brighton-hove.gov.uk/Published/C00000726/M00005368/AI00042816/$LettingAgentsPrivateRentalsFINAL.docx.pdf)

- 22 October the third meeting took place with Councillor Tracey Hill, Martin Reid representing Housing and Julie Barker and Sabina Wagner representing the University of Brighton in attendance.

3.8 The table below summarises the scrutiny recommendations and our proposed response, with many of them aligning with the Housing Strategy 2015 (see Appendix 1 for a more detailed analysis):

3.9 It is important to note that not all Private Sector Housing Scrutiny recommendations fall within the remit of the Housing & New Homes Committee.

3.10 Recommendations identified as ‘accepted’ align to City-wide Housing Strategy and / or recommendations of previous reports to Housing Committee and Housing & New Homes Committee.

3.11 Specific actions or initiatives within the remit of Housing will be subject to more detailed reports for consideration to future Housing & New Homes Committee meetings as part development of the Housing Strategy 2015 Action Plan.

3.12

Scrutiny Panel Recommendations: Summary

Key: Accept: ✓ / Partially Accept: ≈ / Reject: ✗

1	Support a strong and buoyant local private sector housing market	✓
2	Understand the city’s changing housing market and evidence the influence of additional purpose – built student accommodation	✓
3	Conduct regular reviews of the Housing Strategy’s evidence-base	✓
4	More effectively regulate the conversion properties to HMOs	✓
5	Consider the effects of the Article 4 Direction on the city’s HMOs, and the use of licensing schemes and other legislative powers	✓
6	Increase the supply of affordable owner-occupied housing	✓
7	Improve the identification of empty private sector homes and voids, and maximise the use of these properties	✓
8	Joint working with neighbouring local authorities to strategically plan housing supply and demand in a regional context	✓
9	Allow the universities to continue to grow their student populations across the Greater Brighton area	✓
10	Consider the effects of the densification student accommodation on university campuses and the Lewes Road corridor	✓
11	Identify/develop sites for affordable student housing developments in other parts of the Greater Brighton area	✓
12	Promote the development of student union and/or university letting agencies	✓
13	Promote the development of university-endorsed landlords and letting agents, and encourage these to be championed	✓
14	Promote the use of a city-wide rate-my-landlord scheme	✓

15	Develop ethical models for letting agents, estate agents and landlords, and publish these organisation on a website	✓
16	Development and promote the uptake and benefits to landlords of registration to PRS accreditation schemes	✓
17	Create a register of landlords proven to have undertaken retaliatory evictions	≈
18	Increase the supply of private sector housing with rental costs that are affordable	✓
19	Increase the supply of affordable 'social housing' for key workers and vulnerable people	✓
20	Foster joined-up working between city council departments and other relevant organisations	✓
21	Set up a living rent commission (Not Scrutiny, but request at Housing & New Homes Committee)	Fairness Commission≈
22	Set up a register of all private rented sector landlords (Not Scrutiny, but request at Housing & New Homes Committee)	Review options
23	Petition government to allow a rent cap to be introduced (Not Scrutiny, but request at Housing & New Homes Committee)	Full Council

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 An analysis of each recommendation is contained in Appendix 1.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The Panel held three public evidence-gathering sessions in January 2015 and also attended the Strategic Housing Partnership. The Panel also received some verbal and written evidence submitted in confidence from people in the city living in the private sector housing.

5.2 Further discussions and Task and Finish groups have been held with the Strategic Housing Partnership, Planning, University of Sussex and University of Sussex Student Union and Brighton University.

6. CONCLUSION

6.1 Scrutiny Panel investigations provide a useful independent insight into areas of concern. It is appropriate that the findings of these investigations are considered to assess their appropriateness in determining the future strategic direction.

6.2 We have discussed the recommendations with partners to help shape our formal response and, subject to approval, will implement the recommendations as per the analysis in Appendix 1.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 Any costs associated with Implementation of the recommendations of the Scrutiny Panel for Private Sector Housing are expected to be met from current

budgetary resources. If implementing any of these recommendations would lead to a budget pressure, then further budget approval would be sought in advance of any commitment to spend.

Finance Officer Consulted: Monica Brooks

Date: 29/10/15

Legal Implications:

7.2 At its meeting in March 2015, the Overview and Scrutiny Committee resolved that the Scrutiny Panel Report on Private Sector Housing be endorsed and referred to the relevant policy committee(s) for consideration. The Overview and Scrutiny Terms of Reference and Procedure Rules require policy committees to prepare a response to the recommendations detailing whether each recommendation is agreed or not. To the extent that the recommendations fall within the remit of the Housing and New Homes Committee, this report satisfies that requirement.

7.3 Legal advice will be available as and when required to implement any of the recommendations.

Lawyer Consulted: Liz Woodley

Date: 30/10/15

Equalities Implications:

7.4 The Scrutiny Panel was held as a result of inequalities in the Private Rented Sector with recommendations developed to address these inequalities. Where an accepted recommendation leads to a significant change in strategy, policy or service delivery that has wider impacts, the specific equalities implications of this will be assessed as part of the change.

Sustainability Implications:

7.5 A well managed affordable high quality private rented sector is essential to support the households living in the city's 34,000 private rented homes.

Crime & Disorder Implications:

7.6 A number of recommendations relate to taking a more proactive stance against rogue landlords to help ensure that private rented tenants live in good quality well managed homes.

Risk and Opportunity Management Implications:

7.7 The private rented sector is essential to provide housing solutions and reduce homelessness pressures.

Public Health Implications:

7.8 The Housing Strategy 2015 recognises that poor quality and badly managed homes are detrimental to health and wellbeing.

Corporate / Citywide Implications:

7.9 A well managed affordable high quality private rented sector is essential to support the wellbeing of those living in the city's 34,000 private rented homes to maintain health, sustain a workforce and support children's education.

SUPPORTING DOCUMENTATION

Appendices:

1. Analysis of Recommendations from the Scrutiny Panel Report on Private Sector Housing

Documents in Members' Rooms

None

Background Documents

1. Scrutiny Panel Report on Private Sector Housing, Housing & New Homes Committee, 17 June 2015

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

Scrutiny Panel Recommendations: Summary Sheet

1	Support a strong and buoyant local private sector housing market
2	Understand the city's changing housing market and evidence the influence of additional purpose –built student accommodation
3	Conduct regular reviews of the Housing Strategy's evidence-base
4	More effectively regulate the conversion properties to HMOs
5	Consider the effects of the Article 4 Direction on the city's HMOs, and the use of licensing schemes and other legislative powers
6	Increase the supply of affordable owner-occupied housing
7	Improve the identification of empty private sector homes and voids, and maximise the use of these properties
8	Joint working with neighbouring local authorities to strategically plan housing supply and demand in a regional context
9	Allow the universities to continue to grow their student populations across the Greater Brighton area
10	Consider the effects of the densification student accommodation on university campuses and the Lewes Road corridor
11	Identify/develop sites for affordable student housing developments in other parts of the Greater Brighton are
12	Promote the development of student union and/or university letting agencies
13	Promote the development of university-endorsed landlords and letting agents, and encourage these to be championed
14	Promote the use of a city-wide rate-my-landlord scheme
15	Develop ethical models for letting agents, estate agents and landlords, and publish these organisation on a website
16	Development and promote the uptake and benefits to landlords of registration to PRS accreditation schemes
17	Create a register of landlords proven to have undertaken retaliatory evictions
18	Increase the supply of private sector housing with rental costs that are affordable
19	Increase the supply of affordable 'social housing' for key workers and vulnerable people
20	Foster joined-up working between city council departments and other relevant organisations
21	Set up a living rent commission
22	Set up a register of all private rented sector landlords
23	Petition government to allow a rent cap to be introduced

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Private Sector Housing Scrutiny Recommendation 1	Council Service Lead(s)	Executive Leadership Team (ELT) Lead
To have a commitment to support a strong and buoyant local private sector housing market in the city	Martin Reid (Housing & Strategic Housing Partnership) Rob Fraser (Planning)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted (and achieved by the publication of the Housing Strategy 2015 and the City Plan Part 1)</p> <p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>The findings from the consultation undertaken during the development of the Housing Strategy 2015 saw clear feedback that <i>we had a thriving private rented sector that generally delivered good quality vital housing but there were ongoing concerns around rising costs and affordability.</i></p> <p>It is the private sector that will deliver the majority of new homes being planned for over the city plan period and the Plan recognizes that this will contribute to a strong and prosperous city.</p> <p>The Private Rented Sector and Houses in Multiple Occupation are priority themes in the Housing Strategy 2015. To ensure we have a strong private rented sector, our strategic actions focus on improving management and housing quality in the sector.</p> <p>The Greater Brighton Devolution Prospectus includes raising standards in the Private Rented Sector in the Living Wage Housing ambition and offer. In particular, interventions to improve the management of the existing private rented stock, combined with the opportunity to bring significant investment into the sector for new private rented homes could transform the tenure into one which fully delivers for the local communities of Greater Brighton, providing high quality, easy-access housing for those working in a growing economy.</p> <p>We have met with the National Landlords Association and they are positive about working with us both in improving quality and management of the city's private rented sector with a track record in work strategically and with government including looking at ways of investing in home energy efficiency. Our Strategic Housing Partnership includes representatives from the local private sector housing market including Southern Landlords Association, Brighton & Hove Estate Agents Association and Brighton & Hove Economic Partnership.</p>		

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This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- 7. Work with the local business sector to maximise housing on mixed use developments incorporating homes, offices and retail.
- 9. Where compatible with local and national planning policy, increase housing supply through the conversion of unused and unneeded properties.
- 11. In accordance with City Plan policy, support taller buildings and higher density development in appropriate locations of the city.
- 40. Support a register of landlords in the city.
- 41. Support for landlords to better manage properties.
- 42. Develop an ethical standard for letting agents including a commitment to equalities and diversity, a 'living rent' scheme where rents are linked to wage inflation, and longer tenancies to support family stability.
- 43. Up skill small and accidental landlords to improve tenancy management.
- 46. Promote the HMO licensing scheme so that we can ensure that unlicensed HMO's are reported and licensed properties are of standard.
- 47. Consult on extending HMO licensing to other areas where there is an identified need.

In addition the City Plan Part 1, together with its evidence base, recognises that the Private Sector plays an important role in the city's housing market and is likely to continue to do so.

