

**Items from Tenant Only Meeting held on Tuesday, 2 August 2016**

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**1. Elderly Residents and the Decent Homes Standard**

*The following item was submitted to the Area Panel by the Residents meeting on 10<sup>th</sup> May 16 but it was not on the agenda and there was no written response from officers.*

***“ Elderly residents***

*Patrick reported on a recent visit to a very elderly resident who had clearly had no work done on her flat for 30 years or more, other than annual gas checks. He said that her kitchen was clearly 40 or 50 years old.*

***Action:*** *It was agreed to raise this at the Area Panel with the following query. What action is taken to ensure tenants do not ‘slip through the net’ when improvements are being done to bring properties up to the Brighton and Hove Decent Homes Standard?”*

*Some more information has become available since. The resident did have a new bath fitted 4 years ago when she was in hospital having a hip operation. However, she is not able to use a bath due to the problems with her hip. The meeting questioned why a wet room with shower was not offered to the tenant instead.*

*It was felt that the council has a responsibility to visit elderly and disabled residents and ensure they are aware of the repairs and improvements they are entitled to.*

***Action:*** *it was agreed to raise this at Area Panel and to ask the following questions:*

- Why wasn’t this item on the agenda for the Area Panel on 25<sup>th</sup> July?*
- What action is taken to ensure tenants do not ‘slip through the net’ when improvements are being done to bring properties up to the Brighton and Hove Decent Homes Standard?*

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**Response from Becky Purnell, Resident Involvement Manager - Tel:- 01273 293022**

A response was prepared for the July Area Panel Blue Pages. However, the response was left out because of an administrative error. We apologise for this oversight. Below is the response.

**Response from Mears, Decent Homes Surveyor, Amanda Wilson- Tel:- 01273 574351**

Mears have rigorously checked and inspected all properties across the city including kitchen and bathroom surveys under the decent homes programme. Council homes have reached 100% decency; therefore we now inspect only the properties where the kitchen or bathroom will fail this year. The Neighbourhoods Officers also visit all tenants in their home every five years. While this doesn’t have a particular emphasis on checking for decent homes, it does give the tenants the opportunity to raise any issues or concerns and the Neighbourhoods Officers would speak to the relevant team to get an answer.

**Response from Perrin Horne, BHCC Customer Services Manager**

I have contacted Patrick to discuss the specific issues raised regarding this tenant mentioned. Patrick will be speaking to the tenant and has agreed to phone Perrin with further details if the tenant wishes to be further contacted.

## **2. Anti-social behaviour**

*There has been an increase in anti-social behaviour in the Craven Vale area and it was felt that this coincided with the reduction in Police Community Support Officers (PCSOs). They previously had two PCSOs. Both have left and the Residents Association hasn't been informed whether they will be replaced - none have been seen on the estate. There has been a reduction in the number of PCSOs across the city and in the attendance of the police at Resident Association and Local Action Team meetings.*

*It was felt that the police have become very re-active rather than pro-active.*

*Craven Vale Residents' Association are distributing leaflets on their estate to ensure people know how to report anti-social behaviour.*

*Patrick said that there is a new app called 'Self Evident' which enables people to record and report incidents.*

*People can also find out about how to report antisocial behaviour on the Safe in the City website at <http://www.safeinthecity.info>.*

*There was a discussion about what action the Housing Department can take to combat anti-social behaviour caused by tenants.*

**Action:** *It was agreed to raise this at the Area panel and to seek clarification on:*

- *What process is followed if a resident reports anti-social behaviour to Housing?*
  - *How are victims/complainants kept informed of any action being taken?*
  - *How pro-active is Housing in taking action against tenants who are causing a nuisance to their neighbours?*
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### **Response from Graham Davies, Senior Tenancy Enforcement Officer- Tel:- 01273 293030**

Here are the answers to the questions:

What process is followed if a resident reports anti-social behaviour to Housing?

Anti-social behaviour should be reported through Housing Customer Services on either 01273 293030 or [housing.customerservices@brighton-hove.gov.uk](mailto:housing.customerservices@brighton-hove.gov.uk). Depending on the type and severity of the issue raised it would then either be dealt with by a Customer Service Advisor, or be passed to either the Neighbourhoods Team or the Tenancy Enforcement Team. Typically, lower level issues such as pet or garden nuisance would be dealt with the Neighbourhoods Team, but other issues involving, for example, verbal abuse, threatening behaviour or drug related nuisance would be passed to the Tenancy Enforcement Team.

How are victims/complainants kept informed of any action being taken?

All reports that are passed to the Tenancy Enforcement Team will result in the duty officer carrying out a risk assessment with the person reporting the incident. The purpose of this risk assessment is to identify the affect the alleged behaviour is having on the victim and any specific vulnerabilities or factors that might cause this person to be more affected than others might be. Following this assessment a support plan is put in place which includes an agreement and frequency and type of contact that the case officer will keep to with the victim. Such as weekly contact by telephone for example. Each victim we deal with will also have the contact details for either their case officer or a specialist point of contact so

they can obtain updates on the progress of the case whenever they wish. This support plan is reviewed and amended as appropriate throughout the case, until the case is closed.

How pro-active is Housing in taking action against tenants who are causing a nuisance to their neighbours?

Housing are extremely pro-active in taking action against tenants who are causing a nuisance. The Tenancy Enforcement Team carry out regular customer feedback surveys to obtain information about their performance from victims and witnesses of anti-social. The most recent survey found a 95% satisfaction with the service.

