

BRIGHTON & HOVE CITY COUNCIL

HOUSING COMMITTEE

4.00pm 17 MARCH 2021

VIRTUAL

MINUTES

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

PART ONE

139 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: None

(b) Declarations of Interest: None

(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.

The Press and public were not excluded from the meeting.

140 MINUTES OF THE PREVIOUS MEETING

140.1 The minutes of the Housing Committee held on 20 January 2021 were accepted as a true record of the meeting.

140.2 Matters Arising:

Councillor Atkinson considered the matter of begging referred to on page 27 of the minutes would benefit from a Members workshop to discuss the issue in the city.

Councillor Mears wished to know if the dispute with the GMB union referred to on page 8 of the minutes had been resolved, and at what cost if it had. The Chair confirmed this would be referred to in the chair's communications section of today's meeting.

141 CHAIRS COMMUNICATIONS

141.1 The pandemic has affected virtually all aspects of housing: whether it be homelessness and rough sleeping, housing repairs (and in particular the helpline), mutual exchanges or the way we engage with residents, tackle anti-social behaviour or

make estate improvements and buy or build new homes. Though there have been some undoubted successes, the pandemic should give us pause to consider how we can improve the council's offer in the future.

141.2 I want to start with a success and news of the occupancy of the first four of our 30 Housing First Homes purchased under the Next Steps Accommodation Programme. While the pandemic has slowed progress on the development of our new builds, we have completed and let 12 new homes at Buckley Close and 30 at Hawkrigge Court (Selsfield Drive). And even despite the pandemic, officers have increased the numbers of home purchases on last year. Taking Hartington Road (the former Gladstone Court and the first Council-owned short-term emergency housing provision) and the Housing First home purchases we should top 100 this year so I would like to express my thanks to officers who have managed to achieve this remarkable success in the circumstances. The hidden homes developments on council estates have progressed well with 10 in total this year (8 at Bristol Estate and 2 at Manor Hill). When let all will be general needs housing at social rents. Overall, despite the pandemic, working on our joint programme we are close to achieving as many additional council homes in our first 2 years as were delivered in the previous 4 years.

141.3 Housing repairs – I am delighted to report that the dispute that arose between the council and the GMB union following the transfer of the repairs service in-house and involving some of the staff working in the Housing Repairs & Maintenance service has been resolved. The job evaluation panels took place in February and all staff have now been sent letters setting out their council terms and conditions. Of course, under TUPE regulations, they also have the option to remain on the terms they were on prior to the transfer. The wider significance of this to our residents is that, as we emerge from lockdown, we can now recruit to fill any vacancies in the team and start to catch up with the backlog of non-urgent repairs and works on voids to reduce the number of empty homes.

141.4 NRPF: there has been some discussion in the press recently of a case concerning a failed asylum seeker in Brighton who sought accommodation under the "Everyone In" scheme so I would like to provide some clarification here. At the time the claim was initiated, the individual had not yet applied for accommodation via the Home Office, which in the view of the Council was where the primary statutory duty arose. The court accepted that argument at the first hearing, and he was eventually accommodated by the Home Office, where he remains.

The case then moved to be on a point of law which was in essence whether LAs had power to accommodate people with NRPF. The Claimants were seeking a declaration that we had acted unlawfully by refusing to consider that power. The court chose not to make that declaration. The council's argument was this was all academic since he was by now accommodated and it had not acted unlawfully as it had followed the express position of the government that the position on NRPF remained. A letter from the government dated 22 September reminded us that: "*Local authorities must ensure that any support offered to non-UK nationals who are not eligible for homelessness assistance complies with legal restrictions (for example, the restrictions contained in Schedule 3 to the Nationality, Immigration and Asylum Act 2002)*"

Many councils, including BHCC, called for suspension of these provisions for at least the duration of the pandemic but the government refused.