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Private Sector Housing Scrutiny Recommendation 2	Council Service Lead(s)	ELT Lead
To more fully understand how the local private sector housing market has changed in Brighton and Hove since 2011, and to evidence the impacts of new purpose-built student accommodation on the wider private sector housing market	Andy Staniford (Housing) Steve Tremlett & Sandra Rogers (Planning)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted (Part 1 achieved by the publication of the Housing Strategy 2015)</p> <p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <ol style="list-style-type: none"> 1. Housing Market Understanding: the new Housing Strategy 2015 was supported by an extensive analysis of housing data: http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/2%20HS2015%20Supporting%20Data%20Analysis.pdf 2. It is useful to look at the changes since the Census in 2001 and that in 2011. Owner occupation in the city fell by 8% between the 2001 and 2011 Census from 61% to 53%. Households in the private rented sector increased from 20% (2001) to 29.6% (2011). The private rented sector plays a wider role than just the accommodation of the city's students. This sector is also important for many working people and families unable to purchase owner-occupied housing and for those choosing not to purchase owner-occupied housing. 3. The Planning Policy and Housing Strategy teams have just commissioned new research to investigate more fully the supply and demand for student accommodation in the city including the needs from the Universities, the Music School and from Language Schools. This work will include looking at the impacts of new purpose built student housing on the wider private sector housing market. This work is expected to be completed in November 2015. 4. The University of Sussex has worked collaboratively with the researcher commissioned to complete the study into supply and demand for student accommodation and will continue to support the project to its completion. <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions: Continue to support the development of new affordable purpose built student accommodation in a range of locations within the city in accordance with City Plan policies.</p>		

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Private Sector Housing Scrutiny Recommendation 3	Council Service Lead(s)	ELT Lead
To provide more regular systematic reviews of the evidence-base underpinning the Housing Strategy	Andy Staniford (Housing)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted</p> <p>Regular reviews are already undertaken with provision for additional reviews to be commissioned to meet identified needs and / or specific requirements, for example research into student accommodation supply and demand.</p> <p>This work is already in place:</p> <ul style="list-style-type: none"> • Housing Joint Strategic Needs Assessment updated annually • Housing Statistics Bulletin updated quarterly • Housing Market Report updated quarterly • Rent & Local Housing Allowance Report updated monthly • HMO data (from all sources) for the 5 wards covered by the Article 4 Direction are monitored and mapped by Planning. • From 2014/15 the number of applications for HMO's approved and refused in the five wards will be monitored and reported in the Authority Monitoring report produced by planning <p>These reports are available at:</p> <ul style="list-style-type: none"> • http://www.bhconnected.org.uk/content/local-intelligence • http://www.brighton-hove.gov.uk/content/housing/general-housing/housing-strategy-statistical-bulletins • http://www.brighton-hove.gov.uk/content/housing/general-housing/housing-market-reports <p>In addition, housing supply and demand issues are regularly reviewed to support the development of the city plan:</p> <ul style="list-style-type: none"> • Objectively Assessed Need for Housing Report June 2015: http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/GL%20Hearn%20HSG%20OAN%20Rprt%20%20Jun%202015.pdf <p>It is considered that the data collection and analysis carried out at present is the most appropriate given the resources available.</p> <p>The Planning Policy team already provides a significant amount of evidence that can also be used to help monitor and inform the Housing Strategy. This includes residential development monitoring, including for affordable housing; regular reviews of the Strategic Housing Land Availability Assessment, which indicates how much new housing is likely to be built in the city, the types and tenures of housing; updates to the need for affordable housing, monitoring student HMOs etc. Much of the ongoing</p>		

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monitoring is reported through the Authority Monitoring Report.

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Private Sector Housing Scrutiny Recommendation 4	Council Service Lead(s)	ELT Lead
To more effectively regulate the conversion of owner-occupied, family dwellings into shared private rented housing in relevant areas of the city, using licensing schemes and other legislative powers, to assess and improve the management and standards in HMOs	Mike Slagter (Housing) Rob Fraser (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>The Article 4 Direction Order introduced in 2013 which brought into control changes of use from family homes to small HMO's (normally permitted development not requiring consent) will have some impact on the number of family dwellings being used for shared private sector housing. Policy CP21 in the City Plan Part 1 sets out the thresholds for HMO's where controls apply and as the plan approaches adoption the policy has gained greater weight and is now being used more successfully at appeal. As of October 2015 about 45-50 properties were under investigation. It is anticipated that notices will continue to need to be served over the next few months. In the past notices gave 6 month compliance this is now being reduced to 3 months. As notices take one month to come into effect this gives 4 months from the date the notice is served to find alternative accommodation.</p> <p>Policies in the currently adopted 2005 Brighton & Hove Local Plan resist the loss of smaller sized family homes where sub-division is of such properties are proposed. This is in recognition of the city's need for family housing. These policies will be reviewed under Part 4 of the City Plan.</p> <p>HMO licensing cannot regulate or prevent conversion of family dwellings to HMOs. It does, however, impact on how properties are managed, especially in terms of recommended levels of safety and amenities. It also places licence holder details in the public domain so people can see who is responsible for running any licensed HMO. Though mainly intended for the benefit of occupiers, there are Management Regulations that apply to all HMOs and these contain provisions, for example in terms of keeping shared areas tidy, that can impact on neighbourhoods as a whole.</p> <p>Following the introduction of additional licensing for smaller HMOs in 5 wards identified as having high levels of the smaller HMO in November 2012, the scheme will be extended to 7 other wards in the city on 2 November 2015. Discretionary licensing will be kept under review and subject to proliferation of smaller HMOs and any issues arising with management and standards.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> Promote the HMO licensing scheme so that we can ensure that un-licensed 		

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HMO's are reported and licensed properties are of standard. Respond to issues where legal standards are not being met.

- Consult on extending HMO licensing to other areas where there is an identified need.

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Private Sector Housing Scrutiny Recommendation 5	Council Service Lead(s)	ELT Lead
To consider the effects of the Article 4 Direction on the proliferation of HMOs in the city, and the use of licensing schemes and other legislative powers	Mike Slagter (Housing) Rob Fraser (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>Monitoring is already in place within the planning team which will help consider the effects of Article 4 Direction. The results of monitoring will be reported annually in the Authority Monitoring Report. The Authority Monitoring report produced by planning monitors development retrospectively. From 2014/15 the number of applications for HMO's approved and refused in the five wards will be monitored. HMO data (from all sources) for the 5 wards covered by the Article 4 Direction is monitored and mapped by the planning team and is updated monthly.</p> <p>The Article 4 Direction covers only the 5 wards along the Lewes Road corridor and not the additional 7 city centre wards where additional HMO licensing is to be extended.</p> <p>HMO licensing does not impact on the upward proliferation of HMOs as it is not a tool that can be used to control HMO numbers. There is no evidence to suggest that HMO licensing has affected the numbers of HMOs in the city, either upwards or downwards. It has brought about many safety and amenity improvements, as reported to Housing Committee on a number of occasions. Though licence holders are not directly responsible for the behaviour of their tenants, licensing can have an impact in requiring licence holders to engage in terms of possible breach of licence conditions or tenancy agreements if their tenants' behaviour causes problems for neighbouring residents.</p> <p>New research commissioned by the Planning Policy and Housing Strategy teams will help identify student demographics, the impact of projected changes to student population and housing supply. This work will be completed in November 2015.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • 46. Promote the HMO licensing scheme so that we can ensure that unlicensed HMO's are reported and licensed properties are of standard. • 47. Consult on extending HMO licensing to other areas where there is an identified need. • 48. Respond to issues where legal standards are not being met. 		

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Private Sector Housing Scrutiny Recommendation 6	Service Lead(s)	ELT Lead
To explore ways to increase the supply of affordable owner-occupied housing for first-time-buyers and key workers in the city	Martin Reid (Housing) Rob Fraser (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & new Homes Committee.</p> <p>Recommendation Accepted</p> <p>Planning policy is currently to secure up to 40% affordable housing in new developments and to secure citywide a split of 55:45 affordable rent to intermediate (e.g. shared ownership) – this will assist getting people on the housing ladder including key workers. We are also looking at more innovative ways to increase supply of affordable housing e.g. incorporating a ‘review mechanism’ in S106 agreements where viability is an issue and also in City Plan Part 1 there will be sliding scale of affordable housing requirements so that we can ask for affordable housing contributions on smaller sites.</p> <p>There is also a need to continue to explore and support innovative affordable housing products e.g. ‘Pocket Housing’ in London which secures a significant first time buyer discount on housing for local people who must be on or below the average income of a London Borough and the scheme retains the housing in perpetuity (residents have to sell to someone in a similar position).</p> <p>The recently developed Greater Brighton Devolution Prospectus seeks to pursue models for housing delivery that delivers greater numbers of new and more Living Wage homes through a pilot Joint Venture to deliver 1000 affordable homes with a local housing association, the proposal would be to establish a new Greater Brighton Living Wage housing model. This would involve innovative approaches to providing more affordable housing to working people in Greater Brighton through a new Living Wage Rent Model and a Living Wage Homes Ownership Model.</p> <p>We are reviewing options for the local authority to intervene in the housing market as a potential purchaser / lessee of new accommodation being brought forward on development sites in the City or sub-region in order to meet identified housing needs. This is in addition to affordable housing deemed to be viable for the developer to deliver on site through the Planning process.</p> <p>This includes the procurement off-plan of residential accommodation on private sector housing developments with developers entering into arrangements with us to offer residential units for sale and/or lease at discounted rates on the basis of potential leaseback arrangements. This discounted sale option has previously been</p>		

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explored on the most recent Anston House Planning application and we have also submitted a letter reserving our option to buy off-plan on the forthcoming Preston Barracks scheme.

The delivery of Major Project / Strategic Development Sites which achieve citywide regeneration provides additional affordable housing within the development brief, for example Circus Street, Brighton Marina, Preston Barracks, Pelham Street etc.

If enacted, the Housing and Planning Bill 2015 will create a new duty on all local authority planning departments to promote the supply of starter homes in their area. The Bill also proposes allowing the government to set regulations requiring starter homes to be included on residential sites as a condition of securing planning permission. If agreed these regulations will be issued at a later date. In terms of starter homes, it is not yet clear whether this will be in addition to or as a replacement for affordable homes. The Bill still has to be debated. There will need to be a change in National Planning Policy framework for starter homes to be counted as affordable housing. Starter homes do not currently fit the formal definition of affordable housing for planning purposes.

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- 1. Prioritise support for new housing development that delivers a housing mix the city needs with a particular emphasis on family, Affordable Rent and where feasible, Social Rented housing.
- 2. Continue work with a range of partners including Homes Communities Agency, housing associations and the community housing sector to develop more affordable housing.
- 3. Directly provide more council housing, such as by developing ourselves through our New Homes for Neighbourhoods programme, buying new homes off-plan or by supporting others to build and manage on our behalf.
- 4. Use Right To Buy receipts and developer contributions to fund new housing.
- 5. Maximise housing provided from best use of the Council's Housing Revenue Account (HRA) investment, land and buildings.
- 6. Support housing associations and community housing organisations with their proposals to deliver affordable homes.
- 7. Work with the local business sector to maximise housing on mixed use developments incorporating homes, offices and retail.
- 8. Continue to look at alternative use of public assets including land, with a focus on maximising the social value of opportunities where appropriate.
- 9. Where compatible with local and national planning policy, increase housing supply through the conversion of unused and unneeded properties.
- 10. Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area.
- 11. In accordance with City Plan policy, support taller buildings and higher density development in appropriate locations of the city.