### **3. Area Panel agenda setting**

*Residents no longer have any input into the agenda for Area Panel meetings and it was felt that this is a backward step.*

**Action:** *it was agreed to raise this at the Area Panel and suggest that agenda setting meetings involving representatives from Residents meetings be reinstated.*

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#### **Response from Becky Purnell, Resident Involvement Manager – Tel:- 01273 293022**

The agenda setting meetings for the Area Panels were poorly attended. A reason for this may be because the agenda is pre-determined based on what reports are going to the Housing and New Homes Committee. Residents are able to give agenda time to any Housing Revenue Account-related matter through the blue page process. Residents on the Strengthening Area Panels task and finish group requested that this item was moved to the top of the agenda; this is now the case.

**1. Communication and responses to Blue Pages items**

*Council officers have noted that residents are bringing the same issues forward over and over again at Area Panel meetings.*

*The meeting felt that this happens for two reasons:*

- Standard answers are given in the written responses on the Blue Pages as seen when looking at written responses to North, Central and West areas*
- Positive commitments are often given verbally at the Area Panel meeting, but this doesn't result in any significant improvements to the service received by tenants and residents.*

*Therefore officers are not really engaging with issues raised by residents. Those who attend the Area Panel meetings do not appear to be communicating the discussions with other officers to make sure any commitments are put into practice.*

*Action: III (3 stars)*

*It was agreed to raise this at the Area Panel to consider how matters discussed at Area Panel can be transformed into real improvements for residents.*

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**Response from Hilary Edgar, Housing Services Operations Manager- Tel:-01273 293250**

Thank you for your question about the blue pages. Many officers in Housing would agree with you in that the Blue Pages route is not always an effective method for residents to interact with Housing as it can take up to 4 months between an issue being raised at a Tenant Only meeting to being discussed at an Area Panel meeting. The Involvement & Empowerment Group is reviewing the formal resident consultation structure as part of the Resident Involvement review and within this will be considering ways that Housing can respond more effectively to city wide issues raised by resident representatives and track that commitments given to follow up work are carried out.

On looking at the last round of blue pages, issues raised that were similar between area were given individual responses. For example, Delia Hills, Mears Resident Liaison Manager, responded to one question regarding scaffolding and Keith Dadswell, Mears Repairs Manager, to another. In another example, there has been a question about replacing the main entry doors at Nettleton Court and Dudeney Lodge in the past three blue pages. Each time, the response to this question, has been consistent, that they will not be replaced as they meet current security standards and are still under guarantee.

Officers often pick up queries at Area Panel meetings, particularly individual queries, and they are all noted and followed up. For example, after the last round of meetings the Property & Investment team was sent a list of 16 repairs related enquiries. Although this meant that the repairs were dealt with, taking individual queries through this route can lead to delays in work being carried out. Residents are therefore encouraged to report issues as they arise to Housing Customer Services or to Mears' repairs service, using the complaints process as necessary if they are not satisfied with the response to their queries.

Resident representatives also have access to the Property & Investment team to follow up on repair issues if they are not happy with the response they have received from contractors. To remind you, the process is that if a representative has chosen to assist a tenant in chasing up a repair, and has their authorisation to do so, they should go first to the Mears repairs service, and if there is no success after that they can make the enquiry to the Property & Investment team to request further action or information.

## **2. Wheelie bins and rubbish: Community Protection Notices**

*Carol informed the meeting that community protection notices are now available to be used when someone's behaviour is having a detrimental effect on the lives of their neighbours:*

*"An authorised person may issue a community protection notice to an individual aged 16 or over, or a body, if satisfied on reasonable grounds that (i) the conduct of the individual or body is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality; and (ii) the conduct is unreasonable."*

*"A community protection notice may be issued by a constable, the relevant local authority, or a person designated by the relevant local authority..."*

*Action: III (3 stars)*

*It was agreed to raise this at the Area Panel to ask whether Housing have considered the use of community protection notices to ensure that people do not leave their wheelie bins in the street.*

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### **Response from Robert Keelan, Neighbourhood Housing Manager -Tel:- 01273 293261**

Refuse that is left out early or permanently is dealt with by Cityclean. There is information on the council website where an address can be reported for this. By putting 'refuse left out permanently' will bring you to the information page.

The information can be summarised from this extract

#### **Why this is a problem**

- We are always trying to do as much as we can to keep our city clean and tidy. This includes informing people how to use our services so they continue to use them correctly.
- Putting recycling or refuse out early or leaving it out all the time can:
  - look unattractive
  - cause obstructions on the street
  - create litter on the pavement
  - attract animals and pests
- For these reasons we are strict on people who do not follow our guidelines. Problem addresses could receive a letter, a visit from a manager and potentially a fine.

The housing management service are not considering community protection notices at this time. The Neighbourhoods Team have had a couple of complaints about wheelie bins where neighbours have been unable to resolve the situations directly with their neighbours. In these situations, we have spoken to the resident and arranged for the bin to be stored elsewhere.

If residents are not getting an appropriate response from cityclean they should approach the customer feedback team at:

Email address: [customerfeedback@brighton-hove.gov.uk](mailto:customerfeedback@brighton-hove.gov.uk), or telephone 01273 291229, or write to Customer Feedback Team, BHCC, Kings House, Grand Avenue, Hove, BN3 2LS

### **3. Front door at Dudeney Lodge**

*The meeting felt that the residents of Dudeney Lodge should not have to live in an insecure building because a front door has been fitted that is not entirely suitable for the building. It was acknowledged that it would be very expensive to replace a door that is quite new, but that other options should be considered.*

*Two proposals were put forward:*

- *That an additional screen or windshield could be fitted to reduce the impact of strong winds*
- *That the door could be hung the other way round – so that it opens outwards instead of inwards.*

*Action: 11 (2 stars)*

*It was agreed to raise this at the Area Panel to ask that alternative solutions be investigated.*

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**Response from Marcus Richardson, Surveyor & Contracts Manager - Tel:- 01273 293070 and Jamie Smith, Electrical Engineer- Tel:- 01273 293350**

We have visited this property on several occasions and discussed and exhausted every option available to us.