What the court has concluded is that where there is a danger to life and limb- and where other duties (such as that of the Home Office) cannot resolve it- then there is a fact-specific power to accommodate. We would ideally like the MHCLG to now clarify that where LAs are exercising such a power it falls within the funding allocated for “Everyone In” accommodation but we certainly welcome the court judgment on the point that we have powers we can use where it is appropriate.

As I have said elsewhere, the work the council does to help rough sleepers is based on trust. The success of that work depends on our ability to gain and maintain the trust of the rough sleepers we work with, some of whom are extremely vulnerable and traumatised. Trust is vital in order for people to feel able to tell us about issues like exploitation, modern slavery, abuse and other vulnerable people at risk.

141.5 Everyone In: the council’s priority is to prevent people becoming homeless, but this service has been limited by the pandemic and we have focussed on the Everyone In for those on the streets and facing rough sleeping. We now have more around 400 more homeless people in emergency accommodation. The fact that we’ve not been able to accommodate all of them within Brighton & Hove has been well publicised. However, the securing of new capacity within the city means we are able to start reducing the pressure elsewhere. Where homeless people are accommodated out-of-area we are endeavouring to ensure that they are provided with the appropriate regular support. Government funding, whilst insufficient, has helped us support over 200 homeless people moving into longer term housing solutions. But while we are restoring full prevention services, there are new homeless people to house as quickly as we move people on. We are running to standstill and the Next Steps accommodation report sets out how we hope to restore something a bit closer to our normal service by the end of June. Despite these challenges we are delighted that official rough sleeper numbers in the city have fallen to the lowest level for many years and importantly for the first time in over 10 years we are out of the top ten local authorities with the highest numbers of rough sleepers. We are delighted to see the first new placements under Housing First, with 48 Housing First Home Purchase Homes for this year and next, and the potential for further funding bids by the end of the next financial year. This should help reduce long term “revolving door homelessness” that has trapped many rough sleepers over the last 20 years. As the economic impact of the pandemic worsens, we are seeing a worrying increase in new rough sleepers, but to date Everyone In is absorbing the demand.

141.6 Private rented housing: with the threat of a return to evictions looming, we were hoping to report to committee on work in the private rented sector and our efforts to improve conditions and security. We have written to landlords encouraging them not to evict and work with the council to help sustain people in their homes and prevent more homelessness. We aim to bring a report on licensing, a good landlord standard and setting up a council run not-for-profit lettings agency to our next housing committee.

141.7 Leaseholder report – which is to include an update on implementation of the leaseholder engagement policy adopted in 2018, along with a review of leaseholder payment

options in line with the Housing Committee Work Plan – will now come to June committee. My apologies to any leaseholders affected by the delay which was due partly to officer absence and partly to the need for further consultation with leaseholders ahead of the report coming to committee. The Leaseholder Action Group are engaged in this work and will have a chance to input into proposals ahead of a report to the next Housing Committee. In the meantime, leaseholders are being consulted on the new framework for major capital works.

142 CALL OVER

142.1 All agenda items were called for discussion by the committee.

143 PUBLIC INVOLVEMENT

(a) **Petitions:** None

(b) **Written Questions:** 3 public questions were submitted.

143.1 Barry Hughes:

I was sorry to learn that Emily Ashmore and Jenny Knight will no longer be attending CAGH (Community Action Group against Homelessness). On behalf of the Coalition, I would like to thank these officers for their contributions to the work of the Group and wish them well for the future. The officers have been particularly successful in securing finance from central government for projects supporting the homeless and rough sleepers in the City.

Can we be assured that Housing Needs, who take over the role, will have the skill sets to match this track record?

Response:

Thank you for your question and support for officers. They are big shoes to fill but I am confident that the new arrangements put in place to improve integration of the council's homelessness and rough sleepers' services will be successful.

No supplementary question was asked.

143.2 David Thomas:

In a written answer explaining why SWEP opening was to be kept secret from the public, a senior officer said: "We have ... found the wider publicity has increased the inflow of rough sleepers into the city from elsewhere."

