

Housing Committee

Date: **11 March 2020**

Time: **4.00pm**

Venue **Hove Town Hall - Council Chamber**

Members: **Councillors:** Williams (Chair), Brennan (Deputy Chair), Gibson (Opposition Spokesperson), Mears (Group Spokesperson), Atkinson, Barnett, Fowler, Heley, Hugh-Jones and Osborne

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AGENDA

56 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.

57 MINUTES OF THE PREVIOUS MEETING

7 - 26

To consider the minutes of the meeting held on 15 January 2020 (copy attached).

58 CHAIRS COMMUNICATIONS

59 CALL OVER

- (a) All items 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.

60 PUBLIC INVOLVEMENT

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

- (a) **Petitions:** to receive any petitions presented to the full council or at the meeting itself;
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the 5 March 2020;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 5 March 2020.

61 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.

62 REGULATION OF SHORT TERM HOLIDAY LETS 27 - 36

Report of Executive Director Housing, Neighbourhoods & Communities

Contact: Martin Reid / Jo Player

Tel: 01273 292488

Ward Affected: All

63 PROCUREMENT OF CONTRACT FOR HOUSING LIFTS INSTALLATION, SERVICING AND MAINTENANCE 37 - 42

Report of Executive Director Housing, Neighbourhoods & Communities.

Contact Officer: Miles Davidson

Tel: 01273 293150

Ward Affected: All Wards

64 LEASEHOLDER ENGAGEMENT UPDATE 43 - 50

Report of Executive Director Housing, Neighbourhoods & Communities

Contact Officer: Glyn Huelin

Tel: 01273 293306

Ward Affected: All Wards

- 65 FUTURE REPAIRS & MAINTENANCE TO COUNCIL HOUSING STOCK 51 - 62**
Report of Executive Director Housing, Neighbourhoods & Communities
Contact Officer: David Canham Tel: 01273 293165
Ward Affected: All Wards
- 66 HOUSING MANAGEMENT PERFORMANCE REPORT QUARTER 3 63 - 92**
2019/20
Report of Executive Director Housing, Neighbourhoods & Communities
Contact Officer: Ododo Dafe Tel: 01273 293201
Ward Affected: All Wards
- 67 WINTER SHELTER PROVISION 93 - 112**
Report of Executive Director of Health & Adult Social Care
Contact Officer: Jenny Knight Tel: 01273 293081
Ward Affected: All Wards

68 ITEMS REFERRED FOR FULL COUNCIL

To consider items to be submitted to the 2 April 2020 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

69 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.

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The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

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FURTHER INFORMATION

For further details and general enquiries about this meeting contact Shaun Hughes, (01273 290569, email shaun.hughes@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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BRIGHTON & HOVE CITY COUNCIL

HOUSING COMMITTEE

4.00pm 15 JANUARY 2020

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTES

Present: Councillor Williams (Chair) Brennan (Deputy Chair), Gibson (Opposition Spokesperson), Mears (Group Spokesperson), Atkinson, Barnett, Fowler, Heley, Hugh-Jones and Osborne.

PART ONE

39 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: There were none.

(b) Declaration of Interests:

Councillors Gill Williams, Martin Osborne and Nichole Brennan stated that they were members of the Association of Community Organisations for Reform Now (ACORN).

(c) Exclusion of the press and public

The press and public could be excluded from the meeting as there was one Part Two item.

40 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting on 13 November 2019 were accepted as a true record of the meeting by the committee.

41 CHAIRS COMMUNICATIONS

End of no-fault evictions in the private rented sector.

The Queen's Speech outlined some of the main points included in the proposed Renters Reform Bill.

The proposed Bill sets out a package of reforms to the rental market that aim to bring benefit to landlords and tenants.

This includes the abolition of 'no fault' evictions, alongside greater powers for landlords who need to gain possession of a property through the courts when there is a legitimate need to do so.

The Bill also proposes lifetime deposits so that tenants don't need to save for a new deposit each time they move home.

In addition, the proposed Bill contains measures which aim to improve standards in rented accommodation, driving out rogue landlords and helping to professionalise the sector.

We will welcome measures that bring greater regulation of the sector and provide greater security to tenants. In particular, the proposed end to 'no fault' evictions.

Successful Leaseholder event.

Last Saturday (11 January) we held a successful leaseholder event here at Hove Town Hall to discuss the future arrangements for our housing repairs service, planned maintenance works, and major capital works.

The event was very well attended and provided a space for leaseholders to learn more about the new services and discuss any concerns they have with councillors and officers.

Break out groups facilitated by officers enabled leaseholders to openly discuss what they would like to see from these services going forward, what we can do to reassure them around the quality of the repairs service, and how they would like to be involved in the future.

The feedback was captured and will be shared with all leaseholders.

We remain committed to improving services to and building a positive relationship with leaseholders.

Following the success of the event and we are planning to hold another Saturday event in the Autumn.

Sustainability Measures for new Homes.

Following the question from David Croydon to the last Housing Committee.

Council officers met with members of the Housing Coalition on 8 January 2020 to discuss sustainability measures in new homes, including how Passivhaus principles may be applied.

Charles Harrison presented thoughts on how Passivhaus standards and design principles would be central to the council achieving its Zero Carbon emissions target by 2030.

We discussed options for the application of Passivhaus principles to new council homes as well as the possible application of Passivhaus and other sustainability measures to the council's existing housing stock and the private rental sector.

We shared and reviewed information on other local authorities we are aware of who are leading on this work and how we may continue to involve interested members of the Housing Coalition and other key stakeholders in future discussions.

The meeting concluded with officers agreeing to arrange study visits to other Local Authorities who have developed Passivhaus housing schemes, including Crawley and Exeter. We agreed that officers report back findings at a further meeting to be held in three months' time. Where possible we will explore opportunities for key stakeholders to attend study visits.

In the meantime, Passivhaus standards and design principles will also be one of the topics explored further by the council's newly established Sustainability Working Group.

Successful Homeless prevention.

I wanted to share good news on what we have achieved so far, this financial year in terms of preventing homelessness.

We have achieved prevention of homelessness for 602 households and are on track to reach our target of 827 by end of March. This builds on the achievements of last year when we prevented homelessness for 810 households.

We are also on track to enable around 400 households to access suitable private rented accommodation.

Our successful Private Rented Access grant bid enabled us to achieve this, not only for households we have a legal duty to house but also for around 40 rough sleepers and former rough sleepers and single people.

- We have received good feedback from both tenants and landlords.
- We make sure every property is in good condition and affordable.
- We also offer intensive assistance at the start of the tenancy to enable the tenancy to be sustained.

We have submitted a further bid for Rough Sleeping Initiative grant funding to continue this work for people at risk of rough sleeping and those who have slept rough and are ready to move on.

In recognition of our good practice in this area of work, the Ministry of Housing, Communities and Local Government have invited us to deliver a series of workshops for other local authorities across the country.

42 CALL OVER

42.1 The following items were called for discussion:

45	Housing Revenue Account Budget & Capital Investment Programme 2020/21 and Medium-Term Financial Strategy	✓
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46	Rent Policy for New Council Homes	✓
47	Elwyn Jones Court – Renewable Heating Proposal	✓
48	Draft Homelessness & Rough Sleeping Strategy	✓
49	Future Repairs & Maintenance to Council Housing Stock	✓
50	Update on Progress Against the Housing Committee Work Plan	✓
52	Procurement of Council Owned Short Term Temporary Accommodation – Gladstone Court, Hartington Road, Brighton	✓

42.2 The following item was not called for discussion and the recommendations contained therein are therefore approved and adopted:

51	Housing Management Performance Report Quarter 2: 2019/20	X
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43 PUBLIC INVOLVEMENT

(a) Petitions - None were received.

(b) Written Questions:

(A period of not more than 15 minutes shall be allowed at each ordinary meeting for questions submitted by members of the public).

1. Question from: Barry Hughes

Question for Housing Committee 15th January 2020:

In the past council residents have been given the opportunity to consult on the setting of the HRA budget. Indeed, this consultation has, in the past, been started as early as September with councillors, officers and tenant representatives taking part. However, the budget that members will be asked to vote on today has little or no tenant input – apart from the matter of the in sourcing of repairs. I would ask that this committee notes my concerns and for 2020/21 budget planning, reverts to the consultation processes of 2016.

Chair's Response:

Thank you for your question. Your concerns are noted.

As you mention, we have in the past undertaken more wide-ranging budget specific consultation with residents than has been the case this year.

However, while residents' views might not be sought in the same way every year, residents are regularly consulted on a range of important areas for decision. The

outcomes of these consultation events then inform budget decisions, often informing budget proposals over a number of financial years.

For example, many of the budget decisions relating the capital programme of planned works have been informed by priorities that tenants were consulted on as part of the asset management strategy consultations, as well as being informed by stock condition surveys and the known investment needs for our council stock.

As you also mention, significant consultation has taken place regarding the insourcing of the repairs and maintenance service.

This was very detailed consultation and forms a significant part of the current proposed Housing Revenue Account budget proposals.

In addition, residents were recently consulted on their priorities for improving the public areas of estates, the results being reflected in budget proposals for the current year, and the next two financial years.

We would be happy to work with residents to plan future consultation to feed into the Budget setting process for 2021/22 onwards.

Supplementary:

I note that the proposals tabled today include an extra £50,000 for Grounds Maintenance, which is not coming out of service charges in 2020/21 but will be reviewed. I have long suggested that there should be a citywide uplift of Grounds Maintenance charges as many of the charges levied for this service around the city are inadequate – clearly acknowledgment for a need for consultation with those who are the council's eyes and ears on the estates.

Chair's Response:

Thank you for your supplementary question.

As noted, this budget proposal has been informed by feedback from residents at various times in various forums, including feedback from yourself.

Tenants and leaseholders have fed back to us that they are concerned to improve their neighbourhoods and communities as well as their homes and have asked us to prioritise the look of their estates, including how grounds are maintained, as a key area for council focus.

It is our hope that by making the budget proposals as we have, that residents will see tangible improvements results arising from their feedback. We will monitor this and keep this under review in partnership with residents.

We will also keep the issue of service charging under review for future years budget setting as additional funding and focus on this area of work beds in.

2. Question from Charles Harrison:

Night Shelters.

Further to my original and supplementary questions about Night Shelters, submitted to the Housing Committee on 13 Nov 2019, I understand that further written details are to be provided by BHCC.

To clarify what information I requested, would it please be possible for the data indicated in the yellow shaded cells on the attached spreadsheet to be provided?

What would you consider to be a reasonable time for providing a written response after a Committee meeting?

Chair's Response:

Thank you for your question.

I apologise for the delay in our response to your supplementary question concerning Night-Shelters asked at our previous committee meeting.

In response, I can advise as follows:

BHCC's selection criteria for a short term/emergency accommodation building:

When looking for a building for a Night-shelter we are looking for a good quality building that is safe and well maintained, can be heated, and offers bathroom facilities (including showers) and a kitchen so hot meals can be provided. The building needs to be able to offer separate sleeping space for women or people who are vulnerable/unable to manage in a large communal environment.

Ideally, we would want the building to be in the centre of the city to improve accessibility for people in need and to be accessible to people with mobility needs, to offer breakaway space so that people can read, listen to music, watch television, and socialise without disturbing the sleep of other residents.

Housing Benefit cannot be claimed for night-shelters, so the building needs to offer good value for money as the full costs will need to be met by the local authority in addition to the support costs for people accommodated in the service.

Progress made so far in finding a building

We have procured a 365 day night-shelter which is now up and running and accommodating 15 people every night in good quality accommodation with support to ensure move on into accommodation that is suitable and sustainable for the individual.

BHCC's strategies for procuring a building

- In partnership with Estates and Housing, Health & Adult Social Care Commissioning review all empty council owned buildings.
- H&ASC and Housing work together to explore possibilities in new developments.
- The commissioned Charity Link worker explores options with third sector providers, charities, churches and community groups.

- All of our existing providers are asked about available options they may have or be aware of and we use social media and BHCC website to publicise property searches.
- In addition to the above, the council's Strategic Accommodation Board assess all such accommodation needs for vulnerable households in the city and works to ensure that we have a citywide strategy to meet the identified needs across all departments.

BHCC's timescales for procuring a building

As above, we have procured a 365 day night-shelter which is now up and running and accommodating 15 people every night in good quality accommodation with support to ensure move on into accommodation that is suitable and sustainable for the individual.

3. Question from David Croydon:

Regarding the transition from MCM to Northgate IT system I note that under agenda item 49 (Future Repairs and Maintenance to Council Housing Stock), section 4.11, the transition from MCM, the Mears works management system, and the associated supply chain, to the proposed BHCC Northgate Housing and Works Management IT system is expected to take approximately two years from April 2020.

Would you please clarify the benefits and shortcomings of using the existing MCM system and supply chain?

Chair's Response

Thank you for your question.

The Housing Repairs & Maintenance service will need to be supported by a number of IT systems. The council have investigated how other in-house providers operate repairs services and there are a range of solutions available.

The key focus of the programme is ensuring that customer service is maintained during this period of change. In order to ensure this continuity for our residents, it is proposed that staff transferring across from Mears will continue to use the current MCM system for a limited period to raise and manage individual repairs and monitor the performance of the Housing Repairs & Maintenance service.

The MCM system is a tried and tested system for managing repairs that has operated successfully in Brighton & Hove and across the country for many years. It is also one that transferring staff are familiar with.

One of the key benefits of using the MCM system is the close integration with the materials supply chain. Materials can be purchased when a job is raised in MCM, allowing real time cost capture and the ability to track van stock and order replacements automatically via the operative's PDA device.

If the council were to procure its own supply chain at this time it would not be possible to automate these processes with MCM in the same way, leading to a less efficient service and the necessity to introduce more manual and time intensive processes to process payments and track the true costs of jobs.

Our proposed approach will enable the service to avoid delays or disruptions to the core repairs work and critical urgent works and continue to provide a robust audit trail for jobs and cost of works.

This will provide continuity ahead of the implementation of the Northgate Housing Management system (NPS Housing) which is expected to go live in January 2021. Staff will then manage day to day repairs through this system. All Housing staff, including the new Repairs & Maintenance service will be supported and trained in using the system ahead of implementation.

The MCM system will continue to operate as a Works Management system to provide the operational processes needed for a repairs service. An interface between MCM and the NPS Housing system will be in operation when the system is live.

We also propose to go out to procurement to get a new works management system to replace the MCM works management system and any new system will interface with our NPS Housing System.

The materials supply chain will be reviewed in line with the arrangements for new IT systems, so that any system procured can be fully integrated into a council operated materials supply chain.

The MCM system and Northgate systems can adequately manage call back and warranty jobs and particular attention is being given to this in the implementation of both systems.

4. Question from Sam Dunnett (ACORN):

In the absence of a city-wide selective landlord licencing scheme in Brighton and Hove, many private rental properties fail to meet basic safety standards, while those responsible go undetected and unprosecuted. This is a matter of growing urgency for renters.

ACORN Brighton hopes that the implementation of such a scheme is a firm priority for the city council. At the March 2020 meeting of this committee, a report on the strength of the evidence to support city-wide licencing will be given. Within what specific time period after this will the scheme be submitted to the secretary of state?

Chair's Response:

Thank you for your question.

The private rented sector is our second largest form of housing in the city after owner occupation.

We are committed to ensure it is safe and meets at least minimum standards.

We have recently agreed a Private Sector Housing Enforcement strategy which will be implemented from April 2020.

In the meantime, our Private Sector Housing Team respond and take action where tenants tell us there are issues with the management and standards of their home.

With regard to approval for a Selective Licensing scheme in the City.

This is a complicated process which is made more difficult by the history of legal challenge.

There is no intent to put any fresh application before the Secretary of State, instead we are aiming to have a smaller scheme put before committee which does not require Secretary of State approval.

There are several statutory requirements we have to meet to enable approval of a compliant scheme.

As reported to Committee we are undertaking property surveys. Once this evidence is obtained it will be combined with the other evidence we already have. This will then inform whether there is sufficient evidence to support a scheme and the nature of the scheme. That is, its legal basis, for instance anti-social behaviour or property conditions.

Then it will have to go to public consultation. It should also be noted that the legal basis of any selective scheme is about the community aspect and not specifically about the internal conditions of a property, which would include safety.

This is a welcome opportunity to remind all private tenants in the city that they have several routes to rectify property disrepair issues. If possible, they can and should consider seeking legal advice and where needed take legal action through the Courts.

As mentioned, private sector tenants may also contact our officers in the Private Sector Housing team, who have statutory powers to address any safety concerns relating to a property.

(c) Deputations - None were received.

44 ISSUES RAISED BY MEMBERS

- a) Petitions - None were received.
- b) Written Questions – None were received.
- c) Letters – One letter has been received from Councillor Siriol Hugh-Jones.

Dear Geoff Raw

I am submitting the following letter under Council Procedure Rule 23.3 to be included on the agenda for the Housing Committee meeting of 15th January 2020.

Given that the Mears repairs and major works contract for council properties is to be replaced from April with separate arrangements for responsive repairs, ongoing maintenance and improvements, major capital projects and specialist works, I have the following questions:

1. Aside from the extra staff who are coming in-house to deal with responsive repairs, what personnel resources is the Council putting in place to monitor and enforce the new arrangements, both in terms of the legal team and management and contract surveyors?
2. What asset management system is to be used from April and how soon are the existing asset management and Housing IT systems expected to be integrated into any new asset management system and IT system? What progress has been made to date?
3. I understand that repair jobs are not currently raised for faults with items under warranty (planned/major works) and are instead referred to the relevant contractor to rectify, with the result that no record is made on the existing repairs system of the fault having been reported or of any progress made to resolve such issues. In light of this, are you able to: a) provide assurance that this problem will not be replicated in any new system put in place from April; b) give an estimate of how - and how soon - any such faults (raised but not necessarily recorded ahead of the Mears contract terminating) will be remedied; c) provide assurance that the Council is aware of the volume of such faults despite them not being recorded in the repairs system?

Yours sincerely,

Councillor Siriol Hugh-Jones

Chair's Response

Dear Councillor Hugh-Jones,

Thank you for your letter.

As you have set out the council is in the process of establishing new arrangements for the delivery of responsive repairs and maintenance, planned improvement works and major works to council housing stock. This follows a series of decisions made through Housing & New Homes Committee and Policy, Resources and Growth Committee in September 2018 and October 2018.

Housing Committee has a full update report on progress with the programme to set up these arrangements at the Committee on 15th January 2020.

I have answered each of your three questions below:

- 1. Aside from the extra staff who are coming in-house to deal with responsive repairs, what personnel resources is the Council putting in place to monitor and enforce the new arrangements, both in terms of the legal team and management and contract surveyors?*

Approximately 160 Mears staff will transfer into the council on 1 April 2020. These staff will form the new 'Housing Repairs & Maintenance' service that will sit alongside our other existing services in Housing.

All works will be overseen by a range of professional staff within the Housing service including Quantity Surveyors, technical surveying staff and contract managers. The council is committed to ensuring that works are carried out to the right standard and deliver value for money for all residents. The council's Housing Property & Investment team is being reviewed to reflect the proposed arrangements from April 2020 and this will include increasing technical resource and capacity alongside other emerging priorities for the housing sector.

The proposed HRA budget for 2020/21 is being considered at Housing Committee on 15th January 2020 and includes provision for an increase in client-side resources of 10 full time staff.

The budget also includes a one-year investment of £0.142m to supplement the £0.250m that was put in place for the repairs programme to pay for the continuation of programme management resources associated with the set-up, mobilisation and delivery of the new repairs and maintenance services. This will include delivery of support for the transfer of staff to the council, delivering improvements to the service in line with the objectives set with stakeholders in 2018 and further changes to the service including the procurement and implementation of works management systems for the in-house repairs service.

- 2. What asset management system is to be used from April and how soon are the existing asset management and Housing IT systems expected to be integrated into any new asset management system and IT system? What progress has been made to date?*

The council will continue to use the Apex asset management system from April 2020. We currently populate data in Apex from various external sources periodically rather than via any interface e.g. installations dates of property components such as boilers (based on data from OHMS), kitchens and bathrooms (based on data from Mears).