Building a screen at the side of the main entrance door would cause winds to vortex around the enclosed area either making the problem worse or having no effect at all, as the wind isn't guaranteed to come from one particular direction. There is also a possibility that building a screen will channel winds into the enclosed area which may close the door but become a health and safety concern as it could help force the door closed when residents are passing through it. The option of building any type of porch or sheltered area would also encourage rough sleepers or other anti-social behaviour to arise.

With regards to the option of the door being hung so it opens inwards. The door needs to open outwards as this is a fire escape route and as per building regulations, all doors that are an escape route must open in the direction of travel as people leaving the building.

Furthermore, the main entrance doors are custom built. This includes the recessed continuous finger friendly hinges and magnetic locks. These doors cannot be rehung and would require the installation of a brand new unit.

As stated in the previous response, it would be extremely difficult to adjust the automatic door openers and set up the current closer system for every type of weather/wind condition. If it adjusted to close on a strong windy day it could result in the door closing too aggressively on a calm day. This would create further complaints and issues of a noisy slamming door and residents not having time to enter with ease without the door closing swiftly behind them.

Having discussed this issue extensively with a door opening specialist one option could be to install proximity sensors to the door so closing speed can be increased further to aid closing in strong winds. Or, a more simple solution would be for a handle to be fitted (if it's not in place already), so residents can manually pull the door closed after they enter the building.

Please let us know what option in this final statement you wish us to consider.



#### **4. Communication between departments**

*When residents phone the council they are frequently told to phone another number or department, and can end up going round and round in circles. The meeting felt that over-stretched employees are often 'passing the buck' because there is a lack of communication between different parts of the council. This can mean that simple problems cannot be resolved, or take a lot longer than they need to.*

*Action: III (3 stars)*

*It was agreed to raise this at the Area Panel to consider how cooperation between council departments and the residents they serve can be improved.*

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#### **Response from Janet Dowdell, Housing Customer Service Manager – Tel:- 01273 293191**

The restructure of Housing Services in 2012 created the Housing Customer Service Team and our advertised contact number of 01273 293030 for council tenants. The Housing Customer Service Team answer all calls to this number with the aim of resolving the majority of enquiries there and then. On occasion tenants call requiring other areas of service outside of Housing and although we can provide a limited amount of information from the council's website, we will sometimes have to refer the caller outside of our own service. When this happens the team will attempt to make contact for them as well as supplying the correct number for use at another time if the line is busy.

That said, there's always room for improvement within our own service and although it isn't clear which service this enquiry relates to, we acknowledge that certain points of 'hand off' within a customer journey can lead to delay and sometimes we fail to keep the customer informed.

We carry out customer journey mapping and use this to inform process reviews to improve our service delivery. I will be happy to look in to the situation further and if this is something you would like to see happen, please contact me on 01273 293191 to discuss how best to take this forward.

## **5. Code of Conduct**

*A new Code of Conduct was presented at the last round of Area Panel meetings. The meeting felt there are several problems with the new process:*

- a . An example was given of a resident who was interviewed under the new Code of Conduct. They were not told who had made a complaint against them or the details of what they had allegedly done. They therefore were unable to respond to the allegations or defend themselves.*
- b . Under the new Code of Conduct any person who is asked to resign due to their conduct is not permitted to stand for re-election to their Association committee. This takes away the right of associations to elect their own committees and officers.*
- c . Residents who come to meetings often do so because they are upset or frustrated about something that is happening in their local area. They may have never been to a meeting before and may not know or understand the protocols, so flexibility is sometimes required to help make people feel welcome and involved.*

*Action: III (3 stars)*

*It was agreed to raise this at the Area Panel to request that the 'Breach of Code of Conduct' procedure be reconsidered.*

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### **Response from Becky Purnell, Resident Involvement Manager – Tel:- 01273 293870**

The Code of Conduct and breach of the code of conduct process was agreed by the Housing Committee as part of "Everyone Counts" in December 2012.

Residents from each Area Panel and the Tenancy Service Improvement Group came together to make the Code of Conduct shorter and easier to use, whilst maintaining key elements that were agreed by the Housing Committee.

When a resident is interviewed regarding a breach of a Code of Conduct the behaviour(s) causing concern are always explained to them. Following the meeting a letter is sent outlining areas of the Code of Conduct to consider at future meetings or resident involvement activities.

Every effort is made to support residents to modify their behaviour and it is only when the Code of Conduct has been explained and breached a number of times that the council would use the ultimate sanction of requesting that a person resigns, or the committee is asked to take a vote on removing the person from the committee. This process can take over a year so the Area Panels were asked to consider the recommendation from the task and finish group that this would be explained and the person would be unable to take part in the next annual general or elections meeting. All four Area Panels agreed to this.

The ground rules for meetings, originally developed by the Tenant Compact Monitoring Group, were also considered. These are much shorter and easier to understand and are as follows, politeness, respect, listen – don't speak over people, always go through the chair, maintain confidentiality, and mobiles switched off or on silent during meetings. These are being circulated along with the shorter Code of Conduct for use at meetings.