Do councillors agree that this explanation for restricting services to homeless people should never be allowed?

- the only reputable study says it is not so;
- even if it were true that people come to this city because homeless services are better here, that ship sailed long ago;

- the explanation would prevent every improvement in homeless services at all times.

Response:

Thank you for your question. I believe you may be referring to the "Picture the Change" study which dates from 2015 and was based on research done in late 2014. That study concluded:

"There is a strong pull for people coming and returning to Brighton because they consider the city to be a place of diversity and acceptance. Many people had happy memories of Brighton, which stemmed from childhood or previous relationships. While people were positive about the homelessness services available in Brighton, they were more likely to talk about how much they liked the town itself rather than its services."

The council has not restricted services to homeless people. Indeed, we are still accommodating those at risk of rough sleeping when neighbouring authorities have already restricted their offer to verified rough sleepers.

Today, Housing Committee are being asked to note the low number of verified rough sleepers and that the Council will continue to seek to offer accommodation to all verified rough sleepers where this is permissible within the Council's powers to consolidate this achievement.

As outlined in our regular reports to Committee, at the outset of the pandemic under the 'Everyone In' approach, the council acquired self-contained emergency accommodation to house: verified rough sleepers; clients from commissioned rough sleeping prevention services who were in accommodation which did not enable social distancing; and, those who had become homeless and were at risk of rough sleeping.

The council constantly endeavours to improve its homeless services. In addition to the "Everyone In" response during the pandemic, we are now looking at improving conditions in emergency accommodation, providing more council owned short term and emergency accommodation and at enhanced homelessness prevention. If you are aware of other local authorities where homeless services have learning or experience to share with Brighton & Hove, I invite you to share that information with me or my co-chair or indeed with senior housing officers.

We do recognise that there are a few people who have found it difficult to come in. While the latest Government's Rough Sleeping Snapshot reported that Brighton and Hove had the third largest decrease nationally and the highest decrease outside of London of people sleeping rough, our latest rough sleeper count (undertaken on a night when SWEP wasn't operating) suggests that while this has dropped further there were still 9 people sleeping out. We will continue to make every endeavour to engage with our most hard to reach rough sleepers.

For those people, when SWEP is triggered, we have made provision through our Street Outreach Services who are identifying anyone who is rough sleeping. In addition, the public can report anyone they see or are concerned about through Streetlink. The Street Outreach Service are carrying out outreach shifts 7 days a week including bank holidays and over the full Christmas period, during which SWEP provision remained available regardless of weather.

This year, due to the pandemic we are unable to use congregate sleep space arrangements or offer open access to a single hub as in previous years. Instead we have acquired 14 units of self-contained accommodation to meet the needs of people who would otherwise rough sleep.

Referrals therefore need to be managed but we do not turn people away. If the 14 units are full, colleagues in Housing Options and St Mungo's No Second Night Out Service work together to ensure that everyone in need is offered safe accommodation during periods of severe weather.

Information on how to support people to access SWEP was not kept secret, it has been shared in local media, via social media and is on our website. All organisations working with homeless people have had this information shared with them through the VCS and Operational Forums.

This winter so far as at 12th of March 2021, we have been open on 65 separate occasions including being open every day from the 24 December 2020 to date 8 January 2021. We offer hot meals, snacks, drinks and support. We have provided accommodation to 92 individuals over that time. We are ensuring that where someone will accept engagement, we have a clear onward accommodation offer in place and nobody needs to return to rough sleeping.

The trigger for us to open SWEP is the same this year as it has been for the previous two years: a predicated "feels like" temperature of 0 degrees Celsius or an Amber Weather warning.

In regard to historical attendance at SWEP, last year 33% of the people accommodated in SWEP in November and December were never seen rough sleeping in Brighton & Hove, over a quarter of them were only accommodated once, and 50% of them had no local connection.

No supplementary question was asked.

