

Brighton & Hove City Council

Cabinet Member Decision – Non-Key

Subject: Reletting empty council homes in Large Panel System blocks for use as temporary accommodation

Date of Decision: 22 November 2024

Report of: Cabinet Member for Housing & New Homes

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Ward(s) affected: Hollingdean & Fiveways; Kempdown; Whitehawk & Marina;

For general release

1. Purpose of the report and policy context

1.1 To seek approval to let empty council properties in 8 Large Panel System (LPS) Blocks as temporary accommodation as they become available. This is pending consideration of options for future refurbishment or regeneration of each of the blocks.

1.2 This permission is sought whilst a resident led approach is taken to reviewing future investment options for the blocks. The 8 LPS blocks are Dudene Lodge and Nettleton Court in Hollingdean; Falcon Court, Heron Court, Kestrel Court, Kingfisher Court and Swallow Court in north Whitehawk, and St James's House in Kemp Town.

1.3 There are already homes let as temporary accommodation across the 8 LPS blocks via Seaside Homes. Of the 558 dwellings across the 8 blocks, 45 are held by Seaside Homes to which the council have direct nominations for use as temporary accommodation. In addition, in terms of wider policy, the council have homes purchased or refurbished for use as temporary accommodation elsewhere in the city held in the Housing Revenue Account. The council have homes purchased via our home purchase buy back schemes in use as temporary accommodation across our stock, including in the LPS blocks.

2. Recommendations

2.1 The Cabinet Member for Housing agrees to the reletting of empty homes in the 8 LPS blocks as Temporary Accommodation to applicants who we owe a full Housing duty to. This will be done in accordance with the Lettings Plan (Appendix 1).

3. Context and background information

- 3.1 As part of the council's responsibilities under the Building Safety Act 2022 and Social Housing (Regulation) Act 2023, detailed structural surveys on the 8 council owned LPS high-rise blocks in the city have been commissioned.
- 3.2 The buildings consist of reinforced floor and roof structures supported by precast concrete large panel walls.
- 3.3 The surveys were carried out on the council's behalf by independent consultants, which included both observational and intrusive surveying. Whilst these homes are safe to occupy with mitigations that the council has put in place, the findings show the buildings do not meet the current safety standards in relation to their ability to resist a disproportionate collapse in the case of an explosion or large fire. Therefore, consideration of future regeneration or refurbishment options for the blocks is required.
- 3.4 While there is no immediate danger to the buildings – and measures such as a ban on gas canisters and barbecues have long been in place – we have acted on the advice of our independent consultants and taken a number of steps as additional safety measures.
- 3.5 The LPS blocks are currently holding 21 vacant council properties that have arisen through normal tenancy turn over since issues with the construction type were identified. Costs associated with void loss are being accrued.
- 3.6 Working closely with the fire regulator East Sussex Fire and Rescue Service, the Building Regulator and the Regulator of Social Housing, the council have already introduced the following actions alongside the existing comprehensive building and fire safety measure
 - A temporary ban on e-bikes and e-scooter in all areas of the buildings, with the council providing alternative storage for these away from the blocks.
 - A temporary ban on vehicles parking underneath the blocks, which includes the temporary closure of the Chapel Street car park underneath St James House and a suspension of the use of the garages behind Nettleton Court and Dudney Lodge.
 - Temporary heating plant has been put in place for St James House to allow us to relocate the communal heating supply from under the block into the car park.
 - A 24-hour security service is in place for the buildings to help manage what is taken into the building and to support with floor walks and maintaining clear entrance and exit ways.
 - Removal of refuse / bin storage areas from under the blocks and regular clearance of bulk waste.
 - Resources in place for 7 day a week, 9.00am to 5.00pm, floor walks to support fire health & safety and to maintain clear common ways, including entrance and exit ways across all 8 blocks. Council Estates Service staff are undertaking these floor walks during the week. AP Security at weekends.
- 3.7 The council is now working on plans to establish what happens to the 8 buildings in the longer term. We will take a resident-led approach on

the options for refurbishment or regeneration. Through turnover, properties are now becoming empty within these blocks and development and refurbishment opportunities will take a considerable amount of time to come to fruition.