The council is also running a significant programme to replace its existing Housing systems (OHMS) with a new system (NPS Housing) following a procurement process in 2018. Further details were reported to Housing & New Homes Committee in June 2018 and the report is available [Housing-Management-IT-System-Procurement-Update.pdf](#)

The new system is currently due to go live in January 2021. We have made provision for an interface to Apex as part of the contract specification, but we do need to go

out to procurement for a new asset management system as our current contract with Apex will expire March 2022.

The key focus of the programme is ensuring that customer service is maintained during this period of change. In order to ensure this, we propose that staff transferring across from Mears will continue to use the current MCM system to raise and manage individual repairs and monitor the performance of the Housing Repairs & Maintenance service.

The insourced repairs service will then transition to managing day to day repairs through NPS Housing when the new system is live. All Housing staff, including the new Repairs & Maintenance service will be supported and trained in using the system ahead of implementation.

The MCM system will continue to operate as a Works Management system to provide the operational processes needed for a repairs service. An interface between MCM and the NPS Housing system will be in operation. A new works management system will then be procured, and any new system will interface with the NPS Housing System.

3. *I understand that repair jobs are not currently raised for faults with items under warranty (planned/major works) and are instead referred to the relevant contractor to rectify, with the result that no record is made on the existing repairs system of the fault having been reported or of any progress made to resolve such issues. In light of this, are you able to a) provide assurance that this problem will not be replicated in any new system put in place from April; b) give an estimate of how - and how soon - any such faults (raised but not necessarily recorded ahead of the Mears contract terminating) will be remedied; c) provide assurance that the Council is aware of the volume of such faults despite them not being recorded in the repairs system?*

We are aware of concerns recently raised around the raising of repair orders for recalls and warranty repairs. This is being addressed urgently as clearly all of these cases should be recorded within our core repairs system. Our initial feedback is that this is not happening in all cases. This issue is being addressed immediately and will not be replicated in any new system implemented.

We have received spread sheets recording information sent to contractors and we will be reviewing these to identify the volumes. We are in the process of establishing a recording method and ICT officers are setting this up to the end of the current contract.

In terms of the time it takes to resolve any such faults, the council and our contractors will treat these as urgent issues; however, the time taken can vary depending on the nature of the issue and investigation. All contractors are responsible for defect rectification and we build this into the demobilisation of all of our contracts.

As part of the end of the existing contract with Mears there will be a responsibility for undertaking repairs that fall within the warranty for each element and Mears are required to attend to these to the end of the warranty period. This is being managed with Mears as part of the standard contract close down process.

With regard to the future contracts we are establishing procedures for recording all 'call backs' on works and these will be monitored as key performance indicators within contracts.

I hope this information is helpful.

d) Notices of Motion – None were received.

45 HOUSING REVENUE ACCOUNT BUDGET AND CAPITAL INVESTMENT PROGRAMME 2020/21 AND MEDIUM-TERM FINANCIAL STRATEGY

- 45.1 The Committee considered the report presented by Jill Fisher (Head of Finance), Monica Brooks (Principal Accountant) and Glyn Huelin (Head of Housing – Repairs & Improvement).
- 45.2 The report presented the proposed Housing Revenue Account (HRA) revenue and capital budget for 2020/21 as required by the Local Government & Housing Act 1989. Members are required to consider the revenue budget proposals including re-investments (service pressures) and changes to rents, fees and charges along with the capital programme. The report also set out the Medium-Term Financial Strategy and a 30-year financial forecast.
- 45.3 The HRA contains the income and expenditure relating to the council's social landlord duties covering approximately 11,500 rented properties and 2,900 leasehold properties. The income and expenditure relating to these properties, including rent rebates, is accounted for separately from the council's other services and activities which form part of the council's General Fund.
- 45.4 Councillor Peter Atkinson considered that the rent increase of 2.7% seemed reasonable. It was noted that Brighton and Hove City Council temporary accommodation is generally good, and the increase in photovoltaic panels is good news. The increase in arrears from Universal Credit, is not good news. Councillor Atkinson was informed that there is an energy review in the Housing delivery plan, housing associations are included in early engagement programmes on downsizing, 50 homes will benefit from solar panels, and senior resident's laundry charge covers all costs will include energy supply at £2 per week. It was noted that lightning protection for blocks of flats is being looking into.
- 45.5 Councillor Mary Mears felt that inflation should not be included in the HRA budget.
- 45.6 Councillor Mears was informed that as a result of the Grenfell fire enquiry, sprinklers have been installed in new builds and the Committee will be informed in the future of other installations. It was noted that the development of a new solar energy efficiency strategy for council homes with a detailed report is being brought to Housing Committee in June 2020. Ventilation and heating repairs and maintenance will not be covered by Mears Group PLC.

- 45.7 Councillor Gill Williams stated that they had been working closely with those affected by the recent fire in a block of flats and will make sure that action will be taken to ensure the safety of residents who live in the city.
- 45.8 Councillor David Gibson approved of the consultation approach to the strategy, the increase of the Photovoltaic panels and the pre-engagement aspects. It was noted that the additional £3.5m would achieve approximately 14/15 homes. Councillor Gibson was informed that the burrowing cap had not yet been reached. Approximately 40 homes are being brought under the right-to-scheme each year. A further member of staff is to be added to the income team to assist with the transition to Universal Credit. Councillor Gibson supported the creation of reserves for future spending.
- 45.9 Councillor Siriol Hugh-Jones was informed that at the end of the current contract for repairs and maintenance in March 2020, a number of significant projects will complete this financial year with the associated service charges being billed to leaseholders later this year. The stock condition survey is ongoing and regular. The survey will influence HRA Capital programme and include empty properties. It was noted that not all rents were received from tenants and this added to the rental income overspend for 2019/20. New build properties have helped to increase income. Downsizing is being encouraged to free up properties across the city and is always under review. Councillor Hugh-Jones was informed that the cost of senior housing guest rooms would be investigated, and the committee informed of the findings.

Resolved:**The Housing Committee approves:**

- 2.1 That a rent increase of up to 2.7% in line with government legislation as detailed in paragraph 4.11 of the report;
- 2.2 That service charges and fees as detailed in Appendix 3 to the report;
- 2.3 That the contribution to Youth Services from the HRA will continue with the addition of inflation at a total cost of £0.255m in 2020/21 was noted;
- 2.4 That the proposal to set up a capital reserve of £2.900m for use in 2021/22 as discussed in paragraph 4.9 of the report was noted;
- 2.5 That the proposal to set up a new Rent Reduction Reserve for £1.010m (see paragraph 4.10 of the report) was noted;
- 2.6 That the current HRA forecast outturn for 2019/20 in Appendix 1 to the report of £0.200m underspend was noted; and
- 2.7 That the Medium-Term Financial Strategy and 30-year financial projections shown in Appendix 5 to the report was noted; and

The Housing Committee approves and recommends to Policy & Resources Committee:

- 2.8 That the updated HRA Revenue Budget for 2020/21 as shown in Appendix 2 to the report be agreed and recommended to full Council for approval;
- 2.9 That the Capital Programme Budget of £40.120m for 2020/21 be agreed and notes the 3-year programme as set out in Appendix 4 to the report and recommended to full Council for approval; and
- 2.10 That for 2019/20, any new revenue costs (estimated at £0.080m) arising from the increased support for delivery of housing supply, should be met from HRA general reserves.

That Full Council:

- 2.11 Approves the updated HRA Revenue Budget for 2020/21 as shown in Appendix 2 to the report;
- 2.12 Agrees the Capital Programme Budget of £40.120m for 2020/21 and the 3-year programme as set out in Appendix 4 to the report be noted; and
- 2.13 That for 2019/20, any new revenue costs (estimated at £0.080m) arising from the increased support for delivery of housing supply, should be met from HRA general reserves.

46 RENT POLICY FOR NEW COUNCIL HOMES

- 46.1 The Committee considered the report presented by Sam Smith and Diane Hughes.
- 46.2 At Housing & New Homes Committee meeting on 15 November 2017 it a Rent Policy for new council homes was agreed. Members asked that this policy come back to Housing Committee to be reviewed.
- 46.3 The priorities and work plan for the Housing Committee and service for the next four years, 2019 to 2023, agreed at Housing Committee on 18 September 2019, includes to review the rent policy to maximise the number of council homes replaced at social or living wage rents. The report outlines the current Rent Policy which applies to all new council homes including new build, conversion and properties purchased under the Home Purchase Policy and how in future the rent policy may seek to maximise the number of council homes replaced at social or living wage rents.
- 46.3 Councillor Peter Atkinson felt that the issue was sensitive, and rents should be set at the lowest possible. It was noted that energy bills are likely to be significantly lower due to sustainability measures in new build schemes. Councillor Atkinson approved of the affordability and was informed that the rent policy is to maximise the number of lowest rents.
- 46.4 Councillor Gibson welcomed the report and noted that affordability is very important for tenants and the rent policy should enshrine the pledge to increase lower rents across the housing stock. The living wage rents were best. It was felt

that some tenants already subsidise other tenants, that mixed communities are positive, and that case-by-case basis was the best way forward.

- 46.5 Councillor Mary Mears raised concerns on how the Housing Revenue Account (HRA), which is made up of tenant's rents, is spent. It was noted that there are restrictions within the HRA that would not allow cross subsidising from market rented properties. Councillor Mears was informed that the best way forward was on a case-by-case basis.

Resolved:

The Housing Committee:

- 2.1 Noted the current Rent Policy.
- 2.2 Noted that a full Equalities Impact Assessment will be undertaken on the implementation of the policy to date.
- 2.3 Approved the options to revise the Rent Policy for additional council homes that maximises the number of council homes replaced at social or living wage rents. The options for the Rent Policy to be kept under review.

47 ELWYN JONES COURT - RENEWABLE HEATING PROPOSAL

- 47.1 The Committee considered the report presented by Miles Davidson.
- 47.2 Elwyn Jones Court is a 75 bed Seniors' Housing Scheme in Brighton. An options appraisal has been conducted to explore upgrades for the space heating and domestic hot water systems. The report explains the findings of this feasibility study and recommends the installation of a low carbon heating solution at Elwyn Jones Court – specifically a ground source heat pump.
- 47.3 Councillor Theresa Fowler felt the scheme was good news and an investment for the future.
- 47.4 Councillor Mary Mears noted that the removal of boilers in senior housing stock had in the past lead to increased fuel bills, and some had lived with this situation for two years. Councillor Mears was informed that the negative impact of the removals in 2017 has been acknowledged and was being addressed.
- 47.5 Councillor Siriol Hugh-Jones noted the 8 year pay back for the ground source heat pump. Councillor Hugh-Jones was informed that the option would be for 20 years with reductions being achieved for 2/3 of tenants by the scheme.
- 47.6 Councillor Peter Atkinson felt the report was good news, particularly at this time of year and for the future.

Resolved:

The Housing Committee:

- 2.1 Delegated authority to the Executive Director for Housing Neighbourhoods & Communities to take all steps necessary to procure and award a contract for the installation of a ground source heat pump (option 1) with the option of a maintenance contract for a term of five years.

48 DRAFT HOMELESSNESS AND ROUGH SLEEPING STRATEGY

- 48.1 The Committee considered the report presented by Justine Harris and Emily Ashmore.
- 48.2 The report summarises the development to date of the Homelessness and Rough Sleeping Strategy 2020-2025. The draft strategy identifies the key homelessness and rough sleeping issues in Brighton and Hove and action which will be taken to address these.
- 48.3 Councillor Nichole Brennan commended the report and noted the positive elements of the report including references to No Second Night Out, Homeless Bill of Rights and Severe Weather Emergency Protocol (SWEP). The help from partners was recognised.
- 48.4 Councillor Amy Heley was informed that the data gathering figures for the report will be available in the future.
- 48.5 Councillor Mary Mears felt the executive summary and the consultation were good.
- 48.6 Councillor David Gibson felt it was good to have so much information and to reflect on what has and has not been achieved with regard to reducing homelessness. Councillor Gibson was informed that the Housing Work Plan will show the progress of the strategy and that Housing Committee has oversight of all elements of the strategy.
- 48.7 Councillor Peter Atkinson considered that reconnecting the homeless who arrive in the city from other areas with place of origin a priority. It was noted that the action plan forms part of the strategy, giving a sense of what is going on.
- 48.8 Councillor Mary Mears was informed that the figures for the National Government contribution are kept in house.
- 48.9 Councillor Siriol Hugh-Jones was informed that Brighton and Hove City Council (BHCC) are informed when prisoners are released and are offered support by the authority.

Resolved:

The Housing Committee:

- 2.1 Noted the consultation on the Homeless & Rough Sleeper Strategy undertaken to date, our response, and how this has shaped the development of the new draft strategy.

- 2.2 Approves the draft Homelessness and Rough Sleeping Strategy for further consultation.

49 FUTURE REPAIRS AND MAINTENANCE TO COUNCIL HOUSING STOCK

- 49.1 The Committee considered the report presented by Glyn Huelin.
- 49.2 The report updated the Committee on the progress of the programme to set up the future delivery of responsive repairs, empty property refurbishments, planned maintenance and improvement programmes, and major capital projects to Council housing stock post April 2020.
- 49.3 Councillor Siriol Hugh-Jones was informed that a small number of operatives staff the out-of-hours service as only a small number of repairs are normally needed. It was noted that job specific operatives will be on call for each type of job. The implementation of the Northgate system, which will replicate the existing, is expected to go live with phase one in January 2021. Later phases will include mobile working. It was also noted that alternative procurement routes are being explored, including a mini competition for subcontractors, so that any urgent major capital works required can be delivered on time. Repairs are to carry on as they are now. It was noted that Mears are being paid to use MCM system.
- 49.4 Councillor Mary Mears was informed that an out of hours call handling provider is being procured via an existing framework agreement and close to agreement. A contingency plan, and reserves, have been put in place in case the 1 April deadline is not met.

Resolved:

The Housing Committee:

- 2.1 Notes the progress with the programme which is outlined in the body of the report.

50 UPDATE ON PROGRESS AGAINST THE HOUSING COMMITTEE WORK PLAN

- 50.1 The Committee considered the report presented by Martin Reid.
- 50.2 The report is the first progress report since the Committee agreed to the Work Plan and sets out progress to date for members to review.
- 50.3 Councillor David Gibson felt there was no need for modesty and was cheered by the report. The ninety additional Council homes are good news, along with the recommendation to form a small Members group to work with officers on measures and report format.

Resolved:

The Housing Committee:

- 2.1 Noted the progress reported against the Housing Committee Work Plan 2019-23.

- 2.2 Suggests that any further monitoring measures that may be useful to support provision of additional information on progress against the Housing Committee Work Plan and agree that a small group of Committee members work with officers on measures and report format for inclusion in future update reports to Committee.

51 HOUSING MANAGEMENT PERFORMANCE REPORT QUARTER 2 2019/20

The following item was not called for discussion and the recommendations contained therein are therefore approved and adopted.

Resolved:

The Housing Committee:

- 2.1 Notes the report.

52 PROCUREMENT OF COUNCIL OWNED SHORT-TERM TEMPORARY ACCOMMODATION – GLADSTONE COURT, HARTINGTON ROAD, BRIGHTON

- 52.1 The Committee considered the report presented by Ododo Dafe.
- 52.2 The report presented to the Housing Committee an opportunity to acquire Gladstone Court, a block of 38 flats. The Council is the freeholder of the site which the vendor holds on a long lease for a term of 150 years. The opportunity enables the Council to meet short-term temporary and emergency accommodation needs, and thereby supports the programme agreed by the Housing & New Homes Committee to purchase council owned short-term temporary accommodation which it will manage itself. It accords with the Housing Committee Work Plan commitments agreed at Housing Committee on 18 September 2019 relating to additional affordable homes, as well as the provision of council run short-term temporary accommodation.
- 52.3 Councillor Nichole Brennan felt the report was good news and that having the accommodation inhouse was the for the best. It was considered the acquisition would be good temporary accommodation for families. Councillor Brennan considered that having required private landlords to supply descent accommodation, the authority would need to supply the same, if not better.
- 52.4 Councillor David Gibson noted the site was within their ward and the procurement of the accommodation was a tangible move forward. It was considered by the Councillor that the scheme would stop public money going to private landlords.
- 52.5 Councillor Mary Mears noted that temporary accommodation had lasted a number of years for some residents and this was a concern. Councillor Mears was informed that the staffing and management of the block would be a new way forward for the Council, but the Housing team have considerable management skills to call on.

Resolved:

The Housing Committee:

- 2.1 Agrees the purchase of Gladstone Court for the use of emergency and short-term temporary accommodation for a sum to be negotiated up to the maximum set out in the Part 2 report.
- 2.2 Recommends to Policy & Resources Committee that the Council makes an offer of up to the agreed sum detailed in the Part 2 report to acquire Gladstone Court.
- 2.3 Recommends to Policy & Resources Committee that the freehold of the site is appropriated from the General Fund for Part II Housing Act 1985 purposes for a fee of up to £250,000, as estimated by external valuation.

53 ITEMS REFERRED FOR FULL COUNCIL

53.1 There were no items referred to Full Council.

54 PROCUREMENT OF COUNCIL OWNED SHORT-TERM TEMPORARY ACCOMMODATION – GLADSTONE COURT, HARTINGTON ROAD, BRIGHTON - EXEMPT CATEGORY 3

55 PART TWO PROCEEDINGS

55.1 The Committee considered the items listed in Part Two of the agenda and decisions thereon should remain exempt from disclosure to the press and public.

The meeting concluded at 6.40pm

Signed

Chair

Dated this

day of

Subject:	Regulation of Short Term Holiday Lets		
Date of Meeting:	11 March 2020		
Report of:	Executive Director for Housing, Neighbourhoods and Communities		
Contact Officer:	Name:	Martin Reid / Jo Player	Tel: 01273 29 24 88
	Email:	Martin.reid@brighton-hove.gov.uk jo.player@brighton-hove.gov.uk	
Ward(s) affected:	All		

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

- 1.1 At September 2019 Housing Committee, members agreed Housing priorities and work plan for the next four years to 2023. The Work Plan included an action to '*Undertake an impact assessment of short-term holiday lets and air BnB in the city and consider options that may inform an approach to alleviate the most detrimental issues arising*'.
- 1.2 Following a deputation to the Tourism Equalities Culture and Communities Committee on 26 September 2019, officers were tasked with producing a report outlining what action could be taken to address large scale short term holiday lets in residential areas. A Notice of Motion was also submitted to Full Council on 19 December 2019 and considered by Tourism Equalities Culture and Communities Committee on 16 January 2020. Tourism Equalities Culture and Communities Committee agreed to the notice of motion and requested a report on Regulation of Short Term Holiday lets.
- 1.3 In light of the close alignment to the Housing Committee Work Plan action on short term holiday lets, the attached report on Regulation of Short Term Holiday Lets being considered by Tourism Equalities Culture and Communities on 5 March 2020 is also being brought to Housing Committee for members to note.

2. RECOMMENDATIONS:

- 2.1 That the Housing Committee note the content of the report attached.

Subject:	Regulation of Short Term Holiday Lets		
Date of Meeting:	5th March 2020		
Report of:	Interim Director Housing Neighbourhoods and Communities		
Contact Officer:	Name:	Jo Player	Tel: 29-2488
	Email:	Jo.player@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 Following a deputation to the Tourism Equalities culture and Communities Committee on 26th September 2019, officers were tasked with producing a report outlining what action could be taken to address large scale short term holiday lets in residential areas.
- 1.2 A Notice of Motion was also submitted to Full Council on 19th December and considered by this committee on 16th January. Committee agreed to the notice of motion and this report forms part of the response to that.