143.3 Alan Cooke:

EDB granted approval for a fenced path in March 2020 to improve access for Tilgate Close residents.

Following a September road traffic incident, Highways asked for the fencing to be strengthened, pushing the cost over the £10K EDB limit.

EDB transferred the request to Environmental Improvements but on March 8th they deferred a decision pending a review of access to all 354 properties on the Estate, of which only 23 have street-level access. This will take ages. Meanwhile, residents of Craven Road are fearful of another vehicle coming through their bedroom windows.

Please ensure that EI reverses their decision rapidly.

Response:

Thank you for your question.

We will ask officers to work closely with Craven Vale Community Association on the Estate Development Budget bid for a pathway to improve access for Tilgate Close residents.

I understand a sum of £5,000 has been approved for this work and council officers have been working on the detail of the pathway. Further work needs to be undertaken to scope this out and ensure that the pathway is fully accessible and meets the appropriate requirements. Officers will undertake this as a priority and work with the community association around the detail of this.

Vehicle protection measures are a separate issue to this Estate Development Budget project. The council is currently looking at whether vehicle protection measures are required in some areas of our estates following an incident where a car rolled down the steep bank. I am sorry that residents on the estate are fearful of another vehicle incident. I can advise that we will undertake this review in consultation with residents and keep you updated on progress.

No supplementary question was asked.

(c) Deputations: None.

144 ISSUES RAISED BY MEMBERS

144.1 **(a) Petitions:** None.

(b) Written Questions: None.

(c) Letters: None.

(d) Notices of Motion: None.

145 TENANT AND LEASEHOLDER ENGAGEMENT STRATEGY

145.1 The Head of Communities & Equality and the Community Engagement Manager introduced the report.

- 145.2 Councillor Appich was informed that the council were working with 29 out of the 38 tenant, residents and neighbourhood groups, as some groups were more active than others. It was also noted that no resident officers were working during the lockdown.
- 145.3 Councillor Mears noted a previous report had covered the same ground in 2012. The councillor looked forward to seeing how tenants will benefit and engage with the strategy.
- 145.4 Councillor Atkinson considered that the Neighbourhood Action Plans were not always the best way forward, and residents were often confused by different funding from Estate Development Budget (EDB) and Environmental Improvement Budget (EIB). The councillor noted that resident groups often need advice on a wide variety of issues and that there was a backlog of repairs due to the recent lockdown. The councillor was informed that the neighbourhood officers are attending housing area panels and they were working closely with groups through the engagement team. Issues arising can be referred to the officers.
- 145.5 Councillor Williams noted that a walk around with officers was of benefit for the councillors and the residents and would welcome the development of this practice. The councillor considered the Estates Development Budget could be simplified for tenants to understand.
- 145.6 Councillor Gibson was informed that the associations focusing on wider issues were more active at the moment. It was noted that there was a need to address resident needs and for more engagement to understand issues and help more. Progress will be monitored.
- 145.7 Councillor Fowler considered it was important for councillors to go on ward rounds with officers. The councillor was informed that the area panels have been meeting and have not changed, however the service area groups have altered by adding more people.
- 145.8 The Executive Director of Housing, Neighbourhoods and Communities informed the committee that the strategy was a platform to work from and improve. It was also noted that walkabouts were a very positive step and there were all sorts of ways to engage not just through area panels.
- 145.9 The chair put the recommendations to the vote, and they were agreed by 8 votes with 2 abstentions.
- 145.10
- RESOLVED:** That the Housing Committee notes and approves:
- 2.1 The delivery of more ‘pro-active’ styles of engagement with tenants and leaseholders to consult and engage with a wider and more diverse group of residents.
- 2.2 The proposed changes to the current engagement’s structures for tenants and leaseholders as set out in Appendix One.
- 2.3 The maximisation of Estate Development Budget by agreeing a change of scope to include tenant and leaseholder led community projects as well as physical items and

works. This will sit alongside the funds from the environmental improvements budget to give tenants a greater say over funding.