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Private Sector Housing Scrutiny Recommendation 7	Council Service Lead(s)	ELT Lead
To further improve the identification of empty homes and voids within private sector housing, and to maximise the use of private sector housing in more efficient ways	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted</p> <p>Identification and contact system in relation to empty homes within private sector housing is fully in place, as reflected in Performance Indicators around bringing empty private sector homes into use and New Homes Bonus income for past years.</p> <p>Our Empty Property Enforcement Protocol is in development during 2015/16 to further clarify and strengthen use of enforcement action in bringing private sector empty homes back into use.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • 35. Continue successful system of making and maintaining contact with all owners of empty property. • 36. Update the Empty Property Enforcement Protocol to encourage an increase in the number of properties being returned to use. • 39. Consider empty commercial property as a potential source of new housing. 		

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Private Sector Housing Scrutiny Recommendation 8	Council Service Lead(s)	ELT Lead
To work in a more joined-up way with neighbouring local authorities to strategically plan housing supply and demand in a regional context	Rob Fraser / Sandra Rogers (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>The Duty to Cooperate has brought us together with neighbouring local authorities and other organisations to develop strategic planning policies for the area that will meet existing and future needs of the residents and workforce in the area.</p> <p>Greater Brighton is a partnership made up of the local authority areas of Brighton & Hove, Adur, Worthing, Lewes and Mid Sussex. The recently published Greater Brighton Devolution Prospectus - Platforms for Productivity, forms the bases of a longer dialogue with government and partners. This document focuses on three areas that include increasing economic productivity through the provision of infrastructure, housing and employment land and enterprise support. To accelerate housing delivery to meet and surpass our planned housing supply of 22,500 homes it proposes to create a Greater Brighton Housing Company. Alongside this it is proposed to create a Joint Property Board with the HCA and develop a Greater Brighton Housing & Property Investment Plan – in conjunction with the Coast to Capital LEP and 3SC – to provide a strategic delivery plan to deliver more housing across the region.</p> <p>Any building developments will balance the need for general needs housing against student housing need to ensure the right mix for housing on any new development. The University of Brighton already works closely with the local authorities and other local stakeholders in their 3 campus areas. This includes close collaborative work with housing strategies and engaging with local community groups and initiatives through the work of the Community Liaison team.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • 10. Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area. • 22. Continue to support the development of new affordable purpose built student accommodation in a range of locations within the city in accordance with City Plan policies. 		

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Private Sector Housing Scrutiny Recommendation 9	Council Service Lead(s)	ELT Lead
<p>To have a commitment to allow the universities to continue to grow their student populations across the Greater Brighton area, in recognition that they operate in a context of uncertainty and a more competitive (inter)national environment within higher education.</p>	<p>Martin Reid (Housing & Strategic Housing Partnership)</p> <p>Rob Fraser Planning.</p> <p>Universities.</p>	<p>Nick Hibberd</p>
Council Response October 2015		
<p>This recommendation is not within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>Subject to the universities continuing to acknowledge and work in partnership with the Council and other parties to mitigate the impact of their growth on the local housing market, in particular in areas of high concentrations of student populations.</p> <p>The City Plan allows the Universities to grow in a managed way through site allocations and through a criteria based policy that seeks new purpose built accommodation for students and academic space subject to assessment.</p> <p>Growth in student numbers has been significant e.g. estimated that between 2001 to 2013 student numbers increased by 37% for Brighton University and 50% for University of Sussex. Clearly this will have impact on the city's housing market if there is insufficient purpose built student housing. City Plan seeks to ensure there is sufficient purpose built accommodation and Part 2 (Site Allocations and Development Management Policies) will consider the allocation of further sites and the need to align more closely the University's growth plans and student accommodation strategies. It is recognised that the growth of the Universities across Greater Brighton area has many benefits for city and wider sub-region and is to be supported. A duty to cooperate would be triggered if a local authority is unable to meet its housing demand within its own area.</p> <p>The University of Brighton already has campuses located in Brighton, Eastbourne and Hastings. The Greater Brighton Devolution Prospectus acknowledges the contribution made by the universities, supporting around 12,000 jobs, contributing nearly £1bn to the South East economy, and providing opportunities and expertise to support and grow local businesses. The prospectus outlines its commitment to extend the presence of the universities and further education colleges throughout the region, northwards into Burgess Hill and along the coast to Newhaven and Worthing.</p> <p>Additional information on how universities manage their PRS accommodation</p>		

needs.

University of Sussex advise that all 1st year undergraduates who require it are being accommodated in University managed housing as well as all 1st year overseas Postgraduates. University of Sussex currently own and manage 5000 bed spaces. Although additional purpose- built student accommodation is being developed, we are advised that this will not meet all the future demand.

The University of Sussex also runs a successful head-leasing scheme. All the properties, which are directly managed by the university, are located in the city. It is a requirement of the university that all new head-leased properties have HMO licences. The university is seeking to increase the number of head-leased properties and identifying where the pressure points are in the city and focusing on these areas. At present the head-leasing schemes provides 271 bed-spaces and the university is looking to increase this figure by a further 100 minimum. The university will work with the council to make sure it does not compete for the same properties in the city and mitigate any detrimental effect their head-leasing scheme has on the council's potential supply of private rented sector family housing.

The availability and cost of public transport is key to the location of student housing especially when looking to increase accommodation to the east and west of the city. Work would need to be undertaken with the council's Transport team, Brighton & Hove Bus Company etc. to see if transport links could be extended and improved to make locations away from the Lewes Road corridor more viable and attractive for students to live in.

In addition to concerns regarding transport, the Students' Union at the University of Sussex raised a concern around whether the University were adequately prepared for the arrival of increased number of students, including housing as one example of this.

Students are finding it more difficult to acquire affordable housing in the city's private rented sector, which highlights the citywide problem of capacity in the private rented sector. The problem of affordability may result in students looking for accommodation outside the city-centre area, although students are attracted to the nightlife, cafes, retail, etc. in the city which is lacking in other more affordable areas.

The University of Brighton accommodates a significant number of their first year students in halls accommodation, and the ongoing redevelopment of the University's Varley Park hall site will have created an additional 300 beds by the end of the current building phase.

The University has operated a successful head lease scheme in Brighton and Eastbourne for over 13 years, and more recently, the head lease scheme has grown significantly in Hastings providing quality and affordable accommodation to students.

The University recognises that affordability is key and therefore do not charge any fees to students, do not require a guarantor and do not require a damage deposit to be paid up front. The properties are well maintained, checked regularly and comply with all necessary legislation (including Article 4 and all relevant planning permission surrounding appropriate use of the property).

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The university have established strong working relationships with property owners and neighbours.

Currently, there are over 230 head lease bedspaces in Brighton, Eastbourne and Hastings.

With such a diverse student population to support, the University of Brighton are keen to expand and manage a range of properties, from 1 bedroom flats up to 6 bedroom homes. They are also keen to explore the use of head-lease accommodation for students with families.

In addition, the University has successfully expanded their Homestay scheme in Brighton and there are now over 100 bedspaces available for students either for a short term or long term stay.

The impact of Article 4 has seen a loss of some student accommodation in the 5 wards where it is in operation. The council and universities will make sure that students do not move into properties that do not have an HMO licence by making it easier for information on whether HMOs do have planning permission to be shared.

The reality is that universities will be competing with each other, with the local authority and others including BIMM and City College, over family sized housing in the private rented sector.

The University of Brighton is exploring any viable opportunities to increase the number of purpose built student accommodation in addition to the Preston Barracks site. It is looking at the possibility of further increasing capacity at Varley Park, and looking at sites owned by the university to identify any opportunities to build.

The University of Brighton academic profile review is now due to be completed in the Spring 2016. .

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- 26. Work with bordering authorities to support satellite campuses.
- 10. Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area.

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Private Sector Housing Scrutiny Recommendation 10	Council Service Lead(s)	ELT Lead
To consider the effects of the densification of affordable, purpose-built, student accommodation on university campuses within the city, and outside the Lewes Road corridor	Steve Tremlett (Planning) Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>Student Housing is a priority theme in the Housing Strategy 2015, which recognises that:</p> <p style="text-align: center;"><i>We need a wider range of affordable accommodation options for students to take pressure off the existing housing stock and we need to work with landlords to improve the quality of accommodation and ensure student housing does not cause disruption in our neighbourhoods.</i></p> <p>In a city with a very constrained land supply there is a need to ensure that the best use is made of limited site opportunities but also that developments are of a high quality. Any potential adverse impacts need to be mitigated through good design and also through effective management agreements.</p> <p>The Planning Policy and Housing Strategy teams have just commissioned new research to investigate more fully the need for student accommodation in the city including the needs from the Universities, the Music School and from Language Schools. This work will include looking at the impacts of new purpose built student housing on the wider private sector housing market. This work is expected to be completed in November 2015. The projected student housing need and the cumulative impacts of purpose-built student accommodation including concentrations will inform the Student Housing Strategy refresh and City Plan.</p> <p>In addition, one of the key recommendations of the previous Student Housing Strategy was support for expansion of head leasing schemes where the Universities have responsibility for management of private sector homes leased from landlords and agents on behalf of students.</p> <p>As outlined in the response to Recommendation 9, University of Sussex is seeking to increase the number of head-leased properties and identifying where the pressure points are in the city and focusing on these areas. University of Sussex also commit to work with the council to make sure it does not compete for the same properties in the city.</p> <p>The University of Brighton is also actively seeking to develop their head lease</p>		

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portfolio to assist students secure private sector accommodation without having to face expensive upfront costs, such as fees, deposits and providing a guarantor.

In addition, and also reflecting one of the key priorities of the original Student Housing Strategy, we have in the past entered into a joint head-leased property agreement with the universities in order to avoid competition for the same dwellings and to attempt to manage acquisition of family and shared occupancy homes in areas of high concentrations of student housing. Properties were shared 50/50 under the scheme.

While this scheme is no longer in operation we propose to review options for this being re-considered, subject to any future joint head leasing initiative being financially viable and beneficial for the council to participate in.

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- Reduce the impact of student lets on neighbourhoods through managing the concentration of student lets (City Plan policy) and other measures such as requiring safe bicycle storage, communal bins and working with letting agents to reduce signage.