2. RECOMMENDATIONS:

- 2.1 Committee notes the content of this report
- 2.2 Committee agrees to officers using existing powers to investigate and respond to complaints about short term holiday lets, ensuring a co-ordinated approach to enforcement between services
- 2.3 Committee notes officers are actioning the requests in the Notice of Motion to lobby central Government for a national registration scheme and for enhanced enforcement powers for officers to deal with issues caused by these types of properties and to write to Air BnB regarding a consultation.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The increase in the use of short term holiday lets in the City has a potential impact on the availability of family homes and the amenities of residential areas, so much so that the Council has been looking into this as part of the preparation of the City Plan Part 2.
- 3.2 Officers, through discussions with police colleagues, are also aware that there has been a rise in a number of these properties being used for illegal activity such as drug supply.

- 3.3 Currently there is no definitive number of these types of properties in the City. Whilst many, such as occasional lets are used when the home owner is in residence and do not cause issues for the local community, large scale lets can do, creating issues of noise, rubbish accumulation and car parking. Information received from colleagues at East Sussex Fire and Rescue Service suggest that that there are approximately 1700 lets where the entire home is let, and approximately 1000 properties where someone can book a room in a person's residence. One booking company has stated that they have 3000 properties in the city and 60% of these are let out as an entire house. However there are also several other companies offering these types of short term lets.
- 3.4 In the last two years the Council's Environmental Protection team has received 12 complaints about these types of properties relating to noise issues. Two complaints have been received by the Anti Social Behaviour and Casework team, but these were received from the Environmental Protection team. No complaints have been received by City Clean, the corporate complaints team or parking services. However the complaints received all suggested that several Council services may have had a role to play in finding a suitable and longer term solution.
- 3.5 The Council has a duty under legislation to investigate all noise complaints. Statutory noise nuisance can include noise from people, music and plant and machinery. It is not a defined decibel level instead it is assessed having regard to the character, duration and frequency of the noise. Once a statutory noise nuisance has been established a noise abatement notice can be served and breaching this is a criminal offence, carrying a maximum sentence of an unlimited fine.
- 3.6 Residential properties can be used for short term accommodation and can still be deemed to be a residential use (C3 use class) and planning permission would not be required. London Authorities have specific legislation, which limits property owners to letting out their homes on short term lets to under 90 days.
- 3.7 In some cases, short term holiday lets can result in a material change of use from a C3 use to a sui generis use. Sui generis use is a term used to categorise buildings that do not fall within any particular use class for the purpose of planning permission. Whether a use was C3 or sui generis is a matter of fact and degree based on the particular characteristics of the use and would be unique to each particular case.
- 3.8 Appeal decisions involving other Local Planning Authorities have determined that the nature of the use could take the use out of C3. Any potential cases that were to be referred to the Planning Enforcement team would have to consider use/duration/frequency, where the service of a Planning Contravention Notice (PCN) may be appropriate to establish the nature of the operation.
- 3.9 Under the Anti-Social Behaviour, Crime and Policing Act 2014, the local authority can look at several enforcement tools to address issues that affect local communities. These include civil injunctions, community protection notices or closure orders. To date these have not been considered as a way of dealing with the issues caused by some large scale short term holiday lets.

- 3.10 **Civil Injunctions** – The legal test for a housing related civil injunction is that the conduct is capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises or the conduct is capable of causing nuisance or annoyance to any person.
- 3.11 The injunction can be used in situations where the owner or tenant of the property has allowed another person to engage in anti-social behaviour, as opposed to actively engaging in such behaviour themselves. For example, in a case where another person, such as a visitor or lodger, is or has been behaving anti-socially, the injunction could be used against the owner if applicable.
- 3.12 A civil injunction application can be made by both the local authority and the police. An agency seeking to apply for the injunction must produce evidence (to the civil standard of proof, that is, ‘on the balance of probabilities’) and satisfy the court that it is both “just and convenient” to grant the order.
- 3.13 There may be difficulty in evidencing this – it would require the neighbours to be prepared to come to Court possibly on multiple occasions. The landlord may seek to raise a defence that they have taken all reasonable steps and cannot be held liable for the actions of their tenants. Until this is tested in Court we will not be able to show how useful this route would be. Fines, costs and ultimately prison would be the sanctions.
- 3.14 **Community Protection Notices (CPN)** can be used to address behaviour that
- has a detrimental effect on the quality of life of those in the locality
 - is persistent or continuing nature; and
 - is unreasonable
- 3.15 A CPN can be issued against any person aged 16 or above, or to a body, including a business. Prior to issuing a CPN, a CPN warning letter must be served.
- 3.16 Before using CPNs to address anti-social behaviour associated with short-term holiday lets, the Local Authority will need to consider whether the owner of the property can be deemed responsible for the behaviour of guests. The three fold test is set out above and each element has to be satisfied. In the event that a notice is breached officers would have to summons the owner to court and if convicted are liable to a fine of up to £20,000. There is an appeal process both informally and formally.
- 3.17 **Closure Orders** - The court may make a closure order if it is satisfied:
- (a) that a person has engaged, or (if the order is not made) is likely to engage, in disorderly, offensive or criminal behaviour on the premises, or
- (b) that the use of the premises has resulted, or (if the order is not made) is likely to result, in serious nuisance to members of the public, or
- (c) that there has been, or (if the order is not made) is likely to be, disorder near those premises associated with the use of those premises,

and that the order is necessary to prevent the behaviour, nuisance or disorder from continuing, recurring or occurring.

The closure can be up to 3 months and officers can apply for a further extension of 3 months. The penalty for breach is a fine or imprisonment (up to 51 weeks).

- 3.18 The local authority must consult with Police before making a closure order application.
- 3.19 Under the Local Government Act 1972 Section 222(1) ("LGA") provides: "Where a local authority consider it expedient for the promotion or protection of the inhabitants of their area ... they may prosecute or defend or appear in any legal proceedings and, in the case of civil proceedings, may institute them in their own name". There is case law which permits a local authority to bring injunction proceedings in relation to nuisance, however the Higher Courts, have placed limitations on local authorities using this power, so while it is believed that this could be utilised, there has to be a note of caution.
- 3.20 Under the Localism Act 2011 there is a power in simple terms, to give councils the power to do anything an individual can do provided it is not prohibited by other legislation. Officers believe this could allow for a registration scheme for these types of properties. However it should be noted that this general duty comes with no enforcement powers. It might allow officers to have a better idea of the number of such properties in the City and where they are located. Sussex Police and East Sussex Fire and Rescue Service would welcome such a scheme. However with the number of properties identified above there would be resourcing implications in terms of staff to administer such a scheme.
- 3.21 There are no applicable Bye laws currently existing which could be utilised. Applying for such a Bye law would require Secretary of State approval. Public Space protection Orders are not applicable as these properties are not public spaces.
- 3.22 East Sussex Fire and Rescue Service have undertaken meetings with many short term holiday let providers in the Brighton and Hove area, to explain their jurisdictions under the Regulatory (Fire Safety) Order 2005. All premises must have a fire risk assessment completed, and any significant findings found must be completed in a suitable time frame. If a premises is deemed to be unsafe for people to sleep in then a prohibition notice can be served.
- 3.23 East Sussex Fire & Rescue Service are starting to audit the larger capacity premises managed by holiday letting companies and working through a list of known premises. If any complaints are made with regards these types of premises, an inspection will normally take place. The fire service would expect the benchmark standard in the sleeping accommodation guidance written by the Department of Local Government to be met within these types of premises¹.
- 3.24 Private sector housing licensing cannot be applied to short term holiday lets. The Housing Act 2004 sets the framework for licensing Houses in Multiple Occupation (mandatory and additional licensing schemes) and for selective

¹ www.gov.uk/government/publications/fire-safety-risk-assessment-sleeping-accommodation

licensing of other privately rented homes. To be covered under an HMO licensing scheme the property must be the occupiers' only or main residence. Therefore 'party houses' and short term holiday lets do not come under the licensing provision.

- 3.25 There are also a number of exemptions set out in the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006. These exemptions include "a tenancy or licence that is granted to a person in relation to his occupancy of a house or dwelling as a holiday home". Therefore holiday lets do not come under the licensing provision and are beyond the scope of the scheme.
- 3.26 One short term holiday let company, Air BnB, provided a briefing note to councillors prior to the full council meeting in December 2019. In it, it states that during 2020 a dedicated line will be launched for city representatives and officials who can contact the company to raise issues. There is also to be a team to deal with complaints from neighbours regarding noise and nuisance. Sanctions are to range from 'host education strikes for moderate incidents as part of a three strikes you're out system or immediate removal from the platform for the most serious incidents' The company have also stated that they will be introducing enhanced guest standards and policies regarding party houses.
- 3.27 The Scottish Government announced in January 2020 that following a public consultation in 2019, it would introduce licensing for short-term lets, under the Civil Government (Scotland) Act 1982, with a mandatory safety component which will apply to all short-term lets across Scotland. Local authorities will also be given the discretion to put in place further conditions; to help tackle littering or overcrowding of properties, for example. Prioritise work to give local authorities the power to introduce short-term let control areas under powers in the Planning (Scotland) Act 2019. Undertake a review of the tax treatment of short-term lets, to ensure they make an appropriate contribution to the communities they operate in.
- 3.28 Where issues have been identified and brought to the council's attention investigations by relevant teams have been undertaken. In some cases these have resulted in noise abatement notices being served, action taken by East Sussex Fire and Rescue Service and interventions by the ASB team. Planning enforcement have also investigated whether or not there have been any change of use of properties. However it is recognised that enforcement action isn't always possible for specific cases and that officers need to work together more closely to ensure that all enforcement options are explored thoroughly.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 These are contained within the body of the report.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 There has been no consultation in the compilation of this report. However if the option of a possible registration scheme is considered viable then public consultation .would take place.

6. CONCLUSION

- 6.1 It is recognised that whilst many short term holiday lets in the City do not have a major impact on the quality of life of local residents, some of the larger properties can and have done.
- 6.2 Legislation to deal with issues can be used more effectively to address some of the issues such as noise and ASB. However each case must be looked at on a case by cases basis and in some circumstances enforcement action will not be possible.
- 6.3 A local registration scheme will not allow for additional enforcement powers although it will allow for a better understanding of where these properties are located.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The costs of officer time involved in the investigation and response to complaints about short term holiday lets is met from within existing staffing budget resources.

Finance Officer Consulted: Michael Bentley

Date: 12/02/20

Legal Implications:

- 7.2 There is no directly applicable legislation in relation to short term lets save as set out in the body of the report.
- 7.3 None of the recommendations require further legal advice at this stage.

Lawyer Consulted: Simon Court

Date: 12th February 2020.

Equalities Implications:

- 7.3 None

Sustainability Implications:

There are no sustainability implications

SUPPORTING DOCUMENTATION

Appendices: None

Crime & Disorder Implications:

- 1.1 If used appropriately, the activities described in this report should enhance our capacity to tackle crime and disorder

Risk and Opportunity Management Implications:

- 1.2 _None

Public Health Implications:

- 1.3 None

Corporate / Citywide Implications:

- 1.4 Proper application of the powers will help to achieve fair enforcement of the law and help to protect the environment and public from rogue trading and illegal activity.

Subject:	Procurement of contract for servicing, repair, maintenance and installation of lifts serving Council housing sites		
Date of Meeting:	11th March 2020		
Report of:	Executive Director Housing, Neighbourhoods & Communities		
Contact Officer:	Name:	Miles Davidson	Tel: 01273 293150
	Email:	Miles.davidson@brighton-hove.gov.uk	
Ward(s) affected:	All		

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

- 1.1 The purpose of the report is to seek approval from Housing Committee for the procurement and award of a contract for the servicing, repair, maintenance and installation of lifts across housing sites.
- 1.2 Across the housing stock there are 107 passenger lifts and approximately 140 stairlifts/mobility hoists serviced and maintained through the existing contract.

2. RECOMMENDATIONS:

- 2.1 That Housing Committee delegate authority to the Executive Director for Housing Neighbourhoods and Communities to:
- (i) Procure and award a contract for the services described below for a term of 3 years.
 - (ii) Approve an extension(s) to the contract referred to in 2.1(i) above for a period of up to two years following the initial three year term, subject to satisfactory performance by the provider.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The current contract has provided for the servicing, repair, maintenance and installation of lifts across housing sites since January 2012. The contract with the incumbent contractor, Liftec Lifts Ltd., ends on 1st April 2021 following a 1 year extension to the contract. Since 2011, we've completed replacement or major modernisation works on 63 lifts across the city.
- 3.2 The average value of the servicing and maintenance of our existing lifts is approximately £200,000 per annum, the estimated value over the 5 years of the proposed contract term (including extension) is £1 million. This covers planned maintenance, planned service schedule, reactive repairs and breakdowns.

- 3.3 There are 26 lifts across the city that have not been replaced or modernised through the current contract due to continued levels of good service and reliability. A draft outline programme of planned modernisation and upgrades to a number of these lifts is estimated to have a value up to £3million over the 5 years of the proposed contract term (including extension).
- 3.4 The anticipated value of the services is over the current OJEU threshold and therefore must be procured under the Public Contracts Regulations 2015.
- 3.5 The outline programme of lift replacement/modernisation during the planned contract will be refined and monitored on an ongoing basis to ensure prioritisation of those lifts most in need of upgrade or modernisation. This programme is devised and monitored by the council's own lift engineer, in consultation with colleagues across housing, and is based on age, availability of parts and history of breakdowns and repair. Where a lift is identified for replacement or significant upgrade, appropriate and specific consultation will be carried out with tenants and leaseholders in the affected block at the appropriate time. This includes writing to all residents and inviting all residents to meetings to discuss the proposed works.
- 3.6 Consideration has been given to separating the different elements of the existing contract. This could include separating the servicing and maintenance elements into one contract whilst separately tendering works for lift replacements and upgrades as individual and separate projects.
- 3.7 The preferred option is to tender all works within one contract. Our experience indicates that better reliability and operation of lifts is achieved when the contractor responsible for the installation of a lift is also responsible for the ongoing servicing and maintenance. Additionally, procurement of individual projects such as one off lift replacements would require additional resources being spent on procurement processes and project management of individual projects. It is also likely to lead to an increased risk of inconsistency in delivering projects.
- 3.8 The current contract approach has been successful, being robustly managed by a dedicated council officer and the performance monitored against a set of Key Performance Indicators reported through the housing management performance report. The dedicated contract management includes regular contract meetings and site visits to plan, inspect and sign off works.
- 3.9 A 3 year contract with the option of a 2 year extension can provide good value for money as the costs of services are locked into the length of the contract, and allows the council to build a relationship with the contractor. The procurement of contracts of this complexity is resource intensive and can take around a year to complete. Having to re-procure contracts more frequently would come at a higher administrative cost. Shorter contracts are also less attractive to the market and may lead to less contractors bidding for the works resulting in a less competitive process and higher prices.
- 3.10 Recent decisions to carry out partial upgrades as opposed to replacements provides reassurance that the contract can be well managed and should reassure residents that costly works are not being carried out unnecessarily.

- 3.11 Under a new contract, as with current practice, any new lift installation or modernisation would be specified by the council before being quoted for by the contractor. This would then be scrutinised by the council's own lift engineer and a quantity surveyor prior to approval and works being authorised.
- 3.12 Appropriate engagement and consultation with residents including leaseholders would be carried out throughout the contract procurement exercise. Some leaseholders have previously expressed concern regarding the use of Qualifying Long Term Agreements of this type. The Council has responded to these concerns through previous consultations outlining that contracts of this type allow for consistency of approach, materials and service levels which is more achievable when working with one supplier. Working with multiple contractors could cause delays and would increase the costs of delivering and managing the works, and we need to consider the impact on all residents of any increase in costs.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The future repairs and maintenance programme is bringing in-house the housing responsive repairs and maintenance service as agreed at Housing & New Homes Committee in September 2018. As noted in the report to Committee at that time *'specialist works will continue to be delivered through individual contracts, with reports coming back to committee for authority to procure and award such contracts if required in accordance with the council's Constitution.'* This contract falls within this category.
- 4.2 Lift, servicing, maintenance, repairs and installation is a highly technical and specialist area of work for which we do not have the skills and experience, beyond the contract management function, to deliver in-house.
- 4.3 We estimate that the cost to the council to provide our own 24/7 emergency lift breakdown service would be in the region of £200,000 p.a. in addition to the annual servicing and maintenance costs identified above. Employing a contractor means this cost can be shared across a number of contracts and services.
- 4.4 Repairs and maintenance of lifts requires specialist supply chains that the council does not have access to and would not have the resource and buying power of a specialist contractor working regionally, nationally and internationally across a larger portfolio of lifts. This would present significant risks to the ability to complete repairs quickly and therefore provide a responsive and good value for money service to residents.
- 4.5 The current contract model has provided value for money and has delivered consistently regarding performance across all elements of the contract.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 A briefing paper was presented to Area Panel meetings in February and Leaseholder Action group in March, 2020.

- 5.2 Feedback from Area Panels was positive. Residents fed back that both the engagement and process of lift replacements had been good and well managed. Residents also fed back that the process of modernisation as opposed to full replacement demonstrated a good value for money approach. Panels felt that the dedicated in-house lift engineer had worked well for the council and residents.
- 5.3 In addition to consultation with leaseholders through the proposed procurement of a contract, further consultations with individual leaseholders where works are proposed will be carried out where any individual leaseholder's share of the cost exceeds £250.

6. CONCLUSION

- 6.1 A contract for the ongoing servicing, maintenance and repair of existing lifts in the housing stock is essential to an ongoing safe and reliable service to residents. The option to include lift replacement and modernisations within this contract is considered to be the best value for money in terms of service and delivery of works as outlined above.
- 6.2 If the recommendations at 2.1 are approved, procurement of a new contract will commence with a timetable for completion and mobilisation of a new contract for 1st April 2021.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The proposed contract for the servicing, maintenance, repairs and refurbishment of all HRA lifts will require funding from the HRA Revenue and Capital Programme.
- 7.2 The current existing revenue budget for lift servicing and maintenance is £0.185m per annum.
- 7.3 The latest HRA 30 year Business Plan includes estimated funding requirements of approximately £2.2m over the next 5 years for Lifts. The Capital Programme is reviewed each financial year and will be updated to take account of future estimated costs, funding and profiling of planned modernisation and upgrades to lifts.

Finance Officer Consulted: Name Michael Bentley

Date: 04/02/20

Legal Implications:

- 7.4 The Housing Committee is the appropriate committee for the recommendations set out in paragraph 2 above in accordance with Part 4 of the council's constitution. In order to comply with the Contract Standing Order 3.1, authority to enter into contracts in excess of £500,000 must be obtained from the relevant Committee.
- 7.5 The procurement of the contract must comply with all relevant public procurement legislation and the council's Contract Standing Orders.

Equalities Implications:

- 7.6 The provision of reliable lift services is a significant part of ensuring access for older residents and those with mobility issues in our housing stock. Performance of the contract will be guided by a robust set of Key Performance Indicators to monitor the responsiveness to breakdowns and entrapments. A daily lift report is produced and shared across key housing teams so that impacts of breakdowns on residents can be managed and appropriate support provided as required.
- 7.7 The contract will also provide for the servicing and maintenance of a number of stairlifts and hoists within the housing stock, having a contract in place to deliver these services ensures residents specific needs regarding the mobility equipment in their homes can be maintained, repaired and replaced as quickly as possible to maintain independence and access as far as possible.
- 7.8 Equality Impact Assessments are carried out for individual lift replacement/modernisation projects, feedback from residents is used to inform how projects are delivered and what mitigating measures can be put in place during works. The needs of individual residents are incorporated into assessments and project plans accordingly.

Sustainability Implications:

- 7.9 Carrying out partial upgrades and modernisation of key components in place of full replacements, where appropriate, supports the council's ambitions regarding creating a circular economy by reducing waste.
- 7.10 Where a full upgrade is carried out any useable components are retained and stored locally for use on our own sites.