## **6. Hedges**

*When residents don't cut their hedges it can make things very difficult for those using footpaths, particularly those who are elderly, disabled or blind.*

*This is a common problem in houses let to students, where the students do not have the equipment to maintain the garden or hedges. It was suggested that landlords should be responsible for maintaining the gardens and hedges in houses they are renting out.*

*Where council tenants are not cutting their hedges they are in breach of their tenancy agreement, but little action seems to be taken in this situation.*

*Action: III (3 stars)*

*It was agreed to raise this at the Area Panel to ask what the process is for taking action against tenants who do not cut their hedges.*

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### **Response from Robert Keelan, Neighbourhood Housing Manager– Tel:- 01273 293261**

If a house is let to students then it would be a freehold property that is not under the control of the housing service. As with any freehold property, obstructions on the pavement will be dealt with by the highways department. The information on the council's website highways pages advises:

- Residents are responsible for maintaining trees, hedges and shrubs within their own property next the public highway. The landowner is required to make sure that trees and plants from their property does not:
  - overhang the pavement/road so as to obstruct pedestrians or vehicles
  - pose an unreasonable health and safety risk to pedestrians or vehicles
  - block traffic signals or road signs
  - block drivers' sightlines
- If overhanging vegetation is found to be obstructing the highway from a private or commercial property, then the council can issue an enforcement notice to the landowner. These notices give the landowner 14 days to carry out necessary works, after which time the council may do the work and charge the landowner for the cost of the works.

If you would want to report overhanging trees or other plants you can contact [highwayobstructions@brighton-hove.gov.uk](mailto:highwayobstructions@brighton-hove.gov.uk) or telephone 01273 292929

If it is a tenanted council property with an overgrown hedge we may also take this highways enforcement route. We would also speak to the tenant and remind them that they have an obligation to maintain their hedge under the tenancy agreement. The tenants handbook that accompanies the agreement states

*Tenants are required to maintain their own gardens and balconies to make sure they look acceptable and do not cause a nuisance to their neighbours. If you are having difficulty maintaining your garden, please contact Housing Customer Service as further help may be available through our discretionary gardening scheme.*

*You are responsible for:*

- *keeping the garden tidy and free of rubbish, household items and vehicle parts*
- *trimming shrubs, hedges or trees to make sure they do not become a nuisance to neighbours*
- *maintaining any fencing that is your responsibility - please check with your housing office if you are unsure which fences are your responsibility*

*You will need our written permission to:*

- *put up a garage, shed or greenhouse*
- *put up or change a wall or fence*
- *cut down, remove or destroy any bushes, hedges or trees unless you planted them*

Where a garden isn't maintained, we can take legal action against the tenant. The tenant takes on the garden with the house (or flat) and they need to comply with the criteria above. Where they don't and the garden becomes particularly problematic, we would intervene and discuss with the tenant and get them to do it. There is always a story behind every messy garden. In extreme case we could take someone to court typically for a positive injunction, i.e. they have a requirement to do something, or we serve a notice seeking possession to take them to court to ask a judge to end their tenancy.

We are also exploring recharges where the tenant can pay us to arrange a contractor to cut or clear their garden if they need to get on top of it. The Neighbourhoods Team have had localised campaigns around the city to improve the standard of gardens that have been successful. This work is always rewarding but competes with other demands on the team's time.

## **7. Gardening assistance for elderly and disabled people**

*Heather was recently assisting a tenant to apply for help with their gardening. When she requested a form from Housing she was told that the paper form no longer existed and the person needing assistance should apply online them-selves. It was also not possible for someone else to apply on their behalf.*

*A tenant in North Moulsecoomb had been given a paper form.*

*There was concern that this system is not being applied equally and that tenants who do not have a computer, or do not know how to use one, will not get the assistance they require.*

*Action: III (3 stars)*

*It was agreed to raise this at the Area Panel to ask if the paper forms are still available and what is being done to ensure that all elderly and disabled tenants are able to apply for the help they need.*

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### **Response from Anna Lee, Housing Customer Services Team Leader – Tel:-01273 293236**

Following a review of the discretionary decorating and gardening schemes in 2014 the council stopped producing paper application forms in favour of the more cost effective online form. The old paper forms have not been available from council offices since this time. During the review it was considered that the qualifying criteria for the schemes means that many applicants are elderly and/or vulnerable and may not have the equipment or skills to use the online form themselves.

In order to support these tenants the Housing Customer Service Team regularly complete the online form for tenants either while speaking to them on the telephone or when they have visited one of our Housing Offices. Friends, relatives or other support agencies are able to complete these forms on behalf of tenants in the same way that council officers are.

Anyone in need of any assistance with completing any council housing online forms or advice on the help available to elderly and disabled tenants should contact Housing Customer Services on 01273 293030, at [housing.customerservices@brighton-hove.gov.uk](mailto:housing.customerservices@brighton-hove.gov.uk) or by calling into a housing office where the team will be happy to help.

## **8. Homemove applications**

*Two residents in Laburnum Grove completed an online Homemove application and received a letter to state that they were Category C – the category required to qualify for an internal move within the block. However, when two flats became empty they discovered that they were not eligible because they had not completed an additional medical form that they didn't even know about.*

*When residents complete a Homemove application online, or on paper, there is no clear link to the medical form.*

*Action: III (3 stars)*

*It was agreed to raise this at the Area Panel to suggest that the medical form be clearly integrated into the Homemove application form to ensure applicants are clear about what is required of them and what category has been allocated to them.*

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**Response from James Crane, Service Improvement & Interim Homemove Manager –  
Tel:- 01273 293316**

Thank you for your enquiry. The on-line Homemove application form incorporates medical and mobility issues already and is therefore simpler and quicker to process than paper applications.

The change to on-line applications is part of the council's modernisation programme to deliver services on-line and this is connected to the Digital Brighton & Hove campaign to promote better access to the internet and training to support people to become more digitally aware. Housing is supporting this campaign and the seniors housing service is holding digital awareness sessions across its schemes this summer.