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Report: October 2015**

Private Sector Housing Scrutiny Recommendation 11	Council Service Lead(s)	ELT Lead
To explore the potential to identify/develop sites of opportunity for affordable student housing developments in other parts of the Greater Brighton area, which will appeal to students alongside the development of student-oriented infrastructures (i.e. transport, services)	Rob Fraser / Sandra Rogers (Planning) Universities	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not within the remit of the Housing & New Homes Committee</p> <p>Recommendation Accepted</p> <p>This is an issue that could be explored further through sub-regional planning and economic development forums – Coastal West Sussex and Greater Brighton Strategic Planning Board and Economic Board. Growth Plans of both Universities may lead to additional premises in wider Greater Brighton area e.g. University of Brighton had plans to locate additional accommodation outside the city. Part 2, City Plan will also look for additional sites within the City.</p> <p>The Greater Brighton Devolution Prospectus outlines its commitment to extend the presence of the universities and further education colleges throughout the region, northwards into Burgess Hill and along the coast to Newhaven and Worthing. Alongside this, is the commitment to deliver an intelligent transport network across the region that supports the business and tourist economy, and people travelling to work and learn.</p> <p>This strategic action to work with bordering authorities to support satellite campuses is included in the Housing Strategy 2015.</p> <p>The commitment to work with bordering authorities in the development of satellite campuses is welcomed by the University of Brighton (should there be any). Proximity to academic site remains a key priority for both the university and its students.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Work with bordering authorities to support satellite campuses. • Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area. 		

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

Private Sector Housing Scrutiny Recommendation 12	Council Service Lead(s)	ELT Lead
To promote the development of student union and/or university letting agencies	Martin Reid (Housing & SHP) Universities	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>The Housing Strategy 2015 supports improvements in the letting and management of student accommodation both for the benefit of students and local communities.</p> <p>The Students' Union at the University of Sussex, run a letting agency for student accommodation. At present the agency has approximately 50 properties, 35 of which are fully managed. There is huge demand for these properties and the scheme is very popular with students and rated very highly. It is an aspiration of the Students Union to expand this scheme but funding, staffing and other resources such as a lack of an alternative location in the centre of Brighton, is a barrier to this. The current location is limited by lack of walk by traffic of landlords, who may not aware that Sussex Student Lettings exists.</p> <p>Students from the University of Brighton use Sussex Student Lettings and feedback from students has been very positive.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Develop an ethical standard for letting agents including a commitment to equalities and diversity, a 'living rent' scheme where rents are linked to wage inflation, and longer tenancies to support family stability. 		

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Private Sector Housing Scrutiny Recommendation 13	Council Service Lead(s)	ELT Lead
To promote the development of university-endorsed landlords and letting agents, and encourage the universities and student unions to champion these landlords to students	Martin Reid (Housing & SHP) Universities	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>We have met with the National Landlords Association and they are positive about working with us both in improving quality and management of the city’s private rented sector with a track record in work strategically and with government including looking at ways of investing in home energy efficiency.</p> <p>New legislation makes it a legal requirement for all lettings agents and property managers in England to join one of three Government approved redress schemes; Ombudsman Services Property, Property Redress and the Property Ombudsman. In Brighton & Hove the requirement is enforced by our Trading Standards team.</p> <p>One of the strategic actions in the Housing Strategy 2015 is to promote the Student’s Union “Rate Your Landlord” report across the city and the idea of rented accommodation that is ‘fit for study’.</p> <p>The introduction of additional licensing for smaller HMOs in 5 wards identified as having high levels of the smaller HMO in November 2012 and the extension of the scheme to 7 other wards in the city on 2 November 2015 will improve the conditions and management of these types of properties.</p> <p>Article 4 – See Recommendations 4 and 5</p> <p>Research into the need for student accommodation in the city commissioned by Planning and Housing will provide evidence on projected student housing need, the cumulative impacts of purpose-built student accommodation and privately rented accommodation.</p> <p>Head-leasing schemes – see Recommendation 10</p> <p>The University of Sussex has a Sussex Studentpad website providing information on private rented sector accommodation to let and guidance for students. There are around 600 landlords advertising properties on the website who have agreed to abide by the UUK Accommodation Code and all new properties are inspected by the university.</p> <p>The University of Brighton has an accommodation service in Brighton, Eastbourne</p>		

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and Hastings. There are over 1600 places in halls in Brighton, 230 university-managed rooms in shared homes across Brighton, Eastbourne and Hastings and about 100 rooms in homestays. The University has a dedicated website for students to search for accommodation that must conform to a Code of Standards before it is registered with the University. The website also includes student message boards and lots of helpful information about house hunting, www.brightonstudentpad.co.uk. New and existing properties registered on the website are inspected by the Accommodation Service team.

The University of Brighton also has a dedicated Housing Advice Officer who supports and advises students the about private rent sector accommodation.

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- Develop an ethical standard for letting agents including a commitment to equalities and diversity, a 'living rent' scheme where rents are linked to wage inflation, and longer tenancies to support family stability.
- Promote the Student's Union "Rate Your Landlord" report across the city and the idea of rented accommodation that is 'fit for study'.

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Private Sector Housing Scrutiny Recommendation 14	Council Service Lead(s)	ELT Lead
To promote the use of a city-wide rate-my-landlord scheme for all private sector housing	Martin Reid (Housing & SHP)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>One of the strategic actions in the Housing Strategy 2015 is to promote the Student's Union "Rate Your Landlord" report across the city and the idea of rented accommodation that is 'fit for study'.</p> <p>A rate-my-landlord scheme could only be run externally and not as a council function.</p> <p>The University of Sussex Students' Union run a successful rate-my-landlord scheme.</p> <p>Rate Your Landlord is an annual online survey conducted by the University of Sussex Students' Union. First launched in 2009, the survey looks at the experience of students living in private rented property in and around Brighton and Hove, and is used to create a better understanding of the issues that face students who rent privately. This includes identifying problems where they exist, recognising good practice when it occurs and informing recommendations that seek to drive up standards in the sector and improve the experience for students.</p> <p>Rate Your Landlord Survey is a way of encouraging students to express their views and participate in the University of Sussex Students' Union. This survey, however, is not based on a scientific, representative sample and the results are vulnerable to manipulation by individuals with an interest in the outcome. All information is independently collated from student responses to the Rate Your Landlord Survey and is in no way the opinion of the University of Sussex or the University of Sussex Students' Union.</p> <p>One element of the survey involves students being asked to rate letting agents on a 5 point scale ranging from strongly agree to strongly disagree against 5 questions:</p> <ul style="list-style-type: none"> ● Provides a good level of customer service (i.e. helpful, polite, easy to get hold of etc) ● Has low upfront fees (e.g. admin fees) ● Provides clear information about costs and the terms of the tenancy agreement ● Acts in a timely and reasonable way to resolve any problems that are reported (e.g. repairs, complaints etc) 		

Private Sector Housing Scrutiny Panel Recommendations: March 2015 Report: October 2015

- Provides a property that is comfortable and safe (e.g. free from mould & damp, well insulated & draught-free, has a smoke alarm fitted, has a current gas safety certificate etc.).

Finally students are asked to give their opinion of their overall experience, again on a 5 point scale ranging from very good to very poor. Each response was allocated and scored. Due to the variability in the numbers of responses across letting agents, a Bayesian average is taken to avoid unfairly advantaging or disadvantaging letting agents with fewer responses. An example formula for the Bayesian average is:
$$\frac{\text{mean number of responses across letting agents} \times \text{mean score across letting agents} + (\text{individual letting agent response count} \times \text{individual letting agent score})}{\text{mean number of responses across letting agents} + \text{individual letting agent response count}}$$

Full details can be found in the full report.

<http://www.sussexstudent.com/asset/News/6412/RYL2014.pdf>

These scores then translated into a key rating score which is available to students. The key ratings ranged from 0 keys, representing poorly performing letting agents based on student survey responses, and 5 keys representing well performing letting agents based on student survey responses.

The data we gather in the survey is used for a variety of different purposes, this includes being used as the basis of our guarantor scheme proposal and to inform our responses to consultations.

The Rate my Landlord scheme also includes feedback from University of Brighton students and has proven to be a useful source of information for students when looking for a property via letting agents.

There are two websites that are also popular with students for accommodation reviews/feedback; Whichpad, www.whichpad.com and Move'm, www.movem.co.uk

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- Promote the Student's Union "Rate Your Landlord" report across the city and the idea of rented accommodation that is 'fit for study'.

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Private Sector Housing Scrutiny Recommendation 15	Council Service Lead(s)	ELT Lead
To develop ethical models for letting agents, estate agents and landlords, and create a website with a list of these ethical organisations	Martin Reid (Housing & SHP). Sylvia Peckham (Housing)t	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>The Housing Strategy 2015 supports the development of an ethical standard for letting agents including a commitment to equalities and diversity, a 'living rent' scheme where rents are linked to wage inflation, and longer tenancies to support family stability.</p> <p>We are at the early stages of engaging in research to inform potential options for review of models of arms length letting agents that will be fair and transparent. In our research to identify how to take this forward examples we will be looking at include the <u>Haringey</u> and Westminster models.</p> <p>The Students' Union at the University of Sussex has its own letting agency. It is no longer managed under the commercial services arm but instead is run as a social enterprise. As a social enterprise all profits after operating costs are spent on providing a range of advice & support services for students.</p> <p>Being part of the Students' Union means that the students already have an on-going relationship with the letting agency through using the range of services the Union provides, which creates an element of trust and familiarity that they are unlikely to have with other agencies. They also don't charge any administration fees to the students, making Sussex Student Lettings their financial preference also.</p> <p>Sussex Student Lettings are able to provide four services to landlords; 'Room Only' 'Let Only' 'Rent Collection' and 'Full Management'.</p> <p>The staff are employed on a fixed salary rather than commission on, it is believed that this supports the kind of culture the agency wish to promote. The agency is staffed by people who genuinely want to provide good customer service throughout the whole process of searching for a property, moving in, and during the tenancy itself.</p> <p>We propose to support exploration of options as to whether the scope of this model</p>		

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
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can be widened to expand beyond student housing and encompass a greater range of private rented housing.

The University of Brighton supports the development of a city-wide ethical standard for letting agents.

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- Support for landlords to better manage properties.
- Up skill small and accidental landlords to improve tenancy management.
- Develop an ethical standard for letting agents including a commitment to equalities and diversity, a 'living rent' scheme where rents are linked to wage inflation, and longer tenancies to support family stability.