Brexit Implications:

- 7.11 Dependent on the outcomes of the Brexit negotiations there may be implications for future supply chains and costs. An analysis of the impact of a no-deal Brexit was carried with the existing contractor, these implications may apply to a future contract. For goods manufactured in the EU and sold to the UK there are two potential issues to consider:-
1. A temporary disruption in a contractors ability to import goods into the UK, caused by a lack of agreement between the UK and the EU or the inability of the UK border to implement any new arrangements in an efficient manner.
 2. The need to pass on cost of import tariffs on goods produced inside the EU to customers purchasing those goods within the UK.
- 7.12 Our current contractor has carried out a risk analysis of our current supply chain and contacted our key suppliers to understand what plans they have in place in the event of a 'no deal Brexit'. Suppliers have confirmed they already hold a large stock of critical components in the UK and other suppliers have advised they will either increase their stock in the UK or have already started to source alternative suppliers from outside the EU.

- 7.13 If the recommendation is agreed and procurement of a contract proceeds, cost, supply chain and contractors' ability to maintain a responsive service will be assessed and evaluated as part of the procurement process. Any implications of the final outcome of the Brexit negotiations will be addressed at mobilisation stage of a new contract and where possible mitigation measures will be put in place, i.e. ensuring supply chains are in place and parts are held in the UK where possible.

Any Other Significant Implications:

None

Crime & Disorder Implications:

None

Risk and Opportunity Management Implications:

- 7.14 Risk management forms an integral part of the management of the existing contract and will form a significant element of the procurement exercise if the recommendation is agreed. Prospective contractors approach to risk management will be assessed and evaluated as part of the procurement process, mobilisation phase and ongoing contract management.
- 7.15 There are significant risks associated with not having a contract in place and the impact this may have on the day to day performance of lifts and ability to repair and maintain the existing lifts. We have timetabled this report to allow one year for the procurement exercise to be carried out.

Public Health Implications:

- 7.16 As identified above the inability to provide a reliable lift service to many of our residents would have a significant impact on their wellbeing and quality of life, the council has a duty to promote the health and wellbeing of residents in its area.

Corporate / Citywide Implications:

- 7.17 The services described above are an essential element of our housing provision in the city and align to a number of our corporate priorities in particular 'A Healthy and Caring City – Support people to live independently'.

Subject:	Leaseholder engagement update		
Date of Meeting:	11 March 2020		
Report of:	Executive Director Housing Neighbourhoods and Communities		
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 updates on work being undertaken to improve engagement with council leaseholders and housing services to leaseholders. The report also provides an overview of how leasehold services are delivered.

2. RECOMMENDATIONS:

- 2.1 That the committee notes the report.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The council manages around 1,500 blocks of flats of various types and sizes, over 4,000 tenanted houses, more than 7,000 tenanted flats and approximately 2,900 leasehold properties.
- 3.2 These leasehold properties comprise 2,400 flats sold under the Right to Buy along with 499 flats and houses leased to Seaside Homes.
- 3.3 All the leased properties contractually require the leaseholders to contribute to the council's total expenditure incurred in keeping the exterior, structure and common parts in repair, along with providing services such as cleaning, grounds maintenance, management, etc.
- 3.4 The leases, with the exception of most leases created before 1987, include a provision to contribute towards works of improvement.
- 3.5 Leaseholders are protected in law on service charge costs to the extent that the costs are 'reasonably incurred', works or services are carried out 'to a reasonable standard', the leases allow for the costs to be passed on and the consultation requirements have been complied with.

- 3.6 Leasehold management in the council is not dealt with in one team. The Leasehold Team is responsible for administration of the leases, verifying service charges, financial breaches of the lease and service charge dispute resolution. Housing as a whole is responsible for leasehold management. For example, consultation is dealt with by Property & Investment and Tenancy Management deal with the management of the building and the leases, along with any nonfinancial breaches.
- 3.7 The council is committed to engaging with leaseholders through the formal Resident Involvement channels such as Residents Associations, the Leaseholders Action Group (LAG), Area Panels and Service Improvement Groups.
- 3.8 Leaseholders have fed back through these sessions some areas where they feel improvement is needed. These include; consultation and engagement on works; a greater focus on maintenance arrangements; increased focus on quality control and council inspection and sign off of works; how warranties and defects are managed and recorded; the quality of works undertaken, including window installations; and the delivery of the council's new housing management information system.
- 3.9 The council has set up its own 3-stage internal disputes procedure to aid resolution of service charge complaints. Leaseholders have raised some questions about this and requested this is reported through performance reports to Housing Committee. This will be implemented for quarter one of 2020/21.
- 3.10 The following sections of the report update on recent work with leaseholders.
- 3.11 Consultation on planned improvement works and major projects
- 3.12 In 2018 the council undertook extensive stakeholder engagement as part of developing options for the future delivery of repairs services, planned works and major projects.
- 3.13 Leaseholders particularly identified the following areas for future services:
- Leaseholders felt that investment into managing warranties, developing maintenance programmes and regular reviewing of assets, should be a key focus to prevent deterioration of homes and blocks.
 - Leaseholders felt that 'major capital projects' should not sit with the repairs and empty property refurbishment works moving forward and should be specified and tendered separately from this function.
 - Value for money was a key driver for leaseholders and testing and value for money through tender processes for major capital works was a key consideration.
 - Quality assurance and surveying functions were highlighted by leaseholders as essential client side functions that should be independent of any contractual arrangement.
 - Leaseholders felt that increased communication, transparency and online access to cost information would improve services going forward.

- 3.14 Feedback from stakeholders enabled the council's programme team to develop a set of clear strategic objectives for the future delivery of the services and works as follows:
- Excellent customer service including the ability to self-serve and greater direct customer access to services
 - A strong focus on pro-active maintenance of existing assets
 - Increased transparency, control and accountability around cost, programme information and quality assurance
 - Demonstration of value for money combined with the inclusion of social value requirements in order to secure added economic, social or environmental benefits for the local area.
- 3.15 In October 2019, the council carried out a Notice of Intention Section 20 consultation with all leaseholders around proposals for the future delivery of planned improvement works and major projects.
- 3.16 The feedback from leaseholders through the notice of intention consultation process has been helpful in developing the design of the new arrangements for planned and major works and contract management proposals for the service in the future.
- 3.17 There will be a further stage of consultation later this year – the notice of proposals. This will provide information regarding the contractors, who the council are proposing to enter into a long term agreement with to undertake the work contracts. All leaseholders will therefore have another opportunity to submit observations on these proposals in due course.
- 3.18 Leaseholder engagement event
- 3.19 Following the end of the first stage consultation process the council invited all leaseholders to attend an event to share further information around the contracts, how they will be managed and the council's plans for future consultations and ongoing engagement with leaseholders.
- 3.20 The event included input from Procurement and Legal officers and as well as the technical elements of our housing service covering programming, specifying, tendering, costing, contract management and quality assurance of works.
- 3.21 The event was well attended and leaseholders provided a range of valuable feedback. Some of the main points made by leaseholders were:
- Ensuring that costing is transparent
 - Consultations
 - Better quality work and complete first time for repairs
 - A feeling that some contracts should be shorter
 - Robust key performance indicators and plans to remedy poor performance
 - Quality checks, external checker
 - Good contract management
 - Meetings which fit with leaseholders
 - Keep leaseholders informed throughout works

- 3.22 The council is planning for a further event in September 2020 to follow up with all leaseholders.
- 3.23 Leaseholder survey
- 3.24 The council will shortly be carrying out a survey of all leaseholders. The survey will be carried out by ARP Research, the same company that has undertaken the recent STAR survey of tenants.
- 3.25 It is anticipated that the survey will be sent to all leaseholders in March. The council is finalising the data protection impact assessment and once this is completed we will be able to proceed.
- 3.26 The survey is seeking the views of leaseholders on the type of property they occupy, service standards, repairs, major works and communication. Although the main survey will be postal, there is an option for leaseholders to complete the survey on line.
- 3.27 At the close of the survey ARP will analyse the responses and prepare a report on the findings this will be shared with Housing Committee, Leaseholder Action Group and reported back to leaseholders in a newsletter.
- 3.28 New post of Senior Leasehold Liaison Officer
- 3.29 The council has recently introduced a new post of Senior Leasehold Liaison Officer. The post holder commenced in October 2019. The principal purpose of the job is to maximise the council's engagement with leaseholders at all points during the lifetime of major works and planned maintenance projects including during consultation, works on site and where there are payment difficulties.
- 3.30 With the current contractual arrangements ending on 31 March 2020 much of the consultation on current projects had taken place prior to the appointment. Therefore, assistance has been provided to a number of individual leaseholders where payment difficulties existed. This has included signposting to other agencies such as the Department of Work and Pensions and the Pensions Agency.
- 3.31 Post April 2020 will see the role develop as works under the new Housing Repairs & Maintenance service will commence and planned and major works are delivered under separate new arrangements.
- 3.32 Extended Payment Options for Council Leaseholders
- 3.33 In 2012 in anticipation of a significant numbers of works of repair and improvement with the potential of leaseholders' charges to be considerable a scheme of extended payment options was introduced.
- 3.34 These included: Equity Loans, Maturity Loans, Long-term interest bearing loans up to 25 years and an extension of interest free repayment options from 12 months to a sliding scale with a maximum of five years.

- 3.35 The purpose was to increase the options available to the council to help leaseholders who are in residence throughout the term of the loan or arrangement and where there is financial difficulty or vulnerability when faced with high major works bills.
- 3.36 The options were not extended to leaseholders who sub-let their properties, however, there have been a couple of cases in recent time where this policy could assist in specific circumstances.
- 3.37 Since 2012 there have been 46 leaseholders expressing an interest in the extended payment options, 33 of which were for equity loans, of which 22 loans have been completed. Three leaseholders were assisted in getting help from the pension service and the remainder were a mixture of sales, extension of individual mortgages or paying off the major works charges.
- 3.38 Other leaseholders have agreed a sliding scale of repayment up to the five year maximum direct with the Corporate Collection Team. No data is available for these.
- 3.39 The most popular, equity loans, involves the council taking a legal interest in the property. It is a non-repayment option with the major works charge being paid off on the first sale or transfer of the property.
- 3.40 How much is repaid will depend on a number of factors, the amount of the major works charge, the value of the property and how soon the sale takes place after the loan is completed. For example, if the property is valued at £200,000 and the major works charge is £10,000 then the council's equity share would be 5%. If the first sale takes place in the first 5 years, the share would be 6%, in years 5 to 10, 5.5% and if sold after year 10, the initial 5%. The first equity loan repaid highlighted that, in an area like Brighton & Hove, when property prices are rising steeply the repayment could result in a large repayment to the council. A decision was taken at that time to limit any repayment to a sum which is the lesser of the actual percentage repayment or a sum equal to the nominal cost of servicing a loan for the period of the arrangement.
- 3.41 New Housing Management System – Northgate Public Services (NPS) Housing
- 3.42 The council's new Housing Information System will deliver a range of improvements for leaseholders including a customer portal to provide online access to service charge information as well as the ability to raise and feedback on block repairs through an online customer portal.
- 3.43 The project is being delivered in three phases. The first phase is focussing on services that are already delivered via the current housing management system (OHMS). Billing for leaseholders is currently managed via our Civica Finance System. When the new NPS system goes live, which is currently planned for January 2021, billing will be via the new NPS Housing system.
- 3.44 Access to the customer portal for leaseholders and to report repairs will be in the second phase of the project. Dates for this phase have yet to be confirmed, but are likely to be within six months of the go live date. General updates will be

provided via Homing In and the council website. Leaseholders will be contacted directly about any changes to their billing/payment details.

3.45 Future Repairs – Task and Finish Group

3.46 Leaseholders are represented in the Future Repairs - Task and Finish Group that has been involved in developing the council's new services for repairs and maintenance, planned improvements and major projects. The group has overseen the programme and worked closely with officers in a number of areas.

3.47 Recent work has included shaping new resident oversight arrangements for the service in the future and developing a comprehensive set of key performance indicators that cover the services that will be delivered in the future.

3.48 Process for future engagement on major works

3.49 Following feedback from residents the Property & Investment service undertakes engagement processes with tenants and leaseholders ahead of any formal consultation on high cost works to ensure stakeholders have a chance to input into and influence proposed works at an earlier stage. Early engagement is being undertaken through letters to all tenants and leaseholders seeking views on issues and broad proposals.

3.50 There is a commitment to carrying out engagement with residents on these projects as early as possible, acknowledging that the engagement processes should be proportionate to project impact, size and complexity. The council also takes into account engaging in different ways with tenants and leaseholders especially where changes to services are proposed. Ward councillors and Resident Associations are also kept updated on project proposals.

3.51 The council's Property & Investment service is working with the Leaseholders Action Group to develop engagement processes for future major projects. These will continue to be co-designed through 2020 ahead of the commissioning of projects through the new major projects framework.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 None considered for this report which is an update for noting.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Engagement with leaseholders is undertaken with the Leaseholders Action Group at their quarterly committee meetings and the Annual General Meeting for all leaseholders. As detailed in the report an additional event was held on 11th January 2020 for all leaseholders following consultation around Planned and Major Works contracts.

5.2 This year's Leaseholder Annual General Meeting is scheduled for 18th April 2020. Full information will be sent out to all leaseholders.

6. CONCLUSION

- 6.1 This report updates on a range of recent work undertaken to improve leaseholder engagement across the housing service.
- 6.2 Leasehold is a key element of our housing service with approximately 20% of the council's housing stock being leasehold tenure.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 All leaseholder engagement activity will be met from within the HRA Budget including an estimated £7,500 for the leaseholder survey by ARP.

Finance Officer Consulted: Monica Brooks

Date: 28-02-20

Legal Implications:

The standards for landlord consultation with leaseholders imposed by the Landlord and Tenant Act 1985 are minimum standards. The council is entitled to do anything which is calculated to facilitate, or is incidental to the discharge of its functions. The additional leaseholder engagement activities set out in the report are therefore within the council's powers.

Lawyer Consulted:

Name Liz Woodley

Date: 19/02/20

Equalities Implications:

- 7.2 None directly related to this report.

Sustainability Implications:

- 7.3 None directly related to this report.

Brexit Implications:

- 7.4 None directly related to this report.

Any Other Significant Implications:

- 7.5 None directly related to this report.

SUPPORTING DOCUMENTATION

Appendices:

None

Background Documents

1. Housing & New Homes Committee report on Leasehold engagement dated 13th June 2018 and available at <https://phantom.brighton-hove.gov.uk/mqConvert2PDF.aspx?ID=127816>

Subject:	Future Repairs & Maintenance to Council Housing Stock.		
Date of Meeting:	11 March 2020		
Report of:	Executive Director for Housing, Neighbourhoods and Communities		
Contact Officer:	Name:	David Canham	Tel: 01273 293165
		Martin Reid	Tel: 01273 293321
	Email:	david.canham@brighton-hove.gov.uk	
		martin.reid@brighton-hove.gov.uk	
Ward(s) affected:	All		

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

- 1.1 This report updates committee on the progress of the programme to set up the future delivery of responsive repairs, empty property refurbishments, planned maintenance and improvement programmes, and major capital projects to council housing stock post April 2020.

2. RECOMMENDATIONS:

- 2.1 That the Committee notes the progress with the programme which is outlined in the body of this report.

3. CONTEXT/BACKGROUND INFORMATION

- 3.1 Brighton & Hove City Council currently operates a ten year partnering contract with Mears Limited ('Mears') under which the following services and works are provided for the council's housing stock:

- Responsive repairs and empty property refurbishments
- Planned maintenance and improvement programmes
- Major capital projects

- 3.2 Following extensive consultation, a special Housing & New Homes Committee held on 28 September 2018 and Policy, Resources & Growth Committee on 11 October 2018, the following recommendations were approved for the delivery of the above services following the expiry of the contract with Mears from April 2020:

That:

- Customer service and quality assurance services are brought in-house
- Responsive repairs and empty property refurbishment works to council housing stock are brought in-house
- Planned maintenance and improvement programmes are procured through at least one contract for a term of five years with the option to extend for up to a further two years
- A multi-contractor framework agreement is procured for major capital projects with a term of four years

For a full list of decisions please see Appendix 1.

4. KEY AREAS OF PROGRESS

Setting up the in-house responsive repairs service

- 4.1 Approximately 140 Mears staff will transfer into the council on 1 April 2020. TUPE (Transfer of Undertaking Protection of Employment) protects the terms and conditions of employment of transferring staff, which will mean the staff will maintain their current contractual terms and conditions.
- 4.2 Onboarding activities have been taking place over January and February, including the issuing of the formal measures letter to all transferring staff. This letter sets out anything which will change for staff as part of the transfer, for example transferring staff will become eligible to join the Local Government Pension Scheme (LGPS). The use of First Care to report sickness absence is a further measure which transferring staff will adopt from April.
- 4.3 Following the issuing of the measures letter, all transferring staff have had 1-2-1 meetings with the programme team and HR, to discuss the contents of the letter and any other questions they have about the transfer.
- 4.4 The set up and testing of the IT software and equipment for the service has been carried out in February, including the use of new handheld PDA (Personal Digital Assistant) devices for the operatives. The continued use of the MCM software under a contract with Mears will enable the staff transferring over to schedule jobs, purchase and collect materials, replenish van stock, and track the costs of jobs in the same way as is currently done. This will allow for a smoother transition as the service transfers into the council and minimise the impact on service levels currently received by residents.
- 4.5 The council MCM environment has been created and tested successfully. Testing has been carried out on end to end processes, from logging a repair at the helpdesk, allocating, completing and closing down the job. Sign-off acceptance has been received for the testing of the new PDAs, which have been tested in the field. Further testing is ongoing, including SMS messages, telephone systems, and the setup of user accounts on laptops.
- 4.6 The new uniforms for the operatives and supervisors have been procured through the council's Print & Sign team, who are also carrying out the rebranding of the existing fleet vehicles. Between now and April, approximately 50 vehicles

in the fleet are being replaced, as the vehicles come to the end of their lease terms.

- 4.7 Work on procuring a more sustainable fleet will begin in June 2020. A pilot will be run to ensure that any new vehicles meet the requirements of both the council's sustainability objectives and the operational needs of the service.
- 4.8 As work has progressed on setting up an external supplier for out of hours call handling, a number of issues have been raised. Primarily, moving to a new external supplier would result in a less robust lone working procedure for operatives due to a lack of integration between IT systems, along with the necessary introduction of more manual paper based processes.
- 4.9 Due to the above reasons and the opportunity to deliver the service in-house earlier, a contract with Mears to continue the out of hours call centre will operate on a short term basis whilst work is accelerated to explore the options for delivering the service in-house.

Contracts with Mears

- 4.10 In order to bring the services in-house there are some discrete products which the Council is purchasing from Mears for a limited period. The Heads of Terms for these arrangements has been agreed in principle between the council and Mears, and contracts are currently being drafted and negotiated which will cover the following areas: a works management system (MCM); processing of subcontractor orders and payments; account manager; supply of materials; and, vehicle leasing. Details of these arrangements were set out in the report to January Housing Committee.

Contracts with subcontractors

- 4.11 As part of the partnership contract with Mears, subcontractors are currently used to deliver approximately 20% of responsive repair works and 80% of empty property works, along with specialist works such as asbestos and scaffolding. Many of the subcontractors used by Mears for these works are local SMEs (small and medium sized enterprises), and these arrangements will continue from April directly with the council under new contracts. Negotiations with subcontractors is ongoing to ensure that these are in place.

Planned maintenance and major capital works

- 4.12 Planned maintenance and improvement works will be delivered by 3-7 contractors who have competitively bid for the works. The works are split into seven lots and contracts are to be awarded for a five year period with the option for the council to extend by up to a further two years. The lots are as follows:
- Lot 1: Kitchens and bathrooms
 - Lot 2: Internal and external decorations and repairs
 - Lot 3: Windows
 - Lot 4: Roofs
 - Lot 5: Doors – flats and street property doors (including fire doors)
 - Lot 6: Doors – main entrance doors

- Lot 7: Communal and domestic rewiring

- 4.13 The first stage of the tender process, the SQ (Selection Questionnaire) is now closed. As part of the SQ stage, bidders were asked to answer questions on delivery and programme management, quality of works, communications, and social value. They were also asked to provide case studies of previous projects. These bids have been evaluated by officers with the top scoring bids invited to tender for the ITT stage of the procurement process.
- 4.14 The invitation to tender stage (ITT) requires contractors to demonstrate how they will deliver the planned works programmes and how they will meet the council's requirements. The bids for the ITT are due in March, with evaluations following after. A contract for each lot is due to be awarded in June, with contracts commencing at the end of July.
- 4.15 The delivery plans for next years' major capital works programme are in development and a reduced level of capital projects is anticipated to reflect the large number of contracts being mobilised and the increased level of tenant and leaseholder engagement undertaken for larger projects. Alternative procurement routes are being explored with Procurement colleagues so that any required major capital works required can be delivered on time alongside the new framework arrangements for future capital works. The framework is expected to be in place late 2020.