The allocations policy is under review and all forms will be reviewed as a matter of course to fit the new policy.

In terms of supporting people who cannot or do not wish to access forms online, Homemove are discussing with the Seniors Housing Team about how their service may be able to help older applicants with on-line applications in the future. This is similar to what is happening across the council such as Revenues and Benefits service and the Department for Work and Pensions who are completely on-line.

The vulnerable persons strategy will pick up on the issue of assistance in certain circumstances as we understand that some people will need more help.

If residents would like me to look at the specific cases mentioned, please supply with their name and I'd be happy to assist

### **1. Estates Development budget**

*The following points were raised as a contribution towards the review of the Estate Development Budget (EDB):*

*a) The EDB should be reserved for improvements, and not used for general maintenance and repairs.*

*b) EDB work should be done to a high standard, properly inspected and improved.*

*Past problems include the redecoration of the commonways at 1-6 Wish Court. A very inadequate job was done and the work was never inspected on completion. When other commonways on the estate were redecorated as part of general maintenance*

*1-6 Wish Court was excluded, despite their poor state, because the re-decoration had been done only two years previously under the EDB.*

*c) Problems have arisen because EDB jobs have been reported as done, when they have not been. Communication with residents and proper inspections would avoid this.*

*d) Work should be done on time and to the specifications set out. Presently problems can arise unless residents closely monitor work (eg carpets have been fitted in the wrong place).*

*Action: raise on Blue Pages and at Area Panel as contribution to EDB review*

*Blue Pages III      3 stars*

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### **Response from Becky Purnell, Resident Involvement Manager – Tel:- 01273 293022**

a) The Estates Development Budget (EDB) is currently being reviewed as part of the review of resident involvement. Historically EDB has been used to bring forward work if it is not on the three year capital works programme. The thinking of residents seems to have changed regarding this.

Following the last round of EDB voting meetings some residents have fed back that they don't think EDB should be spent on things they consider should be repairs and maintenance. The Resident Involvement Officer (RIO) checks with the Property & Investment Team who do pick up whether a bid is on the three year programme and if it is it is removed.

There is now a year on year investment of £25 million pounds a year to improve homes and the common areas in the blocks. The Asset Management Strategy has identified resources to improve external repairs and decorations on properties, including shared areas, following consultation with residents. Extensive surveys of the condition of 600 blocks have been undertaken.

A paper will be going to the November / December Area Panels recommending that any work that has a capital works programme eg doors, internal decorations should not be covered by the EDB Programme. Anything that is a repair should be reported to the Repairs Help Desk.

b) EDB work should be done to the same standard as the council expects for other work. The Wish Court redecoration was agreed in 2013-14 and completed in October 2013. This was done by a subcontractor prior to the current Mears EDB Team who now redecorate "in house". I am sorry the redecoration is in poor condition, if any of the paint is flaking it can be reported as a repair. Regarding inspecting the works the current EDB Review is looking at the costs associated with this level of supervision and management.

c) As part of the previous review I obtained a list of all outstanding EDB work from the council's accountant and where possible checked with residents to see if the work is still required. Please can you advise me of any work that residents feel has not been done so I can check whether it is on the list of work to be done? The council does depend on residents' groups to ensure that work has been done. A recommendation of the EDB Review is that in addition to the programme of work being circulated following the EDB voting meeting, the work programme will be published on the council's website.

d) The EDB Review has picked up that at times residents are not satisfied with the completed work, and on further investigation the information about this was not included on the form. Often the forms provided only give a very brief description of proposed work.

Another recommendation of the review is that the RIO will advise residents' groups that what is on the form will be delivered, (although at times there may be a need to be flexible as things can change and it can take a year and a half from consultation to delivery). A few prompts will be added on the form, what, where, size, make etc. If groups need advice from Mears for larger technical projects Mears are happy to do this once the Property & Investment Team have said if the work is possible in January.

Please can you let me know if the carpet is still in the wrong place so this can be rectified?



## **2. Boiler replacement at Woods House**

*Residents in Woods House have been told that all their boilers will be replaced with new ones when the contract is taken over by a new company. This is regardless of the state of the boiler, and how much life there might be left in them – some are only two years old and working perfectly well.*

*It was agreed that this is not cost effective, and wasteful of resources.*

*Action: report requested on:*

*a) are boilers throughout the city being replaced under this new contract?*

*b) what is the justification for this and how can it be value for money?*

*Blue Pages III      3 stars*

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### **Response from Kevin Wilson, Gas Contracts & Compliance Manager - Tel:- 01273 294649**

We have no records of replacing any boilers which are only two years old.

All boilers are being replaced by K&T Services who won the new gas contract this year to replace both Mears and PH Jones.

Boilers are replaced under the following criteria:

- a) Is the appliance “A” rated? If not it will be on the replacement list. All non “A” rated appliances are usually more than 10 years old.
- b) Will it cost more to repair than replace. If so then the appliance will be renewed.