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Private Sector Housing Scrutiny Recommendation 16	Council Service Lead(s)	ELT Lead
To consider the development, and promote the uptake and benefits to landlords of registration to PRS accreditation schemes	Martin Reid (Housing & SHP) Alan Davis (Housing Acquisitions Team)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted</p> <p>In a high demand housing market developing voluntary landlord accreditation schemes can be challenging. Our existing private rented sector accreditation scheme is not currently active as in a buoyant housing market and with the end of private sector housing renewal funding there are limited incentives for landlords to join a voluntary accreditation process.</p> <p>Following extensive consultation our Housing Strategy 2015 commits us to a number of strategic actions aligned to improve tenancy management and support landlords to better manage their homes. We therefore propose to review accreditation options and / or options for agreeing standards / codes of conduct for agents and landlords to be developed on a partnership basis in the city.</p> <p>This is distinct from consideration of often time limited regulatory responses such as discretionary licensing schemes that may be applied to private rented homes subject to Housing & New Homes Committee approval aligned to Housing Act requirements concerning evidence, consultation and resources.</p> <p>The council is exploring the viability of introducing selective licensing and the introduction of any type of accreditation scheme needs to be balanced against this work. It is important to identify how an accreditation scheme would be different and what it would achieve compared to selective licensing e.g. the benefits and limitations.</p> <p>University managed properties have to be operated under an externally audited code.</p> <p>University of Brighton - standards are defined by the Student Accommodation Code (Universities UK) and a Code of Standards that we have developed for owners, resident landlords, head lease and homestay accommodation.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Support for landlords to better manage properties. 		

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- Up skill small and accidental landlords to improve tenancy management.

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Private Sector Housing Scrutiny Recommendation 17	Council Service Lead(s)	ELT Lead
To create a register of landlords who have been proven to have undertaken retaliatory evictions	Mike Slagter (Housing)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Partially Accept (subject to Housing & Planning Bill 2015)</p> <p>The Government’s new Housing and Planning Bill 2015 includes a proposal to create a national database of rogue landlords/letting agents, which will be maintained by local authorities.</p> <p>The Housing & Planning Bill includes the measure to set up of a national database of rogue landlords which will be maintained, updated and edited by local authorities and every local authority will have access to it. In addition there are measures allowing local authorities to apply for banning orders which will ban a person from letting or managing property or acting as a letting where they have committed housing offences. A person subject to a banning order will not be able to hold an HMO licence and not be able to dispose of any properties to family or friends. Councils will be able to grant management orders for these properties.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Review evictions from the private rented sector to analyse the underlying reasons behind homelessness. 		

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Private Sector Housing Scrutiny Recommendation 18	Council Service Lead(s)	ELT Lead
To explore ways to increase the supply of private sector housing with rental costs that are affordable (e.g. for key workers in the city) and in line with representative household incomes in the city	Martin Reid (Housing) Rob Fraser (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>Planning policy for housing seeks a mix of housing tenures and types/sizes of residential units that helps to respond to different local needs. Affordable housing supply can come forward as a mix of affordable housing tenure types (e.g. affordable rented, shared ownership, intermediate rents). We will continue to explore more innovative housing products that might be able to help address this issue.</p> <p>The Housing Acquisitions Team runs schemes where it takes on privately own properties and leases them to local families in need of accommodation. Under the scheme the council is responsible for managing the property and guarantees rental income to the property owner.</p> <p>Although the Acquisitions team has successfully taken on a significant number of properties, the city's a buoyant market and market forces make it difficult to negotiate rents within affordable levels. Schemes like the accreditation scheme are no longer in existence as they proved not to be an incentive for landlords to engage but we could consult with landlords and review whether this scheme would again be viable.</p> <p>Housing Market intervention – see Recommendation 6 In order to further increase the supply of new affordable homes additional funding options are being actively investigated with Savills & Trowers and Hamblins funded by DCLG, including buying new homes off plan and other SPV / Joint Venture options.</p> <p>Within the Greater Brighton Devolution Prospectus there is the proposal for a pilot Joint Venture to deliver 1000 homes with a local housing association, the proposal would be to establish a new Greater Brighton Living Wage house model.</p> <p>There has also been an increase in development including Build-to-Rent coming through Planning.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> ● Prioritise support for new housing development that delivers a housing mix the city needs with a particular emphasis on family, Affordable Rent and where 		

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feasible, Social Rented housing.

- Continue work with a range of partners including Homes & Communities Agency, housing associations and the community housing sector to develop more affordable housing.
- Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area.

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Private Sector Housing Scrutiny Recommendation 19	Council Service Lead(s)	ELT Lead
To explore ways to increase the supply of affordable 'social housing' for key workers and vulnerable people (i.e. older people living in PRS housing which is not suitable for them and not readily adaptable, and/or people with mental health conditions who might previously have been accommodated in social housing)	Martin Reid (Housing) Rob Fraser (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>There is an opportunity to explore this through the preparation of and consultation on Part 2 of City Plan with regard to looking at policies to promote housing for particular needs groups. Planning officers work closely with the Housing officers of the Council and those in the 'New Homes for Neighbourhoods' team. Teams are exploring whether development of some council owned sites would be suitable for particular needs groups.</p> <p>Under the New Homes for Neighbourhoods Programme over 500 additional council homes are projected to be built over the next 5 years. A range of homes will be built from larger family homes to 1-bed room flats, they will be accessible and adaptable, with some built for wheelchair uses. The specification will meet high standards that will reduce fuel bills and carbon emissions. The proposal that some homes will be to Passivhaus principles which potentially reduce construction time and costs whilst delivering a super insulated homes that reduces energy use and lowers emissions. The rent levels for the new homes will be 80% Market Rents capped at Local Housing Allowance. In addition to general needs homes, the programme will be delivering an extra care scheme providing 45 flats for older people that will be built to a high standard (BREEAM) standard 'Good' and be appropriate for people suffering with dementia</p> <p>Housing Market Intervention – see Recommendation 6</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> ● Prioritise support for new housing development that delivers a housing mix the city needs with a particular emphasis on family, Affordable Rent and where feasible, Social Rented housing. ● Continue work with a range of partners including Homes & Communities Agency, housing associations and the community housing sector to develop more affordable housing. ● Directly provide more council housing, such as by developing ourselves through our New Homes for Neighbourhoods programme, buying new homes off-plan or 		

Private Sector Housing Scrutiny Panel Recommendations: March 2015
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by supporting others to build and manage on our behalf.

- Use Right To Buy receipts and developer contributions to fund new housing.
- Maximise housing provided from best use of the Council's Housing Revenue Account (HRA) investment, land and buildings.
- Support housing associations and community housing organisations with their proposals to deliver affordable homes.
- Reinvigorate the Home Ownership for People with Long-term Disabilities scheme.
- Prioritise family housing in our housing investment plan and in enabling work with Homes & Communities Agency, Registered Providers and other partners.
- Look to new developments to deliver family housing as part of the affordable housing requirement.

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

Private Sector Housing Scrutiny Recommendation 20	Council Service Lead(s)	ELT Lead
To further foster joined-up working between city council departments (e.g. housing, public health) and other relevant organisations (e.g. Southern Landlords' Association, CAB, Community Housing Network, Brighton Housing Trust, city universities)	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>There is already good partnership working with stakeholders in the city, e.g. the city's Strategic Housing Partnership (SHP) and also the Affordable Housing Delivery Partnership in the city. Membership of the SHP includes representatives from the health sector, landlords associations, universities and Brighton Housing Trust). Consultation on Part 2 of the City Plan will review and explore whether planning could build better planning relationships with some of the city's stakeholders.</p> <p>We will keep the composition of existing partnerships under review and encourage more integrated partnership working across the city, in particular with a review to implementation of some of the recommendations in this report.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Continue work with a range of partners including Homes & Communities Agency, housing associations and the community housing sector to develop more affordable housing. • Promote the concept of Community Housing. • Explore the viability of Community Land Trust and wider community housing development options when land is available with a focus on maximising the social value of new developments where appropriate. • Explore the use of commercial properties for co-operatives where compatible with City Plan policies. 		

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

Private Sector Housing PRS Deputation to Housing Committee – June 2015: Request 1	Council Service Lead(s)	ELT Lead
To set up a living rent commission	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>Given the Living Rent report has been submitted to the Fairness Commission there is no need for a separate commission on the Living Rent.</p> <p>The findings on research into living rents were presented to the Housing & New Homs Committee in September 2015. The Committee agreed to refer living rents to the Fairness Commission with a recommendation that the Commission looks into this further.</p> <p>The Greater Brighton Devolution Prospectus seeks to address the need for ‘living wage housing’ through developing a mechanism to re-establish the crucial links between housing and the labour market, rents and ownership and the ability of people on low incomes to afford them and the creation of a Greater Brighton Housing Company that will deliver greater numbers of new and more affordable homes. The offer within the prospectus is:</p> <ul style="list-style-type: none"> • A pilot Joint Venture to deliver 1,000 homes with a local housing association, the proposal would be to establish a new Greater Brighton Living Wage house model. • Raising standards in the private rented sector. Interventions to improve the management of existing private rented stock, combined with the opportunity to bring investment into the sector for new private rented homes could transform the tenure into one which fully delivers for the local communities of Greater Brighton. <p>The prospectus will also pursue innovative models for housing delivery, for example rapid-build programmes that will deliver housing at reduced costs.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Develop an ethical standard for letting agents including a commitment to equalities and diversity, a ‘living rent’ scheme where rents are linked to wage inflation, and longer tenancies to support family stability. 		

Private Sector Housing Scrutiny Panel Recommendations: March 2015
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Private Sector Housing PRS Deputation to Housing Committee – June 2015: Request 2	Council Service Lead(s)	ELT Lead
To set up a register of all private rented sector landlords	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>Request subject to review of options</p> <p>The consultation for the Housing Strategy 2015 identified that a large majority of respondents wanted us to introduce a register of all private sector landlords to help support efforts to maintain and improve standards. In response to this one of the strategic actions in the strategy is to support a register of landlords in the city</p> <p>The 3 main options have been identified:</p> <p>Selective Licensing: To adopt selective licensing a local authority has to demonstrate not only that an area has larger than average private rented sector but is also experiencing a number of issues (low housing demand, anti-social behaviour, poor property conditions, an influx of migration, a high level of deprivation, high levels of crime.) Although we do have a large private rented sector market, evidence will be required prior to any consultation on options for any selective licensing. It is proposed that research will be undertaken to explore options.</p> <p>Additional Licensing: Following the introduction of additional licensing for smaller HMOs in 5 wards identified as having high levels of the smaller HMO in November 2012, the scheme will be extended to 7 other wards in the city on 2 November 2015. Discretionary licensing will be kept under review and subject to proliferation of smaller HMOs and any issues arising with management and standards.</p> <p>Voluntary Accreditation: Also see response to Recommendation 16 above. This scheme recognises and rewards good landlords / agents. As the city has a very buoyant, high demand private rental market an accreditation scheme is unlikely to be attractive to landlords / agents unless high level incentives could be offered. We propose to consult with landlords and other interested parties and review whether this scheme would be viable.</p> <p>These 3 main options and any further will be considered as part of review into the city's private rented sector.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> ● Support a register of landlords in the city. 		