Stakeholder engagement

- 4.16 A 'task and finish' group meets with the programme team monthly to support the programme. This group is made up of tenant and leaseholder representatives from our existing resident engagement structure.
- 4.17 The task and finish group has recently provided feedback on the key performance indicators (KPIs) for the new arrangements, as well as the ongoing resident structure which will provide monitoring and oversight to the services. Members of the task and finish group will also be evaluating the social value question for the planned works ITT bids outlined in 4.14 above.
- 4.18 The programme team has also provided recent updates at other resident interest groups, such as the Home Service Improvement Group, and Area Panels.

Key risks and issues

- 4.19 There are a number of key risks and issues being worked through as we approach the transfer, which are set out below.
- 4.20 A dispute between the GMB union and Mears regarding a pay award and the harmonisation of holiday and sick pay has led to a positive ballot for industrial action including potential strike dates and action short of a strike. No strike dates have yet been issued and council officers will work with Mears and the GMB as appropriate to resolve the dispute, which would transfer to the council following the TUPE transfer if not resolved by then.

- 4.21 There are currently some vacancies within the Mears team, in particular there are 4 vacancies in the customer call centre, 15 vacancies in the responsive repairs teams, and 2 vacancies in the planned works team. Alongside this, there is also a high amount of work in progress as we enter the final month of the current partnership contract with Mears. To help mitigate these risks a number of actions are being implemented including Mears bringing in a 'task team' of additional operatives in March to help manage the high level of work in progress. Three customer service advisors have recently been appointed by Mears, and agency workers are being lined up by the council to start from the 6 April to increase the workforce up to the required level. Agency workers are required in the short term as the council is unable to recruit to permanent posts before the transfer.
- 4.22 The go-live week of the transfer presents a number of operational risks and challenges. A balance needs to be struck between the practical onboarding activities required to mobilise the service, welcoming a large workforce into the council, and the day to day running of the service and customer satisfaction. Detailed planning is underway for the week leading up to the transfer and will include an hour by hour breakdown of the 1st April.
- 4.23 Risks and issues are being managed in a number of ways, with an executive board meeting fortnightly to provide oversight, direction, and decision making. Stand up meetings every Tuesday and Thursday are also held by the programme team to quickly discuss and unblock any issues in an agile and responsive way.

5 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 5.1 This report updates Committee on the progress of the programme and therefore alternative options are not required.

6 COMMUNITY ENGAGEMENT & CONSULTATION

- 6.1 In developing the proposal approved by the Special Housing & New Homes Committee held on 28 September 2018 and Policy, Resources & Growth Committee on 11 October 2018, extensive stakeholder engagement was undertaken. The outcomes of this stakeholder engagement were presented to Members in briefings and as part of the report pack which informed the Committee decisions on the series of recommendations and alternative options for the delivery of responsive repairs and empty property refurbishments, planned maintenance programmes and major capital projects to council housing stock following the expiry of the current contractual arrangements.
- 6.2 Details of the engagement exercises undertaken to ensure that stakeholder's views were considered in determining the preferred option for the delivery of works and services in the future are outlined below.
- 6.3 Programme officers attended the following meetings to provide an initial brief of the programme and next steps for tenant and leaseholder engagement:
- Area Panels
 - Home Service Improvement Group

- Leaseholder Action Group – Annual General Meeting
- Business and Value for Money Service Improvement Group

Area Panel meetings provided some initial feedback around the current contractual arrangements and raised some questions about delivery methods moving forward. Feedback was included in the March 2018 report to Housing & New Homes Committee.

- 6.4 Representatives at the Home Service Improvement Group were keen to be updated at future meetings of the progress of the programme and noted the scale of the programme.
- 6.5 The programme team presented on the programme at the Leaseholders Action Group (LAG) – Annual General Meeting in April 2018 and worked with the then newly elected LAG representatives to engage with leaseholders and collect feedback on the current arrangements.
- 6.6 The programme team then completed the following engagement activities:
- Running four workshops for tenants and leaseholders to share their views on what works well with the current service, what doesn't and what we should change in the future.
 - Carrying out over 1,000 door to door surveys of tenants and leaseholders across the city.
 - Running an online and postal survey for tenants and leaseholders to feedback their views.

The results of the door to door surveys and the online and paper surveys were analysed independently by ARP Research and included in the final report to Committee.

- 6.7 Staff and union engagement was also undertaken. Staff received regular updates on the programme through the initial phase. The programme team presented on progress with the programme at the regular all staff meetings held for the Housing Property & Investment team. In addition, the team received email briefings alongside the development of reports and the release of any public reports on the programme.
- 6.8 Staff workshops were held as part of the engagement work undertaken on the project. These included:
- Two workshops for Property & Investment staff and unions.
 - Workshop for other housing staff.
- 6.9 Member and committee engagement was as follows.
- A report initiating the programme was taken to Housing & New Homes Committee (H&NHC) and Policy, Resources & Growth Committee (PR&G) in March 2018.
 - A further update report was taken to H&NHC and PR&G in June 2018.

- 6.10 There was regular engagement with members through the Members Procurement Advisory Board (PAB) with additional attendance of lead members for Housing. Officers briefed at PAB in January and March 2018 and attended with consultants to discuss the options in detail at PAB meetings in April and June 2018. A further meeting was held with PAB members in July 2018 to review the options available and identify any which should be discounted. The options discounted and the grounds on which they were discounted were detailed in the report to Special Housing Committee. The PAB meeting also considered a supplementary report produced by consultants to answer questions raised by the board. This included details about the council's market position and risk statement. A copy of this report was also included in the papers considered at Special Housing Committee. Officers also met with PAB in September 2018 to provide information on tenant and leaseholder engagement and the site visits undertaken by the programme team.
- 6.11 All Members were invited to an open question session which was held on 21st August 2018. A detailed discussion took place with those in attendance covering the following areas:
- Tenants and leaseholder engagement and feedback
 - The remaining timeline
 - The delivery options available, costs and contract terms.
- 6.12 Ongoing engagement with tenants and leaseholders is detailed in the body of this report in section 4.

7. CONCLUSION

- 7.1 This report updates committee on the key areas of progress of the programme. Work is focussed on ensuring that as staff are transferred into the council, they have the right systems, tools and equipment set up to continue to deliver the service from day one. Key issues are being worked through and risks are being managed to maintain service continuity throughout the changes.

8. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 8.1 The 2019/20 HRA budget for programme management is £0.250m with a further earmarked reserve for mobilisation and set up costs of £0.982m. Current forecasts assume that £0.482m will remain in the reserve for use in 2020/21. HRA budget for 2020/21 also include a one year programme management budget of £0.392m for the continuation of this significant change programme.
- 8.2 The report outlines the current proposal to employ some agency staff from 6th April to fill current vacancies as staff transfer from Mears. The costs of these staff are already included in the HRA repairs budget proposals for 2020/21 and it is anticipated that there will be minimal extra costs of using agency staff in the short term. Any costs over budget would be managed within the overall HRA Budget or from the mobilisation as set up costs reserve.

- 8.3 As mentioned in paragraph 4.10, in order to bring the revenue repairs and maintenance services in-house there are some discrete products which the Council is purchasing from Mears for a limited period. The sum that will continue to be paid to Mears is estimated as £4.2m but the majority of this sum will be paid by Mears to suppliers and sub-contractors in the form of materials purchased and works to empty properties, responsive repairs, and specialist works.
- 8.4 The HRA budget proposals to Budget Council 27th February include a budget of £9.725m for revenue repairs and maintenance as shown below:

<u>2020/21 Revenue Budget for Repairs and Maintenance</u>	£
Direct Employee Costs	4,860,000
Premises - Subcontractor supply chain	2,140,000
Supplies & Services – Materials, works management system, office costs	1,495,000
Transport - Vehicle costs (Lease costs, fuel, insurance, repairs etc.)	850,000
Support Service Charges and other Overheads	380,000
	9,725,000

This budget includes the following services:

- Responsive repairs
- Estate Development Budget (EDB)
- Call Centre
- Concessionary Decorating
- Concessionary Gardening
- Electrical Test & Report
- Infestations (Pest Control)
- Mutual Exchange Surveys
- Asbestos Surveys
- Fire Safety

Finance Officer Consulted: Monica Brooks

Date:27-02-20

Legal Implications:

- 8.5 Legal implications in relation to this project have already been provided in the previous reports to committees. The heads of terms for the proposed arrangements with Mears have been drafted and agreed. Contracts are now being drawn up with the assistance of external solicitors for the following: (i) MCM system, subcontractor payment processing and accounts manager; (ii) supply of materials; (iii) vehicle leasing to set out the arrangements in further detail and (iv) associated data transfer/sharing.
- 8.6 A contract with Mears is now needed for the out of hours call service. The value of this contract is below the threshold for service contracts and therefore the PCR 2015 will not apply. However, a waiver in accordance with Contract Standing Order (CSO) 20.2 will be required before the council enters into this contract.

- 8.7 Authority from the relevant committee is usually required prior to awarding any contract which is over £500k in value. Some of the proposed contracts with subcontractors will be over £500k. Following a report taken to October 2018 Policy, Resources & Growth Committee, delegated authority has already been given to the Executive Director Neighbourhoods, Communities and Housing to award contracts required to implement the recommendations set out in that report. The proposed contracts with subcontractors enable the Council to implement the recommendations at 2.1 and 2.2 of the original report. The proposals are also consistent with the wording set out in paragraph 3.56 of that report which sets out that in relation to mobilising an in house team and supply chain the council would need to procure contracts in order to provide systems and support for the delivery of works by an in-house team in time for 'go-live' following the expiry of the current contractual arrangements. Therefore no further authority from this committee is required in order to award the contracts with sub-contractors.
- 8.8 However, Contract Standing Orders (CSOs) will apply and waivers in accordance with CSO 20.2 and/or 20.3 will be required before the council enters into these contracts. The value of the proposed contracts with the sub-contractors will vary in value but will not exceed the threshold for works contracts and therefore The Public Contracts Regulations 2015 will not apply fully to these contracts.

Lawyer Consulted:

Isabella Sidoli

Date: 27.02.2020

Equalities Implications:

- 8.9 There are no direct equalities implications arising from this update report.

Sustainability Implications:

- 8.10 There are no direct sustainability implications arising from this update report.

SUPPORTING DOCUMENTATION

Appendices:

1. Decision record from Policy, Resources & Growth committee 11 October 2018, and Special Housing Committee on 28 September 2018.

Background Documents

None

**Brighton & Hove City Council
Policy, Resources & Growth Committee
4:00pm 11 October 2018
Council Chamber, Hove Town Hall**

Options for future delivery of housing repairs, planned maintenance and capital works

Resolved: That the Committee:

Customer service and quality assurance

- (i) Agreed that the customer service and quality assurance services are brought in-house and delivered by the council following the expiry of the current contractual arrangements;

Responsive repairs and empty property refurbishments

- (ii) Agreed that responsive repairs and empty property refurbishments works to council housing stock are brought in-house and delivered by the council following the expiry of the current contractual arrangements;
- (iii) Approved a 'set-up and mobilisation' budget of £0.112m for 2018/19 funded by an in-year virement transferring this budget from the capital financing costs budget in the Housing Revenue Account (HRA) and the creation of an earmarked 'set-up and mobilisation' reserve of £0.982m for use in 2019/20 funded from HRA general reserves;

Planned maintenance and improvement programmes

- (iv) Approved the procurement of at least one contract for the provision of planned maintenance and improvement programmes to council housing stock with a term of five years with the option to extend for up to a further two years;

Major capital projects

- (v) Approved the procurement of a multi-contractor framework agreement for major capital projects with a term of four years;

Specialist works

- (vi) Noted that the specialist works will continue to be delivered through individual contracts, with reports coming back to committee for authority to procure and award such contracts if required in accordance with the council's Constitution;

Delegation

(vii) Granted delegated authority to the Executive Director Neighbourhoods, Communities & Housing to:

- (1) Commence the procurements and award the contracts required to implement the recommendations;
- (2) Use the 'set-up and mobilisation' budget to create and appoint to new roles to enable these recommendations to be delivered;
- (3) Award call-off contracts under the major capital projects framework agreement
- (4) Take any other steps necessary to implement the recommendations in this report

(viii) Affirmed its intention to review whether further elements of the services and works may be brought in-house in such a way that any timescales would ensure thorough preparation and a smooth transition.

HOUSING COMMITTEE	Agenda Item 66
	Brighton & Hove City Council

Subject:	Housing Management Performance Report Quarter 3 2019/20		
Date of Meeting:	11 March 2020		
Report of:	Executive Director Housing, Neighbourhoods & Communities		
Contact Officer:	Name:	Ododo Dafé	Tel: 01273 293201
	Email:	ododo.dafe@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 The housing management performance report covers Quarter 3 of the financial year 2019/20. The report is attached as Appendix 1 and notable results include:

- **Rent collection and current arrears** – 97.00% of rent collected.
- **Customer services and complaints** – 88% of calls answered and 72% of stage one complaints responded to within 10 working days.
- **Empty home turnaround time** – 90 homes re-let in an average of 17 days (or 40 days including time spent in major works).
- **Repairs and maintenance** – routine repairs took an average of 13 days to complete and 97.8% of appointments were kept.
- **Estates service** – 82% of bulk waste jobs completed within 7 working days.
- **Anti-social behaviour** – 95% of people surveyed (18 out of 19) were satisfied with the way their anti-social behaviour case was dealt with.
- **Tenancy management** – 34 tenancies sustained following difficulties.
- **Seniors housing** – 96% of residents have had their annual review.

2. RECOMMENDATIONS:

2.1 That the Housing Committee notes and comments upon the report.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 The report uses red, amber and green traffic light symbols to provide an indication of performance, and also trend arrows to provide an indication of movement from the previous quarter.

4. COMMUNITY ENGAGEMENT AND CONSULTATION:

4.1 A full copy of this report went to Area Panels in February. Residents raised queries about introductory tenancy visits and adding new indicators to future reports.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The area of performance with the most significant financial impact is the ability to collect rents from tenants. Over the last two years the percentage of rent collected has fallen in the HRA, and although the performance still compares favourably when benchmarked against other stock holding councils around the country, this is of concern and a review is underway to identify actions that will help to improve this. Indicator 1.14 shows that during Quarter 3, arrears for current tenants have increased by £0.056m to £1.506m. 62% of these current tenant arrears relate to tenants on Universal Credit. The Housing Income Management team is undertaking targeted work with tenants who are transferring to Universal Credit, and an additional post is proposed as part of the HRA Budget for 2020/21 to enhance the support the council can directly offer tenants around welfare rights and appeals. The Housing Income Management team has had a high level of staff vacancies this year which is also impacting on the recovery of both current and former tenant arrears. The vacancies are currently being recruited to.

Finance Officer Consulted: Monica Brooks

Date: 27/02/2020

Legal Implications:

- 5.2 There are no significant legal implications to draw to Members' attention arising from this report.

Lawyer Consulted: Liz Woodley

Date: 17/02/2020

Equalities Implications:

- 5.3 There are no direct equalities implications arising from this report.

Sustainability Implications:

- 5.4 The average energy efficiency rating of council homes stands at 67.4 (out of a maximum of 100) and efforts to increase this rating contribute towards the council's sustainability commitments and help to reduce fuel poverty.

Crime & Disorder Implications:

- 5.5 There are no direct crime and disorder implications arising from this report. Cases of anti-social behaviour involving criminal activity are worked on in partnership with the Police and other agencies.

Risk and Opportunity Management Implications:

- 5.6 There are no direct risk and opportunity implications arising from this report.

Public Health Implications:

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

Corporate or Citywide Implications:

5.8 There are no direct corporate or city wide implications arising from this report.







SUPPORTING DOCUMENTATION

Appendices:

1. Housing Management Performance Report Quarter 3 2019/20

Housing Management Performance Report Quarter 3 2019/20

This housing management performance report covers Quarter 3 of the financial year 2019/20. It uses red, amber and green traffic light symbols to provide an indication of performance, and also trend arrows to provide an indication of movement from the previous quarter.

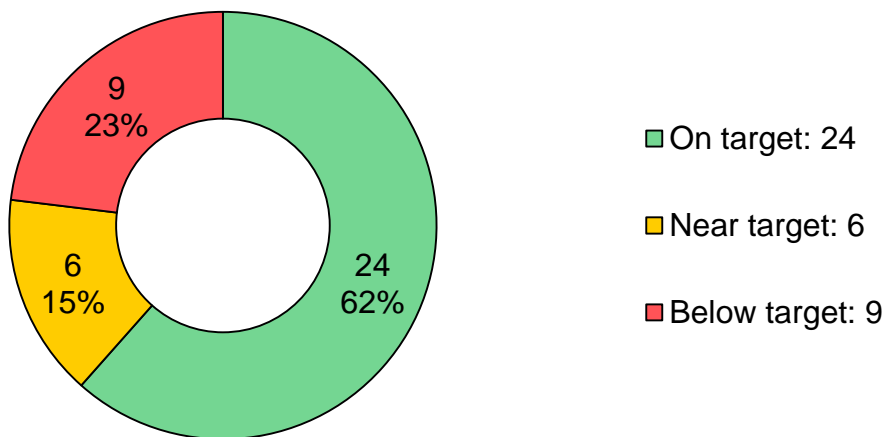
Status		Trend	
	Performance is below target (red)		Poorer than previous reporting period
	Performance is close to achieving target, but in need of improvement (amber)		Same as previous reporting period
	Performance is on or above target (green)		Improvement on previous reporting period

Comments on performance are given for indicators which are near or below target.

A total of 39 performance indicators are measured against a quarterly target:

- 24 are on target (of which 23 were on target and 1 was near target last quarter)
- 6 are near target (2 were on target, 2 were near target and 2 were below target)
- 9 are below target (2 were on target, 1 was near target and 6 were below target).

Quarterly indicators










In terms of movement since the previous quarter:

- 10 have improved
- 10 are the same (7 are on target, 2 are near target and 1 is below target)
- 19 have declined (of which 11 are on target, 3 are near and 5 are below target).

1. Rent collection and current arrears

Row 1.1 is an end of year forecast and the others are cumulative for the year to date.

 Rent collection and current arrears indicators		Target 2019/20	Q2 2019/20	Q3 2019/20	Status against target	Trend since last quarter
1.1	Rent collected as proportion of rent due for the year	97.20%	97.22% (£50.6m of £52.1m)	97.14% (£51.1m of £52.6m)		
1.2	Former tenant arrears collected	25% (18.75% for Q3)	8.05% (£60k of £740k)	12.65% (£94k of £743k)		
1.3	Rent loss due to empty dwellings	Under 1%	0.61% (£166k of £27.0m)	0.59% (£231k of £39.1m)		
1.4	Tenants served a Notice of Seeking Possession	For info	258	372	n/a	n/a
1.5	Tenants evicted because of rent arrears	For info	0	0	n/a	n/a


Rent collection and current arrears

Rent collected as proportion of rent due for the year – 0.06 percentage points below target

- **Contributory factors** - impact of Universal Credit (62% of arrears); remaining income collector vacancies.
- **Improvement actions** - making sure eligible tenants on Universal Credit have an alternative payment arrangement (rent paid directly to landlord); recruitment to remaining vacancies.

Former tenant arrears collected – 6.10 percentage points below target

- **Contributory factors** - need to focus on current tenants impacted by Universal Credit, as above.
- **Improvement actions** - as above.