- 2.4 To develop a policy for extending participatory budgeting, co-designed with tenants and leaseholders for approval by Housing Committee Winter 2021.
- 2.5 The development of a co-produced Implementation Plan to support the delivery of the Tenant and Leaseholder Engagement Strategy.

146 NEXT STEPS - ROUGH SLEEPING AND ACCOMMODATION DURING COVID-19 PANDEMIC AND RECOVERY

- 146.1 The Assistant Director of Housing introduced the report to the committee.
- 146.2 Councillor Atkinson was informed that the Homeless Reduction Board (HRB) have had a number of meetings and the minutes of the meetings can be made available to Members. Although it is hard to move people on, this is continuing. Reconnecting people is a lengthy process and mediation services are being used to assist. A sub regional approach has been used with regard to other cities and only those with a duty are linked to the city. There are no clear numbers on the loss of private rented accommodation and landlords are being asked to talk to the council before the pandemic restrictions are lifted. It was noted that the Homeless Bill of Rights is aspirational.
- 146.3 Councillor Williams extended a vote of gratitude to Emily Ashmore and Jenny Knight for their outstanding work and was sorry to see them leave.
- 146.4 Councillor Mears was informed that the officer correction had occurred as there had been a misunderstanding with the legal team. It was noted that the Homeless Reduction Board will report back to the Housing committee and are not a decision making body. The councillor expressed concerns at the amendments to the recommendations and considered the original recommendations to be suitable and there was no need for the amendments.
- 146.5 Councillor Appich was informed that some houses of multiple occupancy (HMO) have been used to accommodate homeless people. It was noted that those being placed in HMOs were also being given support. The HRB action plan is being developed and will come to the Housing committee every six months (approximately) for the committee to agree the actions.
- 146.6 Councillor Gibson considered the work by officers to be amazing and considered the strategy should be fully operational by June 2021. It was noted that although many people were moving on, more were arriving in the city and prevention should proceed as soon as possible. The councillor was informed that the customer facing services were on the corporate road map to be reintroduced as soon as possible ahead of the end of lockdown restrictions. The councillor noted that the HRB were not a decision making body and will report to the Housing committee.
- 146.7 Councillor Williams proposed and introduced the amendments and stated that they considered the amendments to strengthen the recommendations.

146.8 Councillor Gibson seconded the amendments and asked the committee to support the amendments.

146.9 The Chair invited the committee to vote on the amendments which were agreed by a majority with 2 abstentions.

146.10

The Chair invited the committee to vote on the recommendations as amended and they were agreed by a majority with 2 abstentions.

147 MOULSECOOMB NEIGHBOURHOOD HUB & HOUSING SCHEME UPDATE

147.1 The Lead City Regeneration Programme Manager introduced the report and stated the following:

The report provides an update on proposals to develop land in Moulsecoomb & Bevendean, delivering approximately 230 council homes as well as a new neighbourhood hub for the community. The hub will accommodate a Youth Centre, Library, GP surgery and pharmacy at the heart of the development. As part of the comprehensive public realm design, new and improved sports facilities are also included in the proposals.

The latest masterplan, included as an appendix to the report, reflects a series of Planning For Real sessions, Design: South East workshops, and Planning consultancy. The feedback received through this engagement has been combined with the principles of sustainability and public health to shape the current proposals.

Following permission from the Secretary of State for change of use, the report also requests approval to proceed with the redevelopment of the Former Portslade Sixth Form site into new council offices and comply with the conditions of consent set out in the report. The redevelopment of this site is a dependency for the wider scheme in Moulsecoomb, as well as supporting the council's future ways of working and recovery from Covid.

Progress has been made on the housing element of the project with the costs incurred and committed to date for the Housing Scheme totalling £820k. These costs relate to the work undertaken for working up the final design and will form part of the overall scheme costs. This will be funded by the future sites pipeline budget.