### **3. Scaffolding and home contents insurance**

*It was noted that the response in the Blue Pages (Area Panel 26/7/16, Item 2 d of Blue Pages) is incorrect. It states that 'contents insurance will not be invalidated unless you do not let the insurers know there is scaffold in place.' Graham Dawes did contact his insurers and was told that it was not valid while the scaffold was up. It is correct that if you have home contents insurance under the Council scheme your insurance will not be invalidated, but this is not true of all insurers. Leaseholders are not able to insure in the Council scheme, so this leaves them vulnerable.*

*It was noted that insurance can also be invalidated if the door entrance systems are not working on the external doors to blocks of flats. This can sometimes be for extended periods of time and is not within the control of the individual resident.*

*Action: Request that the Council take responsibility for the problems of invalid insurance caused by scaffolding, repairs and maintenance work carried out by the council.*

*Blue Pages III      3 stars*

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#### **Response from Becky Purnell, Resident Involvement Manager – Tel:- 01273 293022**

This response from Delia Hills was provided in January this year. "With regards to your contents insurance, I have spoken to the Property & Investment Team from the council and they have confirmed that tenants and leaseholders are responsible for their own contents insurance and the council do not provide any provision to cover this for tenants or leaseholders. We do not know what the details of your policy is and can only advise that if there is any issue with your insurance cover, you will need to address this with your current provider and decide what the best course of action is for you in this matter. We are aware in some cases this can mean that the policy cover requires amending, however, this is for you to discuss and decide."

I have checked with Steve Frost from the council's Insurance Team and he has confirmed that the response provided previously is correct and that the council would not wish to take on responsibility for the contents of tenants or leaseholders should their own insurance be affected by the presence of scaffolding. They have also confirmed that in all cases where access is gained via a scaffold to break in the underwriters will pay out for the claim to the party but will see to recover back from the company in question.

The council's webpage recommending insurance states, "We strongly advise all tenants and leaseholders to take out household content insurance." So the scheme is available to leaseholders. I have spoken to the insurance company that is recommended and they have confirmed that leaseholders are included in the scheme and the property would be insured for theft with the presence of scaffolding.

<https://www.brighton-hove.gov.uk/content/housing/council-housing/home-contents-insurance>

#### **4. Philip Court Entry phone**

*The entry phone on one block at Philip Court has been out of action for some time. This causes big problems for residents, making access difficult for carers, deliveries and general visitors. Entry phones seem to be a particular problem and take an unreasonably long time to repair. In Knoll they were told that delays were because parts had to come from Italy.*

*Action: request for information on a) reasons for delays to repair of door entry systems  
b) the options for sourcing local manufacturers and parts.*

*Blue Pages III      3 stars'*

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#### **Response from Jamie Smith, Electrical Engineer - Tel:- 01273 293350**

The door entry system has been condemned and beyond repair which means it requires replacement. The buttons are still in operation from 8am – 5pm. This is so carers, deliveries and general visitors can enter the building during working hours to knock on the individual flat doors. Should residents have visitors calling out of these times they will need to make alternative arrangements, providing expected callers with telephone number etc. so residents can be contacted to open the main entrance door.

If residents are unhappy with the block being secured between 17.01 – 7.59 we can have look at having the blocks main entrance door lock removed so its left open at all times and all callers can gain access at all times. To have this work carried out BHCC will require a petition showing a majority vote from all resident agreeing the action required.

We condemn a system when it's deemed beyond economical repair, due to multiple faults and parts no longer being available. All new systems are made to order and are not an 'off the shelf' item.

The system at Philip court is a Videx system that is manufactured in Italy but sourced through a UK distribution company, so parts would generally come from a supplier in the UK. The new system is manufactured in the UK and a quotation from our partnering security contractor has been requested. Once the quote has been received the cost will need to be submitted for the statutory leaseholder section 20 consultation, which will need to be completed before any work can commence.

We are sorry for the inconvenience, but we estimate the new system to be installed within the next 12-16 weeks.

## **5. Maintenance and repairs schedule**

*The repairs and maintenance schedule should have more flexibility, so it is possible to have work done at the point it needs doing, rather than waiting until its turn comes up on the schedule. For example, decoration of a communal area might have deteriorated to an unacceptable state long before it is scheduled to be done. This is especially true if the original work is of poor quality and uses low grade materials.*

*It was noted that this inflexibility often led to requests for routine maintenance and repairs work to be done under the EDB.*

**Action:** *Request for more flexibility in the maintenance and repairs schedule, so it relates more closely to the actual work needed.*

*Blue Pages III      3 stars*

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### **Response from Scott Lunn, General Building Manager- Tel:- 01273 290282**

The planned programmes are flexible in such cases. All planned and cyclical works in the existing programme are advertised as 'provisional' for this very reason and why we say that the programme is 'subject to change'. This is to ensure that the council can cover and plan any necessary works that are identified which need to be brought forward in the planned programme. However, when this happens it does mean that other works 'provisionally' planned may need to be put back in the programme as funds will have prioritised based on need and the programme changed.

## **6. Inspection of work**

*Graham Dawes noted a recurring problem with a lack of inspections of completed jobs. He suggested that work is not allowed to begin until the Clerk of Works has been informed about the work and given a signing off date.*

*Action: request for information on how this system works at present, and whether an improvement could be made along these lines.*

*Blue Pages III      3 stars*

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### **Response from Scott Lunn, General Building Manager- Tel:- 01273 290282**

The partnership has recently reviewed quality assurance processes between Mears and the council.

At any point in the repairs cycle council surveyors are able to view any particular repair job to assess and report on quality and value for money. Given the high volume of repairs requested/required it is not useful or feasible for BHCC surveyors to sanction 100% of repairs. Instead the surveyors' role is to monitor and report on a percentage of jobs per month which is broadly 10% of Mears and 10% of randomly selected repairs with a percentage of joint inspections to improve weaker areas of the service.

## **7. Contractors**

*Graham Dawes raised concerns about loop-holes in contracts, which mean the council is not properly compensated when problems arise. He suggested that specialised staff are needed who have the skills and expertise to ensure that contracts are water-tight.*

*Action: raise on Blue Pages*

*Blue Pages III      3 stars*

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### **Response from Perrin Horne, Customer Services Manager, Tel:- 01273 294641**

The council does take the monitoring of contracts very seriously and monitors contract compliance across all our contracts.