 Welfare reform information		Q2 2019/20	Q3 2019/20
1.6	Universal Credit – affected households*	1,759 (15% of all tenants)	1,917 (17% of all tenants)
1.7	Universal Credit – arrears of affected households	£957k (66% of total arrears)	£961k (62% of total arrears)
1.8	Universal Credit households in arrears which have an alternative payment arrangement	39% (445 of 1,153)	41% (506 of 1,228)
1.9	Under occupiers on Housing Benefit – affected households	460 (4%)	445 (4%)
1.10	Under occupiers on Housing Benefit – arrears of affected households	£45k (3%)	£50k (3%)
1.11	Benefit Cap – affected households	36 (0.3%)	27 (0.2%)
1.12	Benefit Cap – arrears of affected households	£5k (0.3%)	£5k (0.3%)
1.13	Total households	11,450	11,441
1.14	Total current tenant arrears	£1,450k	£1,506k

*The majority of working age households who claim benefits are projected to be on Universal Credit by 2021.

1.15 Area breakdown of rent collected

The figures below are end of year forecasts.










Rent collection area	Q2 2019/20	Q3 2019/20
North (includes Seniors housing)	97.82% (£14.5m of £14.8m)	97.82% (£14.6m of £14.9m)
West	96.65% (£10.1m of £10.5m)	96.48% (£10.2m of £10.6m)
Central	96.79% (£9.0m of £9.3m)	96.77% (£9.0m of £9.3m)
East	97.27% (£17.1m of £17.5m)	97.14% (£17.3m of £17.8m)
All areas	97.22% (£50.6m of £52.1m)	97.14% (£51.1m of £52.6m)

1.16 Households in arrears by amount

All figures in the table below are end of quarter results.

Amount of arrears	Q2 2019/20	Q3 2019/20
No arrears	76% (8,680)	75% (8,532)
Any arrears	24% (2,770)	25% (2,909)
... £0.01 to £99.99	7% (859)	7% (840)
... £100 to £499.99	9% (996)	10% (1,144)
... £500 and above	8% (915)	8% (925)
Total households	11,450	11,441

2. Customer services and complaints

 Customer services and complaints indicators		Target 2019/20	Q2 2019/20	Q3 2019/20	Status against target	Trend since last quarter
2.1	Calls answered by Housing Customer Services	90%	91% (8,428 of 9,256)	88% (8,043 of 9,185)		
2.2	Stage one complaints responded to within 10 working days	80%	64% (70 of 109)	72% (64 of 89)		
2.3	Stage one complaints – average time to respond when not within 10 working days	For info	16 days	15 days	n/a	n/a
2.4	Stage one complaints upheld	For info	39% (43 of 109)	52% (46 of 89)	n/a	n/a
2.5	Stage one complaints escalated to stage two	10%	11% (12 of 109)	16% (14 of 89)		
2.6	Stage two complaints upheld	18% or under	8% (1 of 12)	21% (3 of 14)		
2.7	Housing Ombudsman Complaints upheld	For info	0% (0 of 2)	0% (0 of 2)	n/a	n/a

Customer services and complaints

Calls answered by Housing Customer Services – 2 percentage points off target

- **Contributory factors** - staff shortages since December.
- **Improvement actions** - recruitment to two vacancies.

Stage one complaints responded to within 10 working days – 8 percentage points off target

- **Contributory factors** - contractor needed to train new customer care staff.
- **Improvement actions** - new contractor customer care staff have since improved response times.






Stage one complaints escalated to stage two – 6 percentage points off target

- **Contributory factors** - delays in completing repairs and slow communications were main subjects; both relate to contractor staff shortages.
- **Improvement actions** - better communication with residents to inform them of delays.

Stage two complaints upheld – 3 percentage points off target

- **Contributory factors** - as above.
- **Improvement actions** - as above.

3. Empty home turnaround time and mutual exchanges

 Empty home turnaround time and mutual exchange indicators		Target 2019/20	Q2 2019/20	Q3 2019/20	Status against target	Trend since last quarter
3.1	Average re-let time, excluding time spent in major works (calendar days)	21	20 (115 lets)	17 (90 lets)		
3.2	... as above for general needs dwellings	For info	17 (95 lets)	13 (69 lets)	n/a	n/a
3.3	... as above for seniors housing dwellings	For info	36 (18 lets)	31 (21 lets)	n/a	n/a
3.4	Average 'key to key' empty period, including time spent in major works (calendar days)	For info	37 (115 lets)	40 (90 lets)	n/a	n/a
3.5	New dwellings let for first time	For info	20	11	n/a	n/a
3.6	Mutual exchange decisions made within 42 calendar days	100%	100% (24 of 24)	100% (36 of 36)		
3.7	Total empty dwellings at end quarter*	For info	68	72	n/a	n/a
















*Total general needs and seniors housing stock is 11,513 of which 11,441 are let and 72 are empty. The total housing revenue account (HRA) stock of 11,572 also includes 48 council owned temporary accommodation dwellings and 11 long term leases to housing associations.


















3.8. Long term empty dwellings by ward (empty six weeks or more as of 1 January 2020)

Ward name (excludes those with no long term empty dwellings)	No. dwellings	Average days empty	Range of days empty	Average rent loss*	Total rent loss*	Comment
Goldsmid	2	46	46-46	£0.9k	£1.8k	1 flat in major works and 1 new buy back flat.
Hanover and Elm Grove	1	410	410-410	£6.7k	£6.7k	1 house requiring extensive major works, which will begin once temporary housing can be found for neighbours during the works.
Hollingdean and Stanmer	4	114	46-242	£1.9k	£7.7k	1 flat ready to let and 3 seniors flats in major works.
Moulsecoomb and Bevendean	3	541	333-704	£8.1k	£24.3k	3 seniors studio flats.
Patcham	1	214	214-214	£1.7k	£1.7k	1 new seniors flat ready to let.
Preston Park	2	729	599-858	£8.8k	£17.7k	2 adjoining flats due to undergo major works once temporary housing can be found for 2 neighbouring households during the works.
Queens Park	4	99	53-207	£1.3k	£5.1k	3 flats ready to let; 1 flat with ongoing casework.
St Peter's & North Laine	1	130	130-130	£1.4k	£1.4k	1 flat with ongoing casework.
Westbourne	1	172	172-172	£1.9k	£1.9k	1 flat with ongoing casework.
Wish	1	46	46-46	£0.6k	£0.6k	1 flat ready to let.
Woodingdean	1	291	291-291	£6.6k	£6.6k	1 new buy back house undergoing roof conversion (due for completion in March 2020).
Total	21	253	46-858	£3.6k	£75.5k	Of 20 properties, 6 are ready to let (30%).

*Snapshot of historic rent loss for whole time since these properties became empty: of the £75.5k total rent loss, £47.5k occurred during the 2019/20 financial year to date.

4. Repairs and maintenance

 Repairs and maintenance indicators		Target 2019/20	Q2 2019/20	Q3 2019/20	Status against target	Trend since last quarter
4.1	Emergency repairs completed in time (within 24 hours)	99%	99.7% (2,353 of 2,359)	99.8% (2,187 of 2,191)		
4.2	Routine repairs completed in time (within 20 working days)	99%	99.7% (4,347 of 4,361)	99.4% (3,642 of 3,663)		
4.3	Complex repairs completed in time (work needing longer than 20 days)	For info	96.9% (93 of 96)	99.0% (96 of 97)	n/a	n/a
4.4	Average time to complete routine repairs (calendar days)	15 days	11 days	13 days		
4.5	Appointments kept by contractor as proportion of appointments made	97%	96.7% (10,097 of 10,446)	97.8% (7,794 of 7,973)		
4.6	Tenants satisfied with repairs (year to date)	96%	98.3% (1,774 of 1,804)	98.4% (1,797 of 1,827)		
4.7	Responsive repairs passing post-inspection first time	97%	93.8% (575 of 613)	95.9% (278 of 290)		
4.8	Repairs completed at first visit	92%	86.6% (5,821 of 6,720)	86.6% (5,068 of 5,854)		

 Repairs and maintenance indicators		Target 2019/20	Q2 2019/20	Q3 2019/20	Status against target	Trend since last quarter
4.9	Dwellings meeting Decent Homes Standard	100%	100% (11,518 of 11,518)	100% (11,513 of 11,513)		
4.10	Energy efficiency rating of homes (out of 100)	67	67.4	67.4		
4.11	Planned works passing post-inspection	97%	100% (161 of 161)	99.3% (144 of 145)		
4.12	Stock with a gas supply with up-to-date gas certificates	100%	100% (9,993 of 9,993)	100% (9,992 of 9,992)		
4.13	Empty properties passing post-inspection	98%	91.1% (102 of 112)	93.8% (75 of 80)		
4.14	Lifts – average time taken (hours) to respond	2 hours	1.8 hours	1.9 hours		
4.15	Lifts restored to service within 24 hours	95%	97% (177 of 182)	98.9% (175 of 177)		
4.16	Lifts – average time to restore service when not within 24 hours	7 days	5 days	6 days		



Repairs and maintenance indicators

		Target 2019/20	Q2 2019/20	Q3 2019/20	Status against target	Trend since last quarter
4.17	Repairs Helpdesk – calls answered	90%	91% (16,957 of 18,644)	57% (15,476 of 27,273)	Ⓡ	↓
4.18	Repairs Helpdesk – calls answered within 20 seconds	75%	65% (11,069 of 16,957)	27% (4,228 of 15,476)	Ⓡ	↓
4.19	Repairs Helpdesk – longest wait time	5 mins	34m 02s	50m 48s	Ⓡ	↓
4.20	Estate Development Budget main bids – completions (year to date)	For info	43% (51 of 118)	65% (77 of 118)	n/a	n/a
4.21	Estate Development Budget main bids – average duration of work (year to date)	For info	12 days	13 days	n/a	n/a

Repairs and maintenance

Responsive repairs passing post-inspection first time – 2.1 percentage points below target

- **Contributory factors** - reasons for jobs failing first inspection were poor quality work and incorrect recording of job details (materials and labour).
- **Improvement actions** - continue to improve operatives' quality of work through training; ensuring inspection reports are correctly recorded.

Repairs completed at first visit – 5.4 percentage points below target

- **Contributory factors** - frequency of jobs requiring non-standard parts (eg plumbing and electrical works).
- **Improvement actions** - adding more of these parts to van stocks; recruitment and training for Repairs Helpdesk to improve problem identification.

Empty properties passing post-inspection – 4.2 percentage points below target

- **Contributory factors** - as with responsive repairs, reasons for jobs failing first inspection were poor quality work and incorrect recording of job details.
- **Improvement actions** - continue to improve operatives' quality of work through training; ensuring inspection reports are correctly recorded.

Repairs Helpdesk – calls answered – 33 percentage points below target

- **Contributory factors** - contractor staff shortages; difficulty recruiting to vacancies; unsuccessful trial of agency staff recruitment; time spent training new starters; 27% more calls than same time last year.
- **Improvement actions** - council and contractor collaborating to improve staff retention and recruitment; recruitment now taking place through contractor rather than agencies; three vacancies to be filled in January.

Repairs Helpdesk – calls answered within 20 seconds – 48 percentage points below target

- **Contributory factors** - as above.
- **Improvement actions** - as above.

Repairs Helpdesk – longest wait time – 45 minutes and 48 seconds longer than target

- **Contributory factors** - as above.
- **Improvement actions** - as above.

4.23 Major projects programme summary 2019/20 (as of January 2020)

Project	Budget forecast (2019/20)	Latest Budget	Status	Number of dwellings		Leaseholder costs range (estimated)
				Council	Leasehold	
Tyson Place / St Johns Mount – structural repairs	£1,640k	£1,672k	On site	109	39	£15k to £22k
Wickhurst Rise – structural repairs	£25k	(£17k)	Complete	26	6	£22k to £41k
Ingram Crescent – structural repairs	£163k	£160k	Complete	130	24	£4k to £5k
Sylvan Hall – external repairs	£505k	£506k	Complete	30	19	£14k to £25k
Clarendon Road – structural repairs	£776k	£950k	Complete	23	9	£27k to £30k
Freshfield Estate – Tyfoam extraction	£1,132k	£1,200k	On site	24	0	n/a
Albion Hill (Saxonbury) – structural repairs	£1,104k	£1,094k	On site	29	16	£33k to £37k
Hidden Homes – new dwellings	£1,498k	£1,498k	On site	n/a	n/a	n/a
Oxford Street conversion	£987k	£954k	On site	n/a	n/a	n/a
St Aubyns Gardens – external repairs	£600k	£600k	On site	4	11	£31k to £54k
Unity Housing (condensation and damp works)	£285k	£336k	Complete	6	0	n/a
Citywide Conversions & extensions	£318k	£260k	On site	10	0	n/a
St James's House car park	£536k	£479k	On site	n/a	n/a	n/a
Holbrook and Downford – roofing	£102k	£123k	Complete	10	3	£14k to £18k
Tilbury Place – renovation	£441k	£500k	Complete	n/a	n/a	n/a
Laburnum Grove and Burstead Close – roofing	£685k	£650k	On site	59	0	n/a
Somerset Point – windows and external decoration	£662k	£500k	On site	71	0	n/a
Theobald House – concrete repairs	£12k	£50k	Complete	83	33	n/a
Leach Court – concrete coatings	£79k	-	On site	108	0	n/a
Total	£11.55m	£11.52m	11 projects on site	722	160	£4k to £54k

4.24 Details of major projects on site (as of January 2020)

Project	Tyson Place / St Johns Mount – structural repairs						
Exp. Start	22/10/18	Finish	31/03/20	Budget forecast	£1,640k	Latest budget	£1,672k
Act. Start	22/10/18	Current Status	On site	Council dwellings	109	Leasehold dwellings	39
Major external works including concrete repairs, roof replacement (St John's Mount only), replacement of windows and external wall insulation. Currently on site with completion expected by March 2020.							

Project	Freshfield Estate – extraction of Tyfoam wall insulation (phase four)						
Exp. Start		Exp. Finish	31/03/20	Budget forecast	£1,132k	Latest Budget	£1,200k
Act. Start	18/11/18	Current Status	On site	Council dwellings	24	Leasehold dwellings	0
Removal of Tyfoam insulation from wall cavities and rebuilding of outer walls with new external insulation.							

Project	Albion Hill (Saxonbury) – structural repairs						
Exp. Start	22/10/18	Exp. Finish	31/03/20	Budget forecast	£1,104k	Latest Budget	£1,094k
Act. Start	22/10/18	Current Status	On site	Council dwellings	29	Leasehold dwellings	16
Installation of infill cladding system to rectify defects with de-bonded brick panels. Unforeseen design changes following removal of brickwork resulted in delays to works during 2018/19. Currently 3 of 5 floors completed with expected finish by end of March 2020, depending on weather conditions.							

Project	Hidden Homes						
Exp. Start		Exp. Finish	28/02/20	Budget forecast	£1,498k	Latest Budget	£1,498
Act. Start	30/04/18	Current Status	On site	Council dwellings	n/a	Leasehold dwellings	n/a
<p>Programme of works to transform neglected or redundant spaces into quality homes. There are currently three conversion projects underway at:</p> <ul style="list-style-type: none"> • Elwyn Jones Court (2 new dwellings – complete) • Woods House (1 new dwelling – completion expected by February 2020) • Swallow Court (3 new dwellings – complete). <p>Planning permission has been granted and designs agreed for 10 new dwellings at the Bristol Estate, currently in preparation for procurement of works. Proposals for new dwellings at Albion Hill are at pre-planning stage and will be tendered under new arrangements in 2020.</p>							

Project	Oxford Street conversion						
Exp. Start		Exp. Finish	31/03/20	Budget forecast	£987k	Latest Budget	£954k
Act. Start	19/11/18	Current Status	On site	Council dwellings	n/a	Leasehold dwellings	n/a
<p>Now part of the Hidden Homes programme. This project is to redevelop and convert old office space into 10 family dwellings for temporary accommodation. Construction is currently underway on two levels and due for completion by end March 2020.</p>							

Project	St Aubyns Gardens – external repairs						
Exp. Start	18/03/19	Exp. Finish	01/12/19	Budget forecast	£600k	Latest Budget	£600k
Act. Start	18/03/19	Current Status	On site	Council dwellings	4	Leasehold dwellings	11
<p>Further external repairs following previous structural works, including concrete and render repair, new windows, roof replacement and external drainage replacement.</p>							

Project	Citywide loft Conversions and extensions						
Exp. Start	01/02/19	Exp. Finish	Ongoing	Budget forecast	£318k	Latest Budget	£260k
Act. Start		Current Status	On site	Council dwellings	10	Leasehold dwellings	n/a
Programme comprising works at 10 properties, plus two new builds. The latest budget for 2019/20 has reduced by £260k due to delays in the programme.							














Project	St James's House car park						
Exp. Start		Exp. Finish	28/02/20	Budget forecast	£536k	Latest Budget	£479k
Act. Start	04/03/19	Current Status	On site	Council dwellings	n/a	Leasehold dwellings	n/a
Improvements to security at the underground car park at St James's House. There had been delays in 2018/19 caused by additional stakeholder engagement and a traffic flow management study which had not been anticipated.							

Project	Laburnum Grove and Burstead Close – roofing						
Exp. Start	08/05/19	Exp. Finish	31/03/20	Budget forecast	£685	Latest Budget	£650k
Act. Start	08/05/19	Current Status	On site	Council dwellings	59	Leasehold dwellings	n/a
Roof and window replacements.							

Project	Somerset Point – windows and external decoration						
Exp. Start		Exp. Finish	31/03/20	Budget forecast	£500k	Latest Budget	£500k
Act. Start	29/04/19	Current Status	On site	Council dwellings	71	Leasehold dwellings	n/a
Works include new windows, repainting and insulation of external walls.							

Project	Leach Court – concrete coatings						
Exp. Start		Exp. Finish	28/02/20	Budget forecast	£79k	Latest Budget	-
Act. Start	07/10/19	Current Status	On site	Council dwellings	108	Leasehold dwellings	0
Concrete coatings have been completed and require painting which is weather dependent.							

5. Estates service

 Estates service indicators		Target 2019/20	Q2 2019/20	Q3 2019/20	Status against target	Trend since last quarter
5.1	Cleaning quality inspection pass rate	99%	100% (162 of 162)	100% (101 of 101)		
5.2	Estates Response Team quality inspection pass rate	99%	100% (55 of 55)	100% (143 of 143)		
5.3	Cleaning tasks completed	98%	95% (13,742 of 14,524)	97% (13,162 of 13,637)		
5.4	Bulk waste removed within 7 working days	92%	82% (652 of 798)	82% (688 of 840)		
5.5	Lights replaced or repaired within 3 working days	99%	100% (211 of 211)	99.7% (322 of 323)		
5.6	Mobile warden jobs completed within 3 working days	96%	99.8% (1,283 of 1,285)	99.4% (1,147 of 1,154)		

Estates service

Cleaning tasks completed – 1 percentage point below target




- **Contributory factors** - staff time spent on litter including drug paraphernalia.
- **Improvement actions** - cleaners reporting drug paraphernalia to police.

Bulk waste removed within 7 working days – 10 percentage points below target

- **Contributory factors** - staff time spent on section 41 notices on items left in common areas (two days per week) remains an issue; bulk waste occurring more frequently where residents have moved out.
- **Improvement actions** - preventative work with households about to move out (offering help with appropriate ways to dispose of bulk waste).

6. Anti-social behaviour (ASB)

All indicators below give cumulative year to date results.

 ASB indicators		Target 2019/20	Q2 2019/20	Q3 2019/20	Status against target	Trend since last quarter
6.1	Surveyed ASB victims satisfied with way their closed case was dealt with	85%	90% (9 of 10)	95% (18 of 19)		
6.2	Tenants evicted due to ASB	For info	1	1	n/a	n/a
6.3	Closure orders obtained	For info	4	4	n/a	n/a

6.4 New antisocial behaviour (ASB) cases by type

New ASB cases where the reporter or alleged perpetrator is a council property resident or leaseholder.