The new homes will be delivered over two phases. They will be reliant on grant and initial positive discussions have already been held between the council and Homes England. A grant application will be submitted once the design is finalised and costed.

147.2 Councillors Williams and Hugh-Jones congratulated the team on the report.

147.3 Councillor Appich noted that the report should refer to paragraph 3.27 under the legal implications not 3.24.

- 147.4 Councillor Atkinson noted that the site of the former six form college was currently being used as a COVID-19 testing centre and the residents would be pleased to see the development go ahead.
- 147.5 Councillor Mears considered the presentation given at supply board to be very useful and considered even more visuals would be helpful. The councillor considered £7m costs would need to be kept on track and school placements to be observed to ensure enough were available.
- 147.6 Councillor Gibson considered the progress to be good during the pandemic and felt the residents had been listened to. The 200 council homes would be a benefit to the city and the Homes England grant a positive support if obtained.
- 147.7 Councillor Hugh-Jones considered the project to be inspiring and noted the materials from the demolished building would be re used in the new build.
- 147.8 The Chair invited the committee to vote and the recommendations were agreed unanimously.

148 HOUSING COMMITTEE WORKPLAN PROGRESS UPDATE AND HOUSING PERFORMANCE REPORT - QUARTER 3, 2020/21

- 148.1 The Head of Income Involvement & Improvement introduced the report.
- 148.2 Councillor Hugh-Jones was informed that the private rented sector numbers were down due to COVID-19 and a time lag for information coming forward. Residents are being contacted by phone during lockdown, however it is noted that face-to-face is preferable.
- 148.3 Councillor Mears considered that out of the 305 empty properties, some could be accessed during lockdown and made ready for use, with small improvements left till later. The councillor was informed that the council were trying as hard as possible to get empty properties back into use and the properties were being let as soon as they could be. The councillor noted that the Conservative group leader was not aware that the dispute with the GMB union regarding repairs had been resolved. The councillor was informed by the Chair that there was a statement on the council website and the Policy and Resources committee had agreed terms last week. It was noted that the matter would be confirmed in writing.
- 148.4 Councillor Williams was informed that the main support for tenants related to benefits and income issues. Other organisations, such as Money Advice Plus also supported tenants with specialist advice. Online support has been given during lockdown on budgeting finances, learning and volunteering to improve wellbeing. Support is given to all, not just tenants, and all aspects of support.
- 148.5 Councillor Appich was informed that the government had not mentioned writing off rent arrears after lockdown. Those receiving Universal credit were being contacted regarding debt and advice was being given about stabilising debt, if not able pay off debts. It was noted that if residents are vulnerable the Department of Work and Pensions (DWP) would make payments direct to the council. In extreme situations the council could write off debts. The turn around of void properties has slowed as a result of the pandemic,

however, this will be addressed as soon as possible to return to the previous turn around times.

- 148.6 Councillor Gibson noted that 52 homes have been lost, however 200 more were being constructed and this increase in supply was a positive. Reducing the number of void properties should be a priority and considered a flexible approach to standards should be employed. The councillor was informed that number of void properties has not changed since the quarter three report has been issued. It was noted that contractors were working at capacity with the properties with little to do being authorised first. The council are aware of the condition of all void properties as they are being monitored.
- 148.7 The Assistant Director of Housing informed the committee that the council were looking at expanding the number of contractors and were using direct labour to turn around void properties.
- 148.8 The Head of Housing Repairs & Improvement informed the committee that there was a significant backlog at the moment due to the lockdown and to assist, the General Manager of Property Services will be looking at bringing in additional staff.
- 148.9 The Chair put the recommendations to a vote, and they were agreed unanimously.
- 148.10
RESOLVED: That Housing Committee notes the report.

149 ITEMS REFERRED FOR FULL COUNCIL

- 149.1 No items were referred to Full Council.

150 PART TWO PROCEEDINGS

- 150.1 There were no Part Two items

The meeting concluded at 6.40pm

Signed

Chair

Dated this

day of