The Property & Investment service includes five engineers working in the Mechanical & Electrical team to monitor and manage our service contracts effectively.

The Housing Programme Team includes three Clerk of Works focused on quality and managing the contract in detail and three Quantity Surveyors focused on cost and value for money of the jobs completed under our contracts.

When problems arise the Property & Investment Team are in place to manage contracts effectively and ensure that any issues with the service to residents are rectified quickly and that contracts are operating effectively financially.

The Property & Investment Team will also work collaboratively with corporate colleagues including finance, internal audit, procurement and legal to ensure that any compliance issues are managed correctly.

**1. Unresolved work at Warwick Mount**

*Carl Boardman said he had put in two formal complaints about unresolved issues at Warwick Mount. He made the first complaint in March, and work has still not been done. He is having a meeting on Monday 8<sup>th</sup> August which he hopes will move things forward.*

*The Residents' Association has been tied up for months pursuing work that should have been completed. The extremely slow resolution to these problems has been a major difficulty for the Association, as it has prevented the start of the garden project, and left the Resident Association in the frustrating and demoralising position of explaining why nothing is happening. Increasingly, the response you get when trying to involve people is "why bother – nothing ever gets done."*

*It was agreed that one of the central obstacles to building and developing an active Residents' Association is the slow resolution of issues by the Council. It was felt that this is getting worse, rather than better. What action is the Council taking to improve this, and to insure that work is done promptly and effectively?*

**Action:** *Ill for all Blue Pages and discussion at Area Panel.*

*Residents will also raise this issue as part of the Resident Involvement Review.*

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**Response from Simon Pickles, Housing Stock Review Manager- Tel:- 01273 292083**

Housing is really very sorry that the Warwick Mount garden improvement project has struggled to get off the ground. This has been due to a combination of factors (including clarifying the available budget, bringing back a developer to replace missing fencing, and allocating a project manager to the project in the face of competing workloads).

Housing accepts that this situation is not acceptable for residents and therefore a site meeting was held on Monday 8 August to agree a way forward. The Chair of the Warwick Mount RA (Carl Boardman), officers of BHCC Housing and Mears attended this meeting.

The outcomes of the meeting were:

1. Moving forward the named project manager will be Simon Pickles, Housing Stock Review Manager, working closely with the RA as client
2. The garden project is likely to be split into two phases (a. pathway laying; b. landscaping work/ shrub planting)
3. Simon is arranging a site meeting with the private developer to discuss their responsibility to replace fencing panels

By the end of September we should be able to agree a route with the residents for the new pathway with a view to starting work to lay the path by the end of October. We also anticipate having costs for phase two at this time.

## **2. Highden, Westmount and Crown Hill**

*Various items about work at Highden, Westmount and Crown Hill were raised at the last Area Panel meeting (items 7, 8 and 9 Central minutes 19/5/16). There are several issues that were not dealt with in the Blue Pages response and are still unresolved:*

**a) When is water penetration an emergency?**

*The repair to the roof doors at HWC took 2 years to complete, and during this time water was coming into the building. This wasn't considered an emergency as it wasn't flooding corridors or flats. It was agreed that any water penetration causes substantial damage and should be treated as an emergency. A review was requested of what defines an emergency repair in the case of water penetration.*

**Action:** *Ill for all Blue Pages and discussion at Area Panel.*

**b) Consultation with leaseholders**

*The Council has said that prior notice of surveyors' visits is unsuitable as it raises expectations at what is only an investigative stage. It was suggested that this issue could be dealt with in an explanatory letter.*

*Leaseholders are still asking for communication before the planning application stage, with notification of surveyors' visits, dates and reports.*

**Action:** *Ill for all Blue Pages and discussion at Area Panel.*

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### **Response from Scott Lunn, General Building Manager- Tel:- 01273 290282**

a) An emergency repair is one which needs to be carried out quickly to avoid danger to residents or serious damage to the building and be repaired within 24 hours.

Water penetration to a building will not typically be categorised as an emergency as this type of issue would normally result in damage/ deterioration of the building over a long period of time.

Therefore, this type of work would warrant a routine repair to be carried out within 20 working days where possible. There is a need consider how to reduce any risks by making safe before doing the work as a routine repair. If this is not possible the issue can be referred for assessment to be treated as planned/ programmed works. This type of repair may be when access equipment is required or the building is already on a planned programme of external works and the necessary repair can be coordinated at the same time.

The urgency of repairs is informed by the 'right to repair' legislation (see link for information <http://www.legislation.gov.uk/ukxi/1994/133/made>).

The council have reviewed the categorisation of repairs and it complies with the legislation. It lays out the requirement in carrying out repairs with timescales depending on the urgency.



Any three day repair has been elevated to a one day priority, (emergency repair), and the remaining seven day repairs are treated as routine repairs as part of the service review.

The repair to the roof doors would be treated as a routine repair or referred to be included in planned works as there was low risk of danger to residents and infrequent water ingress, not flooding, which necessitates an immediate repair response.

Consequently, we do not consider it necessary to review what defines an emergency repair in the case of water penetration as the current approach is adequate to manage the risks to residents.

**Response from Glyn Huelin, Partnering Business Manager Property & Investment,  
Tel:- 01273 293306**

b) Thank you for your enquiry. The council understands the implications to leaseholders when high cost major works are proposed. We do not undertake these lightly, but we have legal obligations to keep our buildings in repair. We are also committed to engaging with all residents and stakeholders throughout major works projects.

For residents who have bought leases on our council homes there is a responsibility to contribute to the cost of works and, (in most cases), improvements, carried out by the council, subject to the terms of their lease. The council believes it limits the works it carries out to council homes to those which are necessary to maintain and/or improve the stock. We always act on our professional structural, surveying and legal advice in complying with our obligations as a landlord to meet the terms of our leases in keeping the buildings in repair.