Type of ASB incident / case	Q2 2019/20	Q3 2019/20	Change between quarters
Verbal abuse / harassment / intimidation	44% 92	47% 77	-15
Noise	6% 13	13% 21	+8
Drugs	17% 36	14% 23	-13
Crime	13% 27	7% 11	-16
Domestic violence / abuse	7% 15	12% 19	+4
Physical violence	3% 7	1% 2	-5
Pets and animal nuisance	7% 15	3% 5	-10
Hate incident	1% 2	3% 5	+3
Alcohol related	1% 2	0% 0	-2
Total	100% 209	100% 163	-46






6.5 New ASB cases by ward

New ASB cases where the reporter or alleged perpetrator is a council property resident or leaseholder.

Ward name	Q2 2019/20	Q3 2019/20	Change between quarters	Council dwellings
Brunswick and Adelaide	0	0	n/a	4
Central Hove	4	2	-2	57
East Brighton	54	32	-22	2,244
Goldsmid	5	4	-1	326
Hangleton and Knoll	20	19	-1	1,179
Hanover and Elm Grove	10	6	-4	467
Hollingdean and Stanmer	15	22	+7	1,244
Hove Park	0	0	n/a	10
Moulsecoomb and Bevendean	27	12	-15	1,510
North Portslade	5	9	+4	401
Patcham	11	13	+2	533
Preston Park	1	2	+1	62
Queen's Park	34	22	-12	1,720
Regency	0	0	n/a	28
Rottingdean Coastal	0	0	n/a	25
South Portslade	4	3	-1	369
St. Peter's and North Laine	14	10	-4	378
Westbourne	1	2	+1	117
Wish	0	4	+4	345
Withdean	0	0	n/a	44
Woodingdean	4	1	-3	450
Total	209	163	-46	11,513

7. Tenancy management

The first two indicators below give cumulative year to date results. The last one gives an end of quarter result.

 Tenancy management indicators		Target 2019/20	Q2 2019/20	Q3 2019/20	Status against target	Trend since last quarter
7.1	Tenancy fraud – properties returned to stock	For info	7	9	n/a	n/a
7.2	Tenancies sustained following difficulties	98%	96% (74 of 77)	96% (104 of 108)		
7.3	Tenancy visit to general needs tenants within last 5 years	90%	93% (9,475 of 10,197)	92% (9,375 of 10,211)		

Tenancies sustained following difficulties – 2 percentage points below target

- **Contributory factors** - four tenancies at risk after tenants did not engage.
- **Improvement actions** - supporting vulnerable tenants with Universal Credit claims, benefits assessments and appeals.

7.4 New tenancy management cases by type

New tenancy management cases, other than antisocial behaviour, involving a council property resident or leaseholder.








Type of tenancy management case	Q2 2019/20	Q3 2019/20	Change between quarters
Abandonment	2% 10	3% 11	+1
Assignment request	1% 5	2% 7	+2
Boundary issues	16% 67	17% 55	-12
Caretaking	0% 0	0% 0	n/a
Court of Protection	0% 2	1% 2	n/a
Death of a tenant (including succession)	16% 64	21% 70	+6
Decants and temporary moves	0% 1	2% 8	+7
Fraud	0% 2	2% 6	+4
Leaseholder breach	2% 9	2% 5	-4
Tenancy breach	11% 45	6% 18	-27
Unsatisfactory interiors	5% 22	6% 19	-3
Untidy gardens	26% 107	14% 47	-60
Use and occupation	0% 2	1% 2	n/a
Vulnerable adult and safeguarding	18% 74	23% 76	+2
Total	100% 410	100% 326	-84

7.5 New tenancy management cases by ward

New tenancy management cases, other than antisocial behaviour, involving a council property resident or leaseholder.

Ward name	Q2 2019/20	Q3 2019/20	Change between quarters	Council dwellings
Brunswick and Adelaide	0	0	n/a	4
Central Hove	4	5	+1	57
East Brighton	71	38	-33	2,244
Goldsmid	11	4	-7	326
Hangleton and Knoll	61	35	-26	1,179
Hanover and Elm Grove	10	10	n/a	467
Hollingdean and Stanmer	50	38	-12	1,244
Hove Park	0	0	n/a	10
Moulsecoomb and Bevendean	56	68	+12	1,510
North Portslade	18	12	-6	401
Patcham	21	14	-7	533
Preston Park	4	0	-4	62
Queen's Park	50	44	-6	1,720
Regency	1	0	-1	28
Rottingdean Coastal	0	0	n/a	25
South Portslade	14	12	-2	369
St. Peter's and North Laine	10	15	+5	378
Westbourne	3	2	-1	117
Wish	10	12	+2	345
Withdean	8	5	-3	44
Woodingdean	8	12	+4	450
Total	410	326	-84	11,513

8. Seniors housing

 Seniors housing indicators		Target 2019/20	Q2 2019/20	Q3 2019/20	Status against target	Trend since last quarter
8.1	Residents with up to date annual review	96%	97% (882 of 905)	96% (876 of 910)		
8.2	Schemes hosting social, health and wellbeing activities (at least weekly)	95%	100% (22 of 22)	95% (21 of 22)		
8.3	Schemes hosting events in collaboration with external organisations	90%	95% (21 of 22)	95% (21 of 22)		

Subject:	Winter Shelter Provision for Rough Sleepers		
Date of Meeting:	13th February 2020		
Report of:	Rob Persey, Executive Director of Health & Adult Social Care		
Contact Officer:	Name:	Jenny Knight / Emily Ashmore	Tel: 01273 293081 /
	Email:	Jenny.knight@brighton-hove.gov.uk / Emily.ashmore@brighton-hove.gov.uk	
Ward(s) affected:	All		

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

- 1.1 This paper examines the financial and resource implications for expanding winter shelter provision for rough sleepers and single homeless people.
- 1.2 BHCC aims to ensure that no one has to sleep rough in the city and that rough sleepers are kept safe during in the winter months
- 1.3 The current provision ensures that, during the poorest weather, there are sufficient bed spaces to mean no-one should have to sleep rough in the city.
- 1.4 The proposed options would expand this provision and would meet gaps in service at weekends, and/or enable enhanced engagement by partners with rough sleepers or improve options for targeting hard to reach people.
- 1.5 This paper lays out two options for extended overnight provision for rough sleepers and details the actions, risks and barriers and funding required to progress these options.
- 1.6 There is currently a budget of £90,000 per annum for SWEP provision, this budget was overspent by around £20,0000 in 2018/19.
- 1.7 At present the Severe Weather Emergency Protocol has capacity for at least 35 rough sleepers and on average 26 people attend each night.

2. RECOMMENDATIONS:

- 2.1 The Committee is requested to note the two options identified by officers and the associated benefits, costs, risks and barriers and to advise officers if they wish to pursue either or both of these options.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 Brighton & Hove City Council (BHCC) currently commissions a range of accommodation provision for rough sleepers and single homeless people offering both short term (hub) and longer term accommodation options. The vast majority of this provision operates year round, and includes;

- Supported accommodation for adults and young people.
- Somewhere Safe to Stay – offering short term accommodation to those at high risk of rough sleeping while a solution to their homelessness is found. (Funded by MHCLG)
- No Second Night Out Hub – offering short term accommodation to those new to the street or new to rough sleeping while a solution to their homelessness is found. (Part funded by MHCLG).
- 365 Nightshelter – offering 15 beds in shelter type accommodation to rough sleepers. (Funded for 2 years from November 2019)
- In addition to the above where a rough sleeper or single homeless person meets the thresholds for a statutory duty they may be offered accommodation in emergency provision (bed and breakfast) whilst the duty to them is explored.

3.2 BHCC funds or facilitates the funding of a total of 732 bed spaces in the city for single homeless people and rough sleepers

- 446 units of supported accommodation for adults
- 143 units of young peoples supported accommodation
- 60 units of mental health supported accommodation
- 54 short term shelter type accommodation spaces
- 29 supported accommodation units opening between January & March 2020

3.3 A significant proportion of the services offered for rough sleepers are funded by grant or temporary funding streams which poses a risk to the council. In 2019/20 the council received £1,817,640 in grant funding from the Ministry of Housing, Communities & Local Government. This funding paid for Somewhere Safe to Stay and part funded No Second Night Out which amounts to 39 of the 54 short stay accommodation spaces in the city. The funding also provided additional outreach staff for rough sleepers, 20 units of supported accommodation, a support worker in emergency accommodation and the Navigator's team of specialist staff supporting rough sleepers. No funding has yet been confirmed for 2020/21.

3.4 In addition to this St Patricks 365 Nightshelter accommodating 15 people and supported accommodation service for 29 people is subject to temporary funding with the Nightshelter funded until November 2020 and the supported accommodation until November 2021.

Current Rough Sleeping Position in Brighton & Hove

3.5 The city continues to see high numbers of rough sleepers despite existing provision. In total over 876 people were found rough sleeping over the last two years. Of these 380 were only found rough sleeping once. This is due in part to

the highly transient nature of rough sleeping, some will stay temporarily in the city and move on while others have been supported away from the streets by the street outreach team.

- 3.6 Many of those arriving on the streets of the city have no local connection. Of those whose local connection was known 51% had no local connection to the city. Of those with no local connection to the city 19% had a local connection to a neighbouring authority (East & West Sussex, Worthing, Eastbourne & Hastings).
- 3.7 Following the enactment of the Homelessness Reduction Act 2017 rough sleeping in an area for six months provides a person with a local connection to the area. Once someone has a local connection to Brighton & Hove any statutory duty to prevent or relieve their homelessness would sit with Brighton & Hove City Council (BHCC).
- 3.8 There are several reconnection services currently commissioned in city, these include a dedicated worker within the Street Outreach Services (though all workers support reconnection), No Second Night Out, and Somewhere Safe to Stay.

Severe Weather Provision

- 3.9 Brighton & Hove City Council provides shelter in severe weather for rough sleepers. Brighton & Hove's Severe Weather Protocol (SWEP) aims to prevent loss of life through the provision of emergency shelter in instances of severe weather. The service offers shelter to all rough sleepers including those to whom there is no statutory duty and those who do not have access to local accommodation services.
- 3.10 BHCC aims to ensure that people who are vulnerable are protected and provided for during the winter cold season and when extreme weather can threaten some people's safety and wellbeing. Within its powers as a local authority and within guidance set out by Homeless Link (a national membership charity for homelessness and supported housing organisations and local authorities) the council ensures there is available emergency accommodation for people who are rough sleeping in the city and who may be affected by severe weather.
- 3.11 The Ministry of Housing, Communities and Local Government (MHCLG) advise that SWEPs should be activated, at a minimum, by a weather forecast predicting three consecutive nights, or more, of a temperature of zero degrees Celsius or lower. Brighton & Hove's provision exceeds this guidance and currently opens on a forecast of one night at 'feels like' 0 degrees and on an amber weather warning.
- 3.12 SWEP provision in 2019/20 is being delivered in collaboration with both the council, Brighton Housing Trust and Brighton YMCA. The main venue for SWEP is Brighton Town Hall and this is staffed and managed by Brighton Housing Trust. There have been times when due to existing bookings at the venue, SWEP has needed to move temporarily to the Customer Service Centre at Bartholomew House.

- 3.13 In addition to the main venue at Brighton Town Hall which can accommodate 14 rough sleepers the service also utilises communal areas in supported accommodation services at William Collier House, New Steine Mews and George Williams Mews.
- 3.14 The SWEP service when in operation is open from 7pm to 7am and offers a safe warm place to sleep and food and drink. The service is staffed by council and BHT staff who work in day services across the city and by security staff overnight. The service also utilises volunteers in the evenings and to provide food.
- 3.15 The SWEP service is supported by St Mungos who operate street shifts to inform rough sleepers of the provision when it is open. This is backed up by charities, organisations and individuals across the city who let rough sleepers know the provision is open.
- 3.16 Between 8th November 2019 and 3rd January 2020 SWEP has been open on 19 nights. 125 different people have accessed the service in this time and 488 bed spaces have been provided. On average 26 people per night have accessed the service. .
- 3.17 There is currently a budget of £90,000 per annum for SWEP provision, this budget was overspent by around £20,000 in 2018/19. The costs of SWEP have increased significantly since the provision moved from First Base Day Centre (currently being used as the NSNO Hub). In 2018/19 the main SWEP venue was moved to a leased building and provision was run by the council utilising council staff, security and volunteers. In 2019/20 the provision was moved to Brighton Town Hall and three smaller venues.
- 3.18 A retainer is currently paid for staff within the main venue throughout the winter. The cost of this retainer to the council is £30.41 per night (for two staff). The staff rota and payment is managed by BHT. This retainer is not paid if the staff member is called to work SWEP. The cost of this is around £912.00 per month if SWEP does not activate.

Options for Extended Winter Provision

- 3.19 Two options for the provision of extended winter services to address issues arising as a result of increasingly unpredictable weather events and a lack of weekend services are detailed below. The first is the introduction of a weekend winter shelter and the second is the lowering of the trigger for SWEP opening. Members may wish to consider taking forward more than one option. A third option for a winter shelter for all rough sleepers is detailed in section 4. However, as outlined in Financial Implications (para 7.1) there is currently no funding identified for either of these options. As outlined in para 5.2 we would propose to consult with Police, Health and other statutory and non-statutory partners on any proposed expansion of direct access night shelter provision.

Option 1 – Weekend opening of Winter Provision

3.20 It has been identified that the weather has become increasingly unpredictable and that provision of day centres and services for rough sleepers at the weekend are limited. In response to these concerns Option 1 is to operate a shelter for all rough sleepers each weekend (Saturday & Sunday night) until 31st March 2020. This provision could be run in conjunction with the current SWEP provision and potentially utilise existing venues. This provision would operate 7pm to 7am. If agreed this provision could be in place by the end of January 2020.

3.21 The cost of a weekend winter provision would be approximately;

Provision:	Cost per night :	Number of Nights	Total:
Nightly cost main venue	£748 (2 evening staff, co-ordinator, on call manager, 3 security staff, food, drinks, equipment)	18 (from 31 st Jan)	£13,464
Nightly cost overspill venues	£540 (3 Security Staff for 12 hours)	18	£9,720
Additional experienced staffing if required – dependent on number of nights in a row service is open.	£100 (when needed to cover existing co-ordinator)	7 (estimate)	£700
Overspill venues / food / drinks / equipment / transport / cleaning	£70	18	£1,260
Venue cleaning (main venue)	£40	18	£720
Total:	£1,498		£25,864

3.22 There are some potential barriers and risks to weekend opening which would need to be addressed.

Risk / Barrier:	Mitigation:
Accommodation: Brighton Town Hall is a council operational building that is able to be utilised in part as a temporary shelter space. It has no planning permission for longer term use for overnight residential use which could require a change of use	Planning have confirmed that the proposed weekend opening would not introduce a use which would have a significant impact on the character and amenity of the immediate surroundings compared to the existing use of the Brighton Town Hall or conflict with planning policies and therefore would not constitute a material change of use requiring planning permission. This advice is based on the fact that the either scenario of weekend only use or a combination of week nights and weekend use would be temporary and would not be extended

	beyond March 2020 and would be limited to 15 people at any one time. If extended beyond March 2020 planning permission would need to be sought.
<p>The current overspill venues are communal areas in supported accommodation services, these areas are used as dining rooms and activities spaces for the residents, they hold meetings, run courses and operate activities. SWEP has a significant impact on the service and its residents so any increase in opening will need to be negotiated with the accommodation providers.</p> <p>BHCC New Steine Mews has significant concerns about the impact, which are detailed below:</p> <ul style="list-style-type: none"> • In past years New Steine Mews has only operated SWEP as a backup and was utilised around 10 times per year. With the lack of premises this year New Steine Mews has already been used 21 times since October. • No access to the dining room or kitchen for residents past 7.30pm. • No access to the communal computer after 7.30pm • Impact on staff handover due to the need to support SWEP closing in the mornings and opening in the evenings. • Possible impact on on-call managers should incidents occur in SWEP • Impact on evening staff inducting SWEP night security staff. • Noise and disruption to current residents from the SWEP service. 	<p>Negotiation with accommodation providers on use of buildings for weekends and how we can mitigate the impact on residents has commenced. This will result in additional costs for cleaning and building wear and tear.</p> <p>Brighton YMCA has agreed to offer the space for weekend operation at George Williams Mews and is willing to trial the use of William Collier House for two weeks. New Steine Mews has significant concerns which still need addressing</p> <p>If current accommodation providers are unable to accommodate weekend use because of the impact on residents receiving support or because of building related issues then an alternative building / buildings will need to be identified.</p>
Staffing	
Staffing rotas are currently based on emergency provision and the service is staffed by those who work during the day. There is a risk that staff would wish to alter their availability on the staffing rota if weekend opening is	Staffing rotas would need to be reissued to staff to allow them to decide if they still wished to commit to weekend shifts if opening was not on an emergency basis.

<p>guaranteed. There would also be an additional need to carefully monitor staff hours to ensure that there was not a breach of the European Working Time Directives and the impact on the health and welfare of staff.</p>	
<p>When SWEP is open for severe weather this impacts on staffing in day services, the street outreach team concentrates its work on informing rough sleepers of the opening of the provision and the responsibilities of those working SWEP are scaled back. This is managed on a temporary basis but the impact would increase with increased opening times.</p>	<p>The impact on services would need to be monitored closely and additional resource identified if increased opening impacted negatively on sustainable accommodation outcomes for rough sleepers.</p> <p>Additional Street Outreach Workers have an annual cost of approximately £44,880.</p>
<p>The SWEP service in its current Town Hall venue with the overspill venues has limited capacity (38 spaces) with contingencies for an extra 6 - 8 people in an emergency. SWEP has never exceeded this number and we do not anticipate it doing so under the current model however weekend opening could see increased numbers of rough sleepers coming into the city to access the service. Increased numbers of people without a local connection may have a negative impact on reconnection work. The staffing is predicated on 51% of people rough sleeping in city being non locally connected. If this increases our current reconnection resource may be inadequate.</p>	<p>Numbers accessing the service are monitored closely and should numbers rise an additional venue and the costs to staff this would need to be identified. We are currently liaising with statutory and non-statutory partners to assess any impact on their service; police, health, adult social care and day centres.</p> <p>Contact has been made with a number of church halls and venues but so far none have been able to offer a weekend space.</p> <p>Additional Reconnection workers have an approximate annual cost £44,880. The cost of relocating an individual varies but on average £150 per person to meet travel and resettlement costs is required.</p>

Option 2 – Lowering the trigger for SWEP

- 3.23 It has been identified that the weather has become increasingly unpredictable, including increased rainfall in winter months. In response to these concerns Option 2 is to lower the trigger for SWEP. This provision could utilise existing venues. This provision would operate 7pm to 7am on any day across the week that the trigger was met. If agreed this provision could be in place by the end of January 2020.
- 3.24 Proposed revised trigger; Yellow weather warning (not including fog) as per the Met Office Risk Matrix and once enacted SWEP will remain in effect for at least 2 consecutive nights regardless of trigger being reached on the second night (currently only one night).

Provision:	Cost per night :	Number of Nights	Total:
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Nightly cost main venue	£748 (2 evening staff, co-ordinator, on call manager, 3 security staff, food, drinks, equipment)	18 (from 31 st Jan)	£13,464
Nightly cost overspill venues	£540 (3 Security Staff for 12 hours)	18	£9,720
Additional experienced staffing if required – dependent on number of nights in a row service is open.	£100 (when needed to cover existing co-ordinator)	7 (estimate)	£700
Overspill venues / food / drinks / equipment / transport / cleaning	£70	18	£1,260
Venue cleaning (main venue)	£40	18	£720
Total:	£1,498		£25,864

3.22 There are some potential barriers and risks to lowering the trigger and the resulting increased opening that would need to be addressed.