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
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Private Sector Housing PRS Deputation to Housing Committee – June 2015: Request 3	Council Service Lead(s)	ELT Lead
To petition government to allow a rent cap to be introduced	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
Full Council would have to make such a recommendation.		

Subject:	Seniors housing scheme review		
Date of Meeting:	11 November 2015		
Report of:	Acting Executive Director Environment, Development and Housing		
Contact Officer:	Name:	Simon Pickles	Tel: 29-2083
	Email:	simon.pickles@brighton-hove.gov.uk	
Ward(s) affected:	Hanover and Elm Grove		

FOR GENERAL RELEASE**1. PURPOSE OF THE REPORT AND POLICY CONTEXT**

- 1.1 At the January 2015 Housing Committee members accepted in principle the recommendations of the seniors housing stock review. The review's remit was to ensure the council's seniors housing stock remained fit for purpose into the future and continued to support the city housing strategy.
- 1.2 One of the recommendations addressed the need to decommission a small number of seniors schemes, on a case by case basis, which could not feasibly or viably be made fit for purpose. A confidential report was brought to the September 2015 committee proposing the decommissioning of Stonehurst Court, a non-purpose built seniors scheme, built in 1951, consisting of 25 studio flats and communal facilities. Members considered this report in Part 2 of the meeting.
- 1.3 Closing a seniors scheme is a sensitive matter requiring early and sensitive consultation with the tenants concerned. For this reason members granted permission to consult the tenants on this proposal and their re-housing options prior to the public release of any report.
- 1.4 This report informs the Housing & New Homes Committee on the outcome of the tenant consultation meetings and seeks to obtain a decision on whether to close Stonehurst Court.
- 1.5 Members are also asked to note the future short and medium term options for the redevelopment or conversion of the scheme, in the event of a decision to close the scheme.

2. RECOMMENDATIONS

That the Housing and New Homes Committee:

- 2.1 Agrees to the conclusion of the scheme review, summarised in this report, and after due consideration of the results of the consultation with the current residents, that Stonehurst Court should be decommissioned for use as seniors accommodation.
- 2.2 Notes that the 6 flats which are part of the street frontage will not form a part of any redevelopment due to the difficulties relating to proximity to neighbouring owner occupied properties; and therefore agrees that priority for any vacancies in these 6 properties be given to any tenants who are required to be decanted from the remainder of the site and who would suffer particular detriment (health or social) in moving away. These flats would not be retained as seniors housing.
- 2.3 Agrees that in the event of the scheme closing, the remaining available accommodation, namely the studio flats in the centre of the site, be made available as temporary accommodation for statutory homeless people to whom the council owes a duty, subject to a property by property business case and risk assessment.
- 2.4 Notes the update on the range of potential medium term future options for the site in paragraph 3.6. A report on options for future use of the site will be brought to a future Housing & New Homes Committee in the event of the scheme closing.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Housing Strategy context of the existing and future uses of this site:
 - improving housing supply, quality and support
 - making best use of HRA assets
 - meeting the needs of an ageing population
 - enabling people to live independently at home for longer preventing costs to ASC & Health
 - a proposal to use as temporary accommodation could mitigate a budget and accommodation pressure enabling the council to discharge its statutory housing using duty within the city and offset the costs and wasted resource that would otherwise arise if these homes were left empty.
- 3.2 The council has de-commissioned seniors schemes previously, where they reached the end of their useful life. Such schemes from the past include:

- Ainsworth House (which became Balchin Court)
- Patching Lodge (which became Hanover's extra care scheme)
- Ryecroft Lodge (which became a Housing Association development)
- Mantel House (which became accommodation for adults with learning disabilities).

3.3 The reasons for recommending the closure of Stonehurst Court fall under four main headings:

- Scheme layout
- Condition of the buildings
- Difficulty in letting the current accommodation
- Financial issues: negative value and cost to HRA over the business plan period.

a. Scheme layout:

- 25 studio flats (five blocks of four studios; four end terrace studios; one semi-detached studio) and limited communal facilities. See Appendix 1 for site plan and Appendix 2 for photographs
- steep internal stairs leading to upstairs studio flats
- very high front door steps to the ground floor studio flats
- absence of internally accessed communal areas encouraging isolation
- the scheme is near the top of a hill
- there are no lifts on this scheme, nor is it viable to 'retrofit' lifts
- studio flats are not considered to be fit for purpose as seniors housing accommodation and are difficult to let
- 8 first floor tenants find it difficult to manage the stairs up to their flat
- Not accessible or adaptable or fit for future needs including meeting Lifetime Homes and modern sustainable housing standards providing thermal comfort and affordable warmth.

b. The condition of the buildings:

- There are at least three flats with chronic, structural dampness problems, which have necessitated decanting the tenants to temporary accommodation. Officers are planning some further opening up of the cavities to ascertain the exact condition and cause of the damp penetration
- A survey undertaken by an external surveyor in December 2014 concluded: *'We can confirm that the structure of the properties at Stonehurst Court is generally in a fair condition and that the buildings, with some external repairs, can be brought back to a weather tight situation'*.

c. The difficulty in letting the current accommodation:

- All 25 flats are studios which are generally hard to let. Single men accept them more readily than single women
- There are currently six empty studios (at 10.9.15) :
- In addition, two tenants have been moved temporarily into alternative accommodation
- Currently, five tenants at Stonehurst Court are awaiting priority transfers and three have registered applications with Homemove.

d. Financial issues:

- Although the council is investing in its seniors housing schemes, it is not affordable to refurbish this scheme to the new standards expected of modern seniors housing, given the limitations listed above (a.-c.)
- More detailed financial implications are set out at section 5.

3.4 Results of consultation exercise about the proposal to close the scheme

- Two meetings were held with residents on the morning of 24th September 2015. By the end of that day every tenant knew of the proposal.
- One to one meetings were held in the following week. Prior to these meetings tenants were given a Q&A sheet with subjects for consultation
- The results of the one to one meetings are summarised at section 4.

3.5 The process of emptying the scheme and rehousing the tenants

a. Should the Housing & New Homes Committee agree that Stonehurst Court be closed, the following communication and support procedures would be implemented:

- meeting to advise the residents that the council has decided to close the scheme and why, followed by individual meetings and housing needs surveys Explain the decant information package (including: entitlement to sums equivalent to home loss payments; reimbursement for any out of pocket expenses; and payment of other decant payments such as removals, carpets, white goods etc.)
- Discuss housing options regarding alternative accommodation including seniors housing available in the city
- As the Council is requiring the tenants to move, this will fall outside of the Council's Allocations Scheme. Tenants will be offered properties by the Housing Management teams as transfers due to decants falls outside the Allocations legislation. (Housing Act 1996 Part 6, S159, 4A)
- It is important to manage the emptying of the scheme to ensure people are not left isolated at the later stages of decommissioning. The council will

work with all residents to find alternative accommodation in accordance with their needs. The removal can be arranged and paid for by the council and full support and assistance will be available to the tenants, to suit each individual's requirements.

3.6 The development options to meet housing needs at this scheme in the future.

The following options are being considered for the redevelopment of the scheme. Future reports will provide details of the medium term options a-d for the Committee to determine which one should be pursued:

- a. Replace the scheme with purpose built seniors provision or general needs accommodation through Estate Regeneration Programme.
- b. Redevelop the scheme through disposal to a housing association to develop, including homes for Affordable Rent.
- c. Disposal of the land for redevelopment and use the capital receipt for development of affordable housing elsewhere.
- d. Converting the properties back to family housing – this will be dependant on the structural surveys that will be carried out after the properties are vacant.
- e. To ensure the assets are used and secure pending a decision, it is proposed to use the empty flats on the scheme as short term temporary accommodation for the homeless, subject to full business case and risk assessment. The potential financial benefits of this approach are outlined in Financial implications in Section 6 below.

4. COMMUNITY ENGAGEMENT & CONSULTATION

4.1 The outcomes of the one to one consultation meetings are summarised in the table below:

Note: **16** sitting tenants have been consulted individually. We have notified but not consulted 3 tenants owing to temporary absence.

Opposition to the proposal to close the scheme	Supports the reasons for the scheme closure	Unsure	Total	Acceptance with the right offer of re-housing	Opposition to move at all	Total
8	7	1	= 16	14	2	= 16

4.2 The feedback has been mixed, as can be seen from the table above. It is clear from the comments we have received throughout the two public

meetings and the one to one meetings that Stonehurst Court has provided a happy home for at least half of the tenants now living there and understandably they feel reluctant about moving. There is another group of tenants who understand that the scheme is no longer fit for purpose and something needs to be done. The great majority would accept the move if the right offer of rehousing was made.

4.3 Ward members have been informed and attended the tenant consultation house meetings. Ward members have advised that tenants are free to contact them, including attending their monthly drop-in surgery without appointment.

5. CONCLUSION

5.1 Having commenced consultation with residents and in acknowledgement of the stress that uncertainty over the future of the scheme may cause we have sought to bring a recommendation to decide on scheme closure to the earliest possible Housing & New Homes Committee meeting.

5.2 As outlined in this report and Financial Implications below, Stonehurst Court does not currently provide suitable or viable seniors housing (poor location, accessibility, layout, stock condition and lettable).

5.3 As outlined in this report and in the Financial implications below Stonehurst Court represents a poor value asset to the HRA in its current form. There will be a negative value and significant costs should the scheme remain as seniors housing.

5.4 There is the possibility to exclude the 6 studio flats which form part of the street frontage from future options and use any vacancies to rehouse on site the tenants who would be seriously affected by a move away from the scheme.

5.5 In the event of a decision to close the scheme, the council could use the empty flats on the scheme as short term temporary accommodation for the homeless, subject to business case and risk assessment.

6. FINANCIAL IMPLICATIONS

6.1 The net rental income stream for Stonehurst Court (i.e. the rental income net of management, maintenance and required investment costs over 30 years) shows that these units have a negative financial performance with a net cost to the Housing Revenue Account of approximately £185,000, which equates to £7,400 per unit, over the 30 years. If a decision is made to decommission (close) this scheme, this cost will be removed, however will not have material effect on the financial performance of the Housing Revenue Account over the 30 years.