With regard to high cost major works such as cladding, roof and window replacement carried out at some properties, leaseholders are protected in law that:

- The costs have been reasonably incurred
- The works are carried out to a reasonable standard
- The consultation regulations are complied with
- The lease allows the costs to be passed on in the service charge

The council engages with stakeholders including leaseholders throughout major works projects in the following ways:

- When a project is initially identified the council will write to each resident in the block to get feedback on the condition and issues within the block
- The council will invite all residents and any associations to a meeting to present and discuss the results of the survey
- Formal consultation with leaseholders

- During this period additional opportunities for private meetings with Leasehold Team about payment options and support
- Opportunities to review project documentation with the council's project management team
- Support to enable leaseholder's surveyors to carry out building inspections if requested
- Meet the contractor meeting where the council and its team will take residents through the project and how it will operate
- Regular briefings through newsletters during the project and regular coffee mornings
- Dedicated resident liaison support through the contractor and the council

There are several communications before any potential planning application is submitted, (often projects do not involve work that requires planning permission).

Projects and the general maintenance and asset management of our properties will involve structural and other specialist surveys from time to time and this information is used alongside input from residents through the survey mentioned in order to inform our overall asset management of blocks.

It is also important to highlight that although leaseholders are required to contribute towards the cost of major works to the council buildings, it is the decision lies with the council whether we deem works to be necessary. All leaseholders are covered by law in that if they believe works not to be necessary they can dispute the charges and the First Tier Leasehold tribunal will determine whether they have a case for dispensation or not.

During the statutory Section 20 process all leaseholders are given the opportunity to send in their written observations and raise queries or questions about the proposed works prior to any task order being issued.

### **3. Information on major works**

*It was noted that it is difficult to get information on major works - what is planned, what is currently taking place, and what the progress of work is. Some of this information is on the Council website but a) it is difficult to find and b) it is not kept updated.*

*It was agreed that this information should be made more prominent and accessible on the website, and kept up to date.*

*It was also agreed that the Chair and Secretary of Resident Associations are given advance notice of any major works in their area, so they can communicate with residents about this.*

*It was agreed to raise this as part of the Resident Involvement Review and on the Blue Pages.*

**Action:** *Ill for all Blue Pages and discussion at Area Panel.*

*Residents will also raise this issue as part of the Resident Involvement Review.*

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### **Response from John Currell, Housing Asset Strategy Manager – Tel:- 01273 293355**

Major works information can be found in the repairs and improvements section of the council housing webpages. Below the link called “Investing in your Homes” there is a description that explains the page and gives details of the Capital Investment Programme and the Asset Management Strategy. There are currently details of the lift and aerial programmes, however the details of the capital works programme are currently being worked on. These will be posted on the website shortly, when they are finalised.

The capital programme website document is updated every year according to the new four year provisional programme, which is discussed with residents prior to its approval at various Council Committees. Our Mechanical & Electrical Team also update the details of the lifts programme each time there is a significant change to the programme.

Our Programme team then put together detailed timelines against each project for delivery and communicate and liaise extensively, with residents, leaseholders and resident representatives, with the level of consultation being appropriate to the type and size of the project. As you can see from the previous response associations and residents are also invited to a meeting prior to the section 20 consultation process.

Additionally, progress on projects, both at planning and delivery stage, are scrutinised and discussed with residents at both Partnership Core group and Home groups. If there is a change to the programme all the residents that are directly affected are contacted. The Home Group has two representatives from each Area Panel that can also provide detailed feedback to all associations.

#### **4. Cost of Estate Development Budget (EDB) work**

*Concerns were raised about the high cost of some EDB work, for example providing a bike shelter or notice boards. There was agreement that EDB work is excessively expensive. It was noted that there is a groundswell of protest city-wide about the high cost of all repairs and maintenance work. This has tended to be led by leaseholders, who are most conscious of the cost, but also affects tenants, as it comes from their rents.*

**Action:** *Ill for all Blue Pages and discussion at Area Panel.*

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#### **Response from Glyn Huelin, Partnering Business Manager Property & Investment - Tel:- 01273 293306, Forms part of EDB review**

The Estate Development Budget (EDB) is operated by Mears at cost with no profit charged on these works. The costs that are charged to the budget are in accordance with the contract schedule of rates or for specialist works the actual cost of completing works. The budget also includes an overhead which covers the cost of the staff that deliver the EDB.

The current EDB review being undertaken is reviewing the financial and quality checks in operation on the budget and the costs associated with this level of supervision and management.

Management of value for money in the repairs service is an important part of the work undertaken by our Housing Programme Team. The team has been strengthened in recent years and an additional Quantity Surveyor and a Building Surveyor joined the service in 2013 to focus on technical quality and cost.

The council is committed to invest in our housing stock to ensure we act as a responsible landlord and maintain the city's valuable assets for future generations requiring housing in the city.

For residents who have bought leases on our council homes there is a responsibility to contribute to any improvements and repairs, carried out by the council, subject to the terms of their lease. The council believes the works carried out to council homes are necessary to maintain and improve the stock. We are acting on our professional structural, surveying and legal advice in complying with our obligations as a landlord to provide accommodation that meets specific decency standards and the terms of our leases in keeping the buildings in repair.

Major works billed to leaseholders are subject to a high level of scrutiny by quantity surveyors (both in Mears and the council) and any contractor employed is subject to a quotation system where they are assessed for value for money. Costs and final accounts are scrutinised by quantity surveyors before recharging leaseholders.