Risk / Barrier:	Mitigation:
Accommodation:	
The current overspill venues are communal areas in supported accommodation services, these areas are used as dining rooms and activities spaces for the residents, they hold meetings, run courses and operate activities. SWEP has a significant impact on the service and its residents so any increase in opening will need to be negotiated with the accommodation providers.	<p>Negotiation is taking place with accommodation providers on use of buildings for additional opening and how we can mitigate the impact on residents. This may result in additional costs for cleaning and building wear and tear.</p> <p>Accommodation providers are willing to work with the council to deliver SWEP on yellow warnings while monitoring the impact on residents.</p> <p>If current accommodation providers are unable to accommodate additional opening because of the impact on residents receiving support then an alternative building / buildings will need to be identified.</p>
Staffing	
Staffing rotas are currently based on emergency provision and the service is staffed by those who work during the day. There is a risk that staff would wish to alter their availability on the staffing rota if increased opening is likely.	Staffing rotas would need to be reissued to staff to allow them to decide if they still wished to commit to shifts if opening was not on the original trigger.

<p>When SWEP is open for severe weather this impacts on staffing in day services, the street outreach team concentrates its work on informing rough sleepers of the opening of the provision and the responsibilities of those working SWEP are scaled back. This is managed on a temporary basis but the impact would increase with increased opening times.</p>	<p>The impact on services would need to be monitored closely and additional resource identified if increased opening impacted negatively on sustainable accommodation outcomes for rough sleepers.</p> <p>Additional Street Outreach Workers have an annual cost of approximately £44,880.</p>
<p>The SWEP service in its current Town Hall venue with the overspill venues has limited capacity (38 spaces) with contingencies for an extra 6 - 8 people. SWEP has never exceeded this number and we do not anticipate it doing so under the current model however weekend opening could see increased numbers of rough sleepers coming into the city to access the service.</p>	<p>Numbers accessing the service are monitored closely and should numbers rise an additional venue and the costs to staff this would need to be identified.</p> <p>Additional Reconnection workers have an annual cost £44,880. The cost of relocating an individual varies but on average £150 per person to meet travel and resettlement costs is required.</p>

3.23 If Option 1 and Option 2 were both approved there would be an increased impact of all of the elements above with opening likely to be for between two to six nights a week. This would result in significant additional impact on costs, staffing and wear and tear on the buildings being used for accommodation.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

Option 3 - Provision for all Rough Sleepers Seven Days a Week

- 4.1 The third option is a shelter for all rough sleepers which could be operated over the winter period or 365 days a year. This overnight shelter would offer a safe and warm place to sleep with food and drink available. Allowing all rough sleepers within the city a safe place to sleep from 7pm to 7am every night of the week.
- 4.2 This provision could not be run in conjunction with current SWEP provision or within the current venues and would require a dedicated venue and a dedicated staffing team. SWEP would still need to operate on a small scale to pick up anyone excluded or unwilling to access the shelter in severe weather.
- 4.3 The cost of provision for all rough sleepers is estimated below, however this is an indicative figure because venue costs are unknown at this stage and cannot be included. Building costs would include rent, rates, utilities bills, insurance and cleaning. Funding for this service has not been identified.
- 4.4 The following calculations are based on two different models and on two different client capacities. At the current time we are averaging 26 rough sleepers per

night in SWEP but a total of 125 different people have accessed since November so costs are based on accommodation for a capacity of 30 or a capacity of 90 people.

The first costing is for a shelter service only with no meaningful support to engage the users in resolving their homelessness or support to access services.

	Costs per month: Emergency Nightshelter model 7pm to 7am 7 days a week capacity 30	Costs per month: Emergency Nightshelter model 7pm to 7am 7 days a week capacity 90
Team Leader/Manager	£2,850 pcm	£2,850 pcm
On call provision	£912 pcm	£912 pcm
Security 7pm to 7am	£10,950	£16,425
Evening Staff 7pm to 10pm	£1,941 pcm for two staff each shift	£2,912 pcm for three staff each shift
Community volunteers 7pm to 10pm	£275 Expenses (travel) for two volunteers each shift	£411 Expenses (travel) for three volunteers each shift
Total costs per calendar month	£16,928	£23,510

The second costing is for an enhanced model with trained staff able to offer direct support around ending people's homelessness and ensuring they were effectively linked in with services.

	Costs per month: Supported shelter model 7pm to 7am 7 days a week capacity 30	Costs per month: Supported shelter model 7pm to 7am 7 days a week capacity 90
Team Leader/Manager	£2,850 pcm	£2,850 pcm
On call provision	£912 pcm	£912 pcm
Security 7pm to 7am	£10,950	£16,425
Evening Staff 7pm to 10pm	£1,941 pcm for two staff each shift	£2,912 pcm for three staff each shift
Community volunteers 7pm to 10pm	£275 Expenses (travel) for two volunteers each shift	£411 Expenses (travel) for three volunteers each shift
Assessment and reconnection staff (working across the seven days and across the shelter and during the day to connect	£4,750 pcm for two FTE staff with a minimum of one staff member at the Nightshelter every night	£7,125 pcm for three FTE staff with a minimum of two staff member at the Nightshelter every night

with services)		
Total costs per calendar month	£21,678	£30,635

Additional running costs applicable to all models:

	Cost per calendar month
Absence cover	£978
Disclosure and barring service checks and updates	£10
Staff training	£200
Human Resources, payroll, finance, IT support, corporate management and governance	£1,430
Staff travel (severe weather etc)	£152
Mobile telephones (4 telephones with data)	£80
Food, tea, coffee (@£3 per person per night)	£2,737 - £8,212
Sleeping mats and bags (inc replacing 50% each month at £25)	£437 - £1,312
Toiletries – towels, razors, sanitary products etc. (@ .75 per person per night)	£685 - £2,053
Laundry including towels and half of the sleeping bags twice a month @ £3.50	£114 - £342
Health and Safety including PPE, body fluid kits, first aid etc.	£150
Reconnection costs for clients	£1,800 - £3,600
Total	£8,773 – £18,519

4.5 The total cost for the winter shelter options not including accommodation costs and based on £8,773 running costs are as follows:

- Basic shelter provision for 30 people £25,701 per calendar month, £51,402 from 1 February to end March 2020 or £308,412 per annum
- Basic shelter provision for 90 people £34,083 per calendar month, £68,166 from 1 February to end March 2020 or £408,996 per annum.
- Enhanced shelter provision for 30 people £30,451 per calendar month, £60,902 from 1 February to end March 2020 or £365,412 per annum
- Enhanced shelter provision for 90 people £41,208 per calendar month, £82,416 from 1 February to end March 2020 or £494,496 per annum.

4.6 There are a number of potential risks and barriers to the setting up of a shelter for all rough sleepers in the city to run seven days a week which are detailed below:

Risk / Barrier:	Mitigation:
Accommodation:	
Brighton Town Hall is an operational building that does not have planning permission to offer a non- emergency shelter and change of use for a	Planning have confirmed that the current site at Brighton Town Hall could not be used for a shelter and an alternative venue would need to be located.

<p>residential service provision for overnight sleeping. It does not offer sufficient space or facilities, and enhanced fire and health and safety measures.</p> <p>The current space does not offer women only space, or sufficient kitchen, toilet or shower facilities for anything more than emergency use</p>	
<p>Overspill venues in supported accommodation cannot be utilised due to existing use by residents.</p>	<p>As above an alternative venue would need to be sourced which could provide sufficient space for all rough sleepers in the city.</p>
<p>Officers in the city council have been searching for SWEP / Nightshelter venue for the last three years and have been unsuccessful in sourcing an appropriate building on anything more than a temporary basis.</p>	<p>Identify dedicated resource within the council to search for a building, negotiate lease terms and consult with the community. An estimate of £10,000.00 has been made for this resource and the community impact work detailed below.</p>
<p>New services being set up in the city for homeless people with complex needs have faced significant community opposition.</p>	<p>An impact assessment would need to be undertaken on any property identified to assess its suitability as a shelter and the possible impact on the community. Community consultation would need to take place prior to an agreement being signed on the premises.</p>
<p>Staffing:</p>	
<p>A dedicated staffing and management team would need to be recruited and an on call management system put in place. If there was an increase in use we may need to revise our predicted staffing above and recruit additional staff.</p>	<p>There are two options for the provision – the first is that a council employs an experienced service manager to recruit and train staff and volunteers and run the service or a competitive tender is undertaken for a provider with relevant experience to run the service and recruit and train staff. This would need to have flexibility to increase staffing if that became necessary.</p>
<p>Service Capacity:</p>	
<p>The number of rough sleepers likely to access the service per night is unknown. SWEP provision can attract up to 35 people on one night but 90 different people accessed in December 2019.</p>	<p>We would need to ensure the identified venue had sufficient space to accommodate all rough sleepers safely (health & safety issues)and that staffing levels were sufficient to deal with the numbers accessing and an anticipated rise in</p>

Future demand for this service is unknown and the provision of a 7 day a week service that is open access could significantly increase demand.	numbers once the service is widely known about.
There is the potential for people to come in from neighbouring local authorities which do not provide a similar or any access to a Nightshelter. This is likely to have an impact on the number of rough sleepers in the provision.	We would need to ensure the identified venue had sufficient space to accommodate all rough sleepers safely and that staffing levels were sufficient to deal with the numbers accessing and an anticipated rise in numbers once the service is widely known about.
Possibility that overtime the service reaches venue capacity and has to turn away rough sleepers.	SWEP service will continue to operate in severe weather for anyone unable to access the shelter.
If we attract people in from out of area but do not have capacity for the increased demand we could increase our overall number of rough sleepers in city and our Street Outreach Service and Reconnections services would be unable to work effectively with the increased demand for their service.	We may need to look at increasing the size of the Street Outreach Service to meet increased demand; but this is not within current budget. Additional Reconnection workers and/or Street Outreach Workers have an annual cost £44,880. The cost of relocating an individual varies but on average £150 per person to meet travel and resettlement costs is required.
Impact on the Community:	
There is the potential for people to come in from neighbouring local authorities to access a Nightshelter. This may impact on the number of rough sleepers on the streets of the city in the daytime and the number of rough sleepers who remain in the city and on the streets if the shelter closed after the winter.	The rough sleeper team will continue to work with rough sleepers to find solutions to their rough sleeping.
There is a potential impact on the local community from large numbers of rough sleepers queueing outside the provision prior to opening and leaving in the morning. There is the potential for anti-social behaviour in the local area.	Community engagement prior to the service commencing and while it is in operation will be key. Prior to any proposed new service provision, the council would engage with the Police, Health and other statutory and non-statutory stakeholders. The service will need to maintain regular communication with Sussex Police and The Safer Communities Team.
Impact on Rough Sleeping:	
There is the potential for people to come in from neighbouring local authorities to access a winter Nightshelter. This may impact on the number of rough sleepers	This will be difficult to mitigate against people from neighbouring authorities already come to Brighton & Hove. The street outreach team and staff within the enhanced shelter model will work

on the streets of the city in the daytime. This may place an unsustainable burden on our Street Outreach Service and other services in the city.	to reconnect people back to their area of origin.
Those who access the shelter who do not have a local connection will gain a local connection if they remain in the city for 6 months putting additional pressure on local services.	The shelter could include dedicated reconnection and move on staff who will work with individuals to find sustainable solutions for their homelessness (see costings for the enhanced service). However with guaranteed accommodation rough sleepers may choose not to engage with support to reconnect.
There is the potential for people to come in from neighbouring local authorities to access a Nightshelter. This may impact on the numbers of people with complex health needs needing access to health and mental health services, A&E and hospital.	We will consult with partners and ensure we are monitoring any impact on health services and other agencies.
Safety Considerations:	
<p>Shelter provision offers a shared eating and sleeping space for multiple people. Staff in SWEP will manage some difficult situations however challenging behaviour and the breakdown of relationships between users is rare. It is exceptionally rare that someone is excluded from the service for more than a few hours or one night.</p> <p>Experience of Nightshelter provision has shown that the longer people share a small space the more issues arise with behaviour and interpersonal relationships. A shelter service which operates on an ongoing basis even with experienced staff in place will see some issues with behaviour and relationships and an increased number of exclusions.</p>	<p>An experienced and consistent staffing team will need to be employed to ensure a safe service for both users and staff.</p> <p>Additional space in the venue will be needed to allow for separate sleeping spaces for vulnerable people or those who struggle in busy environments along with some quiet spaces.</p> <p>SWEP provision (provided in addition to the 7 day a week Nightshelter service) will continue to ensure that those who are excluded and those who do not wish to access a large shelter have somewhere to go in severe weather.</p>

4.7 Any shelter provision would take approximately at least 8 weeks to mobilise once a building had been identified and community consultation had been undertaken. Lease negotiations and repair work could make this timescale significantly longer. This may mean that the service would be unable to open before the end of March 2020.

4.8 The financial position cannot be accurately assessed at this time as we have not located a building.

Other models of accommodation

- 4.9 Other models of accommodation could be considered as an alternative to shelter provision.
- 4.10 Block booked emergency accommodation or B&B placements: SWEP provision could be provided as individual placements in B&B accommodation at an approximate average cost of £50 per night per room. The SWEP budget of £90,000.00 would pay for 1800 bed spaces in accommodation over the winter. This would equate to 30 people being accommodated under SWEP for 60 nights.
- 4.11 This model would need detailed investigation factors to be considered would be;
- How would we source B&B accommodation at short notice when SWEP was activated and guarantee enough bed spaces were available for everyone who attended.
 - Staffing would still be needed to co-ordinate the service and place rough sleepers in accommodation. This cost would be additional.
 - How would we support rough sleepers with complex support needs including substance misuse in unsupported B&B accommodation?
 - Would a landlord be willing to offer accommodation to rough sleepers with complex needs.
 - Would the lack of support risk rough sleepers being evicted onto the streets in extreme weather.
- 4.12 Shelter provision for all rough sleepers could also be provided in B&B accommodation. This model would require a number of B&B's with support staff in place. The benefit of this model would be that housing benefit could be generated on the rooms supporting the costs of leasing the building. Again there are a number of factors to be considered.
- Multiple buildings would need to be identified and leased with community consultation taking place for each location.
 - Rough sleepers accommodated may be reluctant to move on from the service meaning the accommodation would quickly become full.
 - Each location would need staffing which could potentially increase the cost of the shelter substantially even with housing benefit revenue.
- 4.13 The final option is to take no action and to continue with the current Nightshelter and Hub provision and the existing SWEP service for severe weather. This option would have no additional financial or staffing implications

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 If a venue was required for a shelter extensive community consultation will need to take place to ensure that the community is aware of the proposals and able to feedback on them prior to a decision being taken on the use of the location.
- 5.2 All options will need be discussed with Sussex Police, Health partners and other key stakeholders.

- 5.3 Any potential location would need to be discussed with Sussex Police, the Safer Communities Team and Ward Councillors.
- 5.4 If a winter shelter was identified as an option consultation with Rough Sleepers would need to take place around what they would like to see within a service, how they would wish to see it operate and what would help them feel safe. This is particularly important for those groups who may choose not to access a shelter service such as women or those from the LGBTQ community.

6. CONCLUSION

- 6.1 BHCC aims to ensure that no one has to sleep rough in the city and that rough sleepers are kept safe during in the winter months. This paper lays out two options for consideration which offer increased shelter over the winter period for rough sleepers.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The Winter Night Shelter provision is within the Health & Adult Social Care Housing Related Support budget of which the forecast expenditure is in line with the approved budget. There is no funding for either options 1 2 or 3 outlined in the main body of the report. Additional funding will be required if either of these options are chosen.
- 7.2 Depending on the type of support, the additional cost for February to March 2020 will be between £0.027m and £0.077m plus potential additional accommodation costs. As stated in the body of the report, the service would increase the supported accommodation capacity by up to 90 beds.

Finance Officer Consulted: Sophie Warburton

Date: 02/01/2020

7.3 Legal Implications

7.2.1 In the event of a requirement to procure services to implement options identified by the Committee the Council's Contract Standing Orders will apply.

7.2.2 The Public Contracts Regulations 2015 apply to the procurement and award of contracts above the relevant financial thresholds for services, supplies and works. The Government has made two Statutory Instruments the Public Procurement (Amendment etc.) (EU Exit) Regulations 2019 and the Public Procurement (Amendment etc.) (EU Exit) (No. 2) Regulations 2019. These Regulations will amend UK procurement law to ensure that it continues to operate effectively in the period after exit day. Any on going procurements at exit day will continue to be subject to the rules current at the date on which the procurement procedure was commenced.

7.2.3 There will be considerable health and safety considerations. Rough sleepers have higher rates of mental and physical ill health when compared to the wider population. These enhanced needs will need to be considered in service provision.

7.2.4 The potential for people to develop a local connection under homelessness legislation whilst accommodated in any enhanced offer or while rough sleeping in city in expectation of accessing the enhanced offer could place other services under pressure; particularly emergency and temporary accommodation which is already under significant budget pressure.

7.2.5 There has been ongoing and continuous legal challenges relating to the provision of emergency and temporary accommodation and adult social care services. If an increased number of people develop a local connection to the city this is likely to increase and will represent a further additional budget pressure for Housing, Legal, and Health & Adult Social Care.

7.2.6 The current welfare first approach to people rough sleeping in city and particularly to these in unauthorised encampments is dependent on access to accommodation and reconnection options. If there is increased demand these routes off the street will become harder to access and will result in people rough sleeping or being accommodated for longer periods in Nightshelter accommodation unsuitable for long stays.

Lawyer Consulted:

Name Judith Fisher

Date: 30/12/19

Equalities Implications:

- 7.4 An Equalities Impact Assessment would be need to be carried out if the option of winter shelter provision was agreed to ensure that the service is accessible to all.
- 7.5 An assessment would need to be undertaken on the possible impact of the service on the local community once a potential location had been identified.

Sustainability Implications:

- 7.6 This service would aim to make use of sustainable materials and support staff to utilise public transport where possible.

Brexit Implications:

- 7.7 We do not foresee any Brexit implications.

Any Other Significant Implications:

7.7 There is the potential for a number of significant implications from all options, most particularly the option of a winter shelter , which are detailed in the report these include

- Potential for the service to attract rough sleepers into the city increasing the numbers of rough sleepers on the streets in the daytime and after the service closes at the end of March
- Potential for increased arrivals in the city impacting on A&E and homeless health services
- Potential for rough sleepers remaining in the city for 6 months and gaining a local connection putting further pressure in local accommodation.
- Potential for community impact depending on where the service is located in the city.

7.8 The CCG have provided the following feedback on the potential benefits and risks of the options within this paper:

Option	Identified risk and Impact on health
Option 1: Weekend opening hours	<ul style="list-style-type: none"> • Increased service provision could reduce weekend demand on A&E and urgent care services • Could increase demand on primary /community services
Option 2: Lowering the trigger for SWEP	<ul style="list-style-type: none"> • Earlier access to shelter could reduce demand on A&E and urgent care services
Option 3: overnight shelter (7am-7pm) over full winter period	<ul style="list-style-type: none"> • Risk : An increase in cities homeless /Rough sleeping population (people coming in from neighbouring LA to access night shelters) – <p>Impact:</p> <ul style="list-style-type: none"> • Any increase in population will have significant impact on health services. Increasing demand on acute, emergency, primary and community care services.

Crime & Disorder Implications:

7.9 Both the Safer Communities Team and Sussex Police have been asked to comment on the proposals for shelter provision. The Safer Communities Team commented that offering shelter overnight was beneficial for the individual and the city, however they also identified an number of factors which would need to be planned for and mitigated by the service these included;

- People congregating prior to the shelter opening
- People who can't get in but then loiter in the area
- People evicted or asked to leave then causing a disturbance outside
- People using drugs or alcohol in the vicinity before they enter the service

The Safer Communities Team would expect those running the service to take appropriate action to tackle anti social behaviour and to work closely with them and Sussex Police.

Public Health Implications:

- 7.10 We would expect any service offering over night shelter to rough sleepers to have a positive benefit on their health and wellbeing. Staff would receive appropriate training to ensure that they are able to link rough sleepers into health and wellbeing services.

Corporate / Citywide Implications:

- 7.11 The proposal of increased shelter provision supports the cities aims to improve the lives of rough sleepers and end the need to rough sleep in the city.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Background Documents

1. None