- 6.2 Amounts equivalent to home loss payments, removal costs and reimbursement of reasonable out of pocket expenses as part of the move could be in the region of £133,000 (£4,900 minimum per household for Home Loss and £2,500 suggested ceiling for reimbursements for permanent decants). These and any other associated costs of decommissioning this scheme will be required to be funded through the Housing Revenue Account and will be managed and reported through the Targeted Budget Management process reported through Policy & Resources Committee.
- 6.3 It was previously reported that it could take several months to fully decant the scheme. The combined rent and service charge loss per flat is approximately £1,140 if empty for 3 months and £2,280 if empty for 6 months. If the whole scheme (25 flats) remained empty for 6 months the combined rent and service charge loss would be approximately £57,000. This reduction in income would be managed within the Housing Revenue Account budget over the decant period. However, it should be noted, as per paragraph 6.1, that Stonehurst Court's financial performance over the long term period costs more to manage and maintain than the rental income received.
- 6.4 The recommendation in paragraph 2.3 for the possible short term use of the scheme as temporary accommodation (TA) for the homeless is estimated to have an overall positive financial impact by reducing the cost/loss of rental income to the HRA from empty flats. The TA Acquisitions Manager has inspected the current empty studio flats at Stonehurst Court and advises that they already meet the TA lettable standard. This means the only remedial work required (unless the flat has structural dampness, in which case it would not be used for TA) will be redecoration, carpets and minor responsive repairs. It is estimated that these costs (currently estimated at an average cost of approximately £525 per flat) will be recovered through the rent charged (social rent which is currently £63.76 per week) within the first 8-9 weeks of use.
- 6.5 The use of these properties for Temporary accommodation would also reduce the need for emergency placement accommodation for the duration of their use and therefore reduce current budgetary pressures for the General Fund. This type of accommodation is expensive and only used as a last resort but currently costs the General Fund an average of £230 per week as the housing benefit paid does not cover the total cost of the rent. If, for example, the council was able to use 10 of these units for temporary accommodation, this could save approximately £2,300 per week for the General fund – a saving of £29,900 for 3 month period. There may be a small cost associated with providing white goods for some these properties, which will marginally reduce this saving.

6.6 Financial implications for the future redevelopment options outlined in paragraph 3.6 will be included in a future report to the Housing and New Homes Committee.

Finance Officer Consulted: Susie Allen, Principal Accountant. Date: 29 October 2015

7. LEGAL IMPLICATIONS:

7.1 Decisions made by local authorities without proper consultation are vulnerable to challenge by way of judicial review. It was therefore essential that full consultation, as outlined in paragraph 4.1 was undertaken. Proper consultation entails consultation at a time when proposals are still at a formative stage; the provision of sufficient reasons for the proposals to allow those consulted to give intelligent consideration and an intelligent response and an adequate time for response. Finally, the product of the consultation must be conscientiously taken into account when the final decision is taken. Members must therefore take the tenants' views into account when making a final decision on the future of Stonehurst Court as Seniors Housing.

7.2 In taking any decisions which might affect a tenant's home, the council must have regard to the Human Rights Act and in particular Article 8 which provides that "Everyone has the right to respect for their private and family life and also the right to respect for their home and correspondence." The term "private life" has a very wide meaning. The right to respect for a home is not a right to housing, but a right to access and live in their home without intrusion or interference. It is a qualified right, so interference with that right is possible in the interests of national security, public safety, economic well-being and the prevention of crime and disorder.

7.3 Home loss payments are payable to tenants who have been in occupation for at least one year and move out due to redevelopment and clearance. The minimum amount fixed by the Home Loss Payments (Prescribed Amounts) (England) Regulations 2014 is £4,900.

Lawyer consulted: Liz Woodley

Date: 30 October 2015

8. OTHER IMPLICATIONS:

8.1 Equalities Implications:

Any future development would meet the Lifetime Homes accessibility standards, meeting the needs of those households in the city whom we can't currently house.

8.2 Sustainability Implications:

Any future development would meet Lifetime Homes standards and the code for sustainable homes (albeit now subsumed by Building Regulations). Warm

and well insulated homes will have beneficial impacts on issues such as health, fuel poverty, reduced occupiers' costs of running the home and reduced CO2 emissions. Any conversion or newbuild project would comply with Building Regulations.

8.3 Risk and Opportunity Management Implications:

There is a range of options for meeting new housing needs on this site.

SUPPORTING DOCUMENTATION

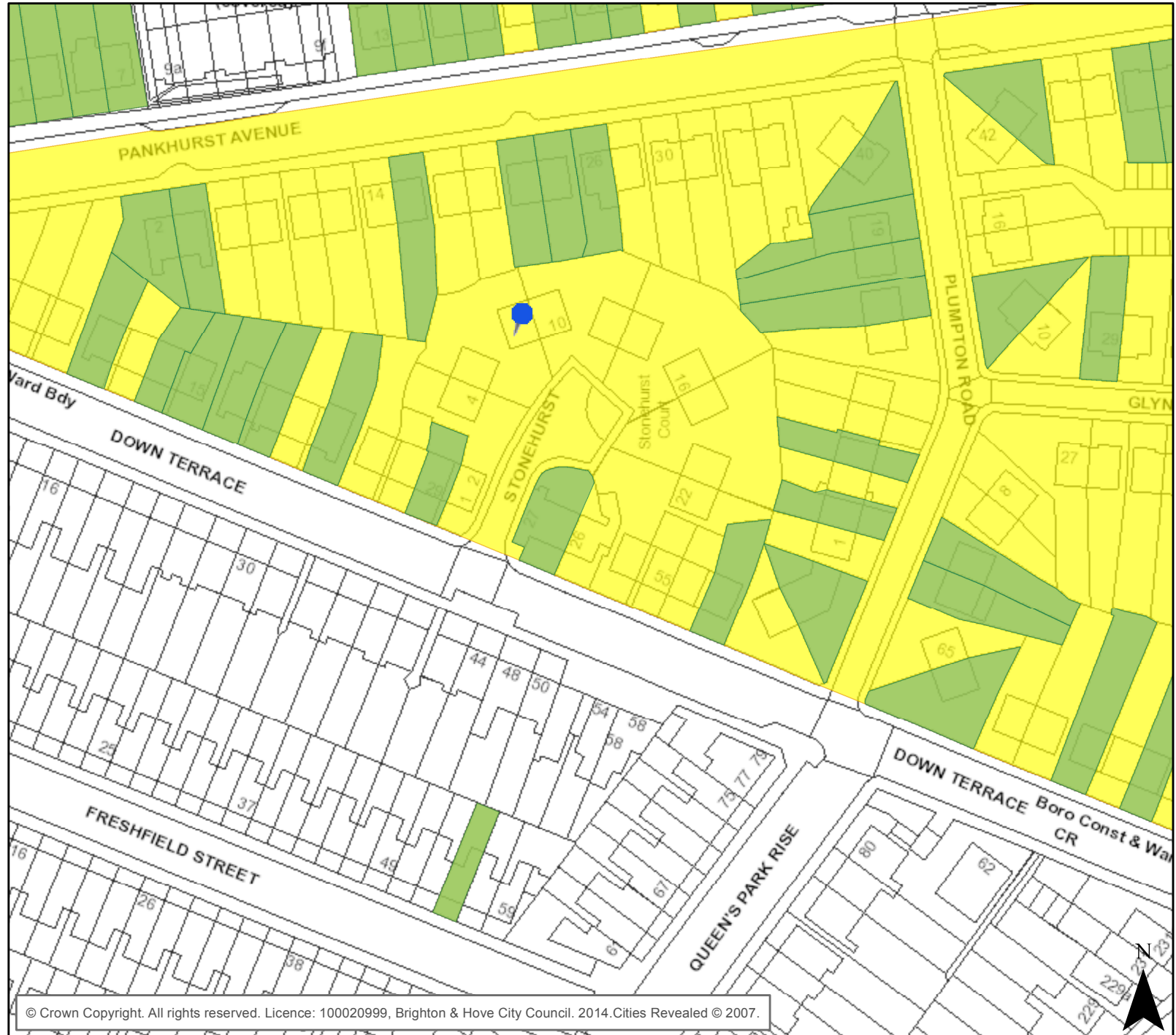
Appendices

Enc. 1: Localview site plan

Enc. 2: Photographs

Stonehurst Court Legend

- BHCC Sold Sept 14
- BHCC Freehold Sept 14



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Appendix

Photographs of Stonehurst Court



Subject:	Former Oxford Street housing office - review of future options		
Date of Meeting:	11 th November 2015		
Report of:	Acting Executive Director Environment, Development & Housing		
Contact Officer:	Name:	Simon Pickles	Tel: 29-2083
	Email:	simon.pickles@brighton-hove.gov.uk	
Ward(s) affected:	St Peter's & North Laine		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The former Oxford Street housing office is a vacant Housing Revenue Account (HRA) asset, which requires a review of its future use.
- 1.2 This report explores, at a high level, a range of future options for the site. If members agree, a more detailed, fully costed report can be brought back to a future Housing & New Homes committee for consideration.

2. RECOMMENDATIONS:

That the Housing and New Homes Committee:

- 2.1 Notes the range of future options for this HRA owned commercial property in paragraph 4.
- 2.2 Agrees that a further, fully costed report be brought back to Housing & New Homes Committee for consideration, focussing on options which make best use of the asset, meet housing needs in the city and / or generate a financial return for the council, whether revenue or capital.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 As a result of an adverse health and safety report, a decision was taken in November 2014, by the then Interim Head of Housing, to close the Oxford Street housing office. After the tenants had been notified in writing, the office closed on 28th November 2014.

- 3.2 In the intervening period officers have secured the premises and considered future options for the building including potential opportunities for redevelopment of the site.
- 3.3 The office is located in Oxford Street, leading from the A23. The office is a 3 storey (plus basement) end of terrace building. The office fronts directly onto a public footpath on Oxford Street. Photographs are attached at Appendix 1, and a Localview map at Appendix 2.
- 3.4 The council bought the property on 28 September 1995 for £0.283 million.
- 3.5 The provision of affordable rented housing on this site (through conversion or newbuild) would support the City Housing Strategy, a key theme of which is improving the supply of affordable rented homes, in particular family homes, to meet the needs of the 22,000 households on Housing Register and 1,400 in Temporary Accommodation. The Housing Strategy was adopted by Council in March 2015. This review of options also addresses the requirement to make the best use of the council's HRA assets.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

Table 1: Options table. Committee may wish to add to the options listed.

	Options	Consideration
4.1	<p>Disposal on the open market, on the basis of:</p> <p>A: Full residential conversion or redevelopment.</p> <p>B: Partial residential conversion or redevelopment, ground floor staying as commercial.</p> <p>C: A sold with Planning Consent.</p> <p>D: B sold with Planning Consent.</p>	<p>To date our Housing Strategy has not supported disposal of HRA assets on the open market.</p> <p>Open market disposal would not allow any control or benefit from any resultant residential accommodation to be secured for the Council other than through Planning obligation should the scheme be greater than 10 units and therefore subject to provision of up to 40% affordable housing required under Planning Policy.</p> <p>Cluttons have been commissioned to value the open market disposal options: A,B,C,D. The report will be ready for the next committee report.</p>

4.2	<p>Disposal to a partner Registered Provider (Housing Association)</p> <p>On the basis of best offer received from an RP for provision of homes for Affordable Rent on the site based on A & B above with the RP seeking Planning Consent.</p> <p>100% nominations on first lets, and 75% on subsequent lets (in line with partnership agreement).</p> <p>Rental stream: Affordable Rented homes reflecting Council's preferred unit mix, including provision of larger family dwellings if possible.</p>	<p>Requirement to provide homes for Affordable Rent will suppress the size of the capital receipt but will ensure Housing Strategy priorities are met, in particular addressing the shortage of family homes for rent available to those on the Housing Register. Affordable Rents are defined as the lower of 80% of market rents or LHA rates.</p> <p>An RP taking on the property will 'de-risk' delivery of Affordable Homes from a Council perspective and not impact on Council borrowing. However, in the scenario outlined there would be a negative impact on potential capital receipt.</p> <p>This option does include disposal of a HRA asset to an RP either freehold or leasehold.</p>
4.3	<p>Conversion or Redevelopment by the council's Estate Regeneration Team</p> <p>A: Full residential conversion or redevelopment B: Partial residential conversion or redevelopment, ground floor staying as commercial</p>	<p>Further feasibility work and viability modelling will need to be undertaken in order to ascertain the HRA funding requirements, different options will need to be explored, including modelling on 100% affordable units and a mix of open market sales and affordable homes for rent.</p>

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Engagement with the community has not yet taken place, pending a clearer strategy for this building. Community consultation would take place before any Planning Application is submitted.

5.2 Ward members have been notified of the current review of future options. One ward member has offered to support any community engagement exercise.

6. CONCLUSION

6.1 From an asset management perspective it is important the council derives maximum value from this asset. If the review of future options confirms that the maximum financial value would be achieved through disposal on the open market, then the receipt could be reinvested in the HRA capital programme either for Regeneration projects, investment in affordable housing or repayment of HRA debt.

6.2 From a Housing Strategy perspective, conversion or redevelopment by the council or a registered provider partner for affordable homes for rent would in principle be the best solution, subject to detailed costings, aligned to our priority of improving housing supply in the City.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Financial Implications:

7.1.1 The full financial implications / cost benefit analysis for the options detailed in this report will be prepared by finance officers when the required valuation information and feasibility cost information is received and will be reported back to this Committee.

7.1.2 The value for Oxford Street, held on the councils HRA Asset Register as at 31 March 2015, is £0.807 million. This was last valued in April 2010 and is due for revaluation. Cluttons have been commissioned to provide up to date valuations for the proposals in this report. The report proposals may result in either the disposal of Oxford Street i.e. writing the asset out of the HRA Asset register or changing its use. Any difference in the asset value and the disposal or written out value, could impact on the HRA Income and Expenditure account (under current accounting rules for the HRA). This can only be quantified once all relevant values have been received and will also be taken into consideration when assessing the financial implications for each option proposed.

7.1.3 The cost of the closure of Oxford Street for the transfer of staff, furniture removal and securing the building amounted to £0.005 million and was met within the 2014/15 HRA revenue budget. The full year building running costs for Oxford Street averaged around £0.047 million which is budgeted for within the overall HRA office management budget. The costs for maintaining the building whilst it is empty is approximately £0.019 million, which is mainly the cost of business rates (£0.017m) with the balance of costs being for security sweeps, alarms and utilities. These costs can be met within the existing HRA 2015/16 office management budget. The HRA revenue budget for office management will be

reviewed as part of the overall HRA revenue budget setting process for 2016/17 which will reported to this Committee in January 2016.

The consultant surveyor's condition report (July 2014) cost £1550 plus VAT.

Finance Officer Consulted: Susie Allen

Date: 29/10/15

7.2 Legal Implications:

The council can only dispose of HRA land with the consent of the Secretary of State. Consent may be given either i) generally to all local authorities, or ii) in relation to particular land. Under the General Consent 2013, issued under i), there is power to dispose of land for a consideration equal to its market value. If a disposal to a Registered Provider is the preferred option, consideration will need to be given to the precise terms of the transaction to determine whether the arrangement falls within the Consent regime.

Under the council's constitution, the disposal of land, or an interest in it, must be referred to Policy and Resources Committee for determination.

Lawyer Consulted: Liz Woodley

Date: 21/10/15

Equalities Implications:

- 7.3 Any future development would meet the Lifetime Homes accessibility standards, supporting households with mobility requirements and other complex needs to maintain independence in their own home with cost benefits to Adult Social Care, Children's Services and Health.

Sustainability Implications:

- 7.4 Any future development would meet Lifetime Homes standards and the code for sustainable homes (albeit now subsumed by Building Regulations). Warm and well insulated homes will have beneficial impacts on issues such as health, fuel poverty, reduced occupiers' costs of running the home and reduced CO2 emissions. Any conversion or newbuild project would comply with Building Regulations.

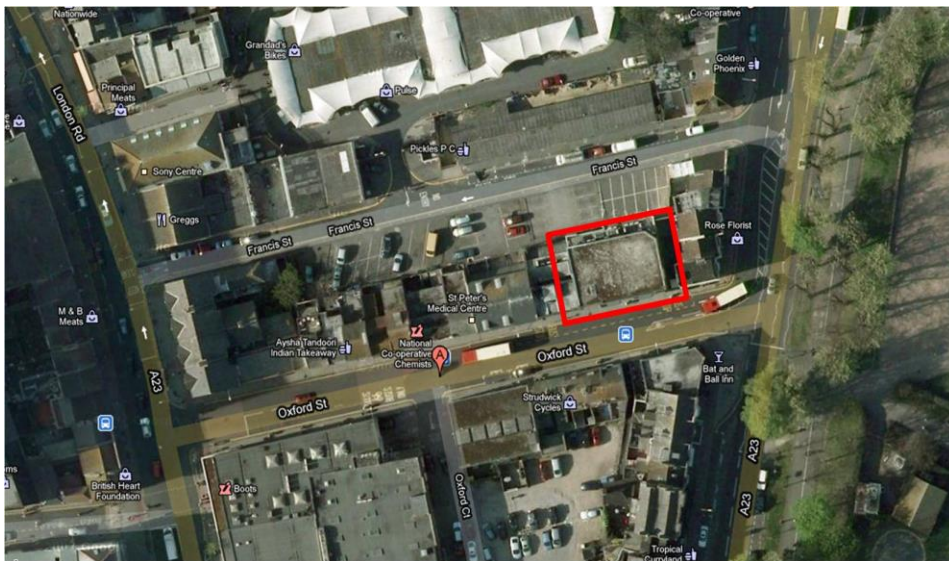
SUPPORTING DOCUMENTATION

Appendix 1: External photographs

Appendix 2: Localview site map



Members' rooms: Two reports relating to the closure of the office:

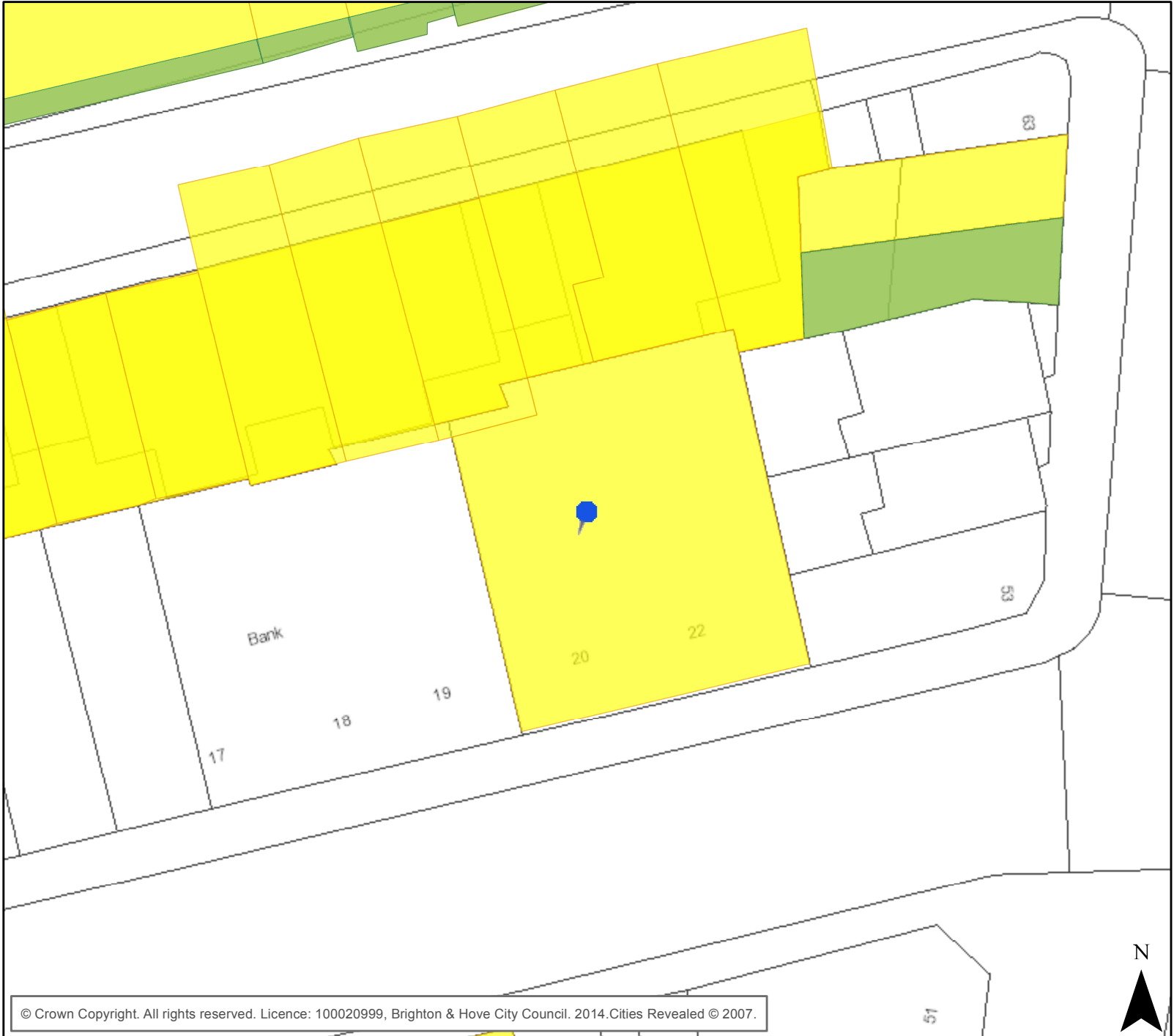
- a. Condition Report by POD consultancy, 18 July 2014
- b. Condition & Future Use Options Overview, officer report, 2 October 2014



Ex Oxford Street Housing Office, George Cooper House

Legend

-  BHCC Sold Jan 15
-  BHCC Freehold Jan 15



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Scale 1:250

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