- 3.8 Use of the LPS properties as Temporary Accommodation will ensure the continued occupancy and security of the properties whilst providing good quality temporary accommodation for people waiting to be housed securely.
- 3.9 Use as temporary accommodation is considered as the preferred approach at this time pending a decision on future investment options for the blocks in order that we do not increase the number of secure tenants in the properties who may be impacted adversely by future refurbishment or redevelopment options.

4. Analysis and consideration of alternative options

- 4.1 Until the long-term future of these blocks is known, the alternative to the use of properties as temporary accommodation is that they remain empty until such time as refurbishment or regeneration of the site is progressed.
- 4.2 Leaving the properties empty would have a negative impact on the remaining communities within the blocks and the overall condition and fabric of the buildings. The properties would incur significant rent and security costs whilst empty. The use of the properties as temporary accommodation would also enable us to address pressure and make future savings on our temporary and interim accommodation costs.

5. Community engagement and consultation

- 5.1 We are committed to and understand the importance of involving residents with decisions relating to the LPS blocks.
- 5.2 Actions taken to date include regular newsletters, enhanced tenancy visits, and drop-in sessions. Regular updates are also being provided through Housing Area Panels, the Council Tenant Annual Conference, and the quarterly tenant publication Homing In. Our focus is on ensuring that residents are informed of both our progress and any ongoing issues that may affect them.
- 5.3 We will use these forums to communicate the decision making around the future use of and letting of homes in these blocks.
- 5.4 Our future plans include developing resident safety champions, expanding digital communication channels, and offering comprehensive engagement opportunities, such as focus groups. Learning from our LPS block work will inform future ways of working with tenants including those accommodated through temporary accommodation if permission is granted.

6. Financial implications

- 6.1 Using vacant homes within these blocks for temporary accommodation would reduce any rent loss for the Housing Revenue Account (HRA) by a minimum of c.£0.038m assuming 21 voids. It would also reduce the costs of temporary accommodation for the general fund because the council would need fewer homes from private landlords, hotels and other providers. Estimates show that for 24/25, the cost saving for the council's general fund would be £0.150m. this has already been factored into the Targeted Budget Management (TBM) forecasts for 24/25 as part of a financial recovery plan. This would also enable an estimated budget saving of £0.700m in 2025/26, assuming an additional 64 units were used for TA by the end of 2025/26.

Name of finance officer consulted: Monica Brooks

Date consulted: 17/10/2024

7. Legal implications

- 7.1 It is lawfully permissible for HRA properties to be used for other purposes.

s19 Housing Act 1985 and s122 Local Government Act 1972, authorise this.

Consideration should be given as to whom would be offered temporary accommodation in the blocks given the restrictions on materials being stored.

Name of lawyer consulted: Natasha Watson/Simon Court

Date consulted: 18/10/24

8. Equalities implications

- 8.1 We are focused on understanding and meeting the needs of vulnerable and marginalised groups and communities. Letting these homes to households in temporary accommodation who have experienced homelessness, enable access to good quality, decent housing.

9. Sustainability implications

- 9.1 The affected blocks are all located within the boundaries of the city. Due to pressures on its statutory homeless service, Brighton & Hove City Council has increasingly relied on out of area placements to fulfil accommodation duties. Increasing the supply of accommodation for homeless clients within the city will reduce the amount of public transport usage for both clients of the service and officers.

10. Health and Wellbeing Implications

- 10.1 The use of these empty homes will provide high quality temporary accommodation and will reduce the authority's reliance on interim accommodation solutions and where we do need to use interim accommodation such as Bed & Breakfast accommodation it should assist at reducing the overall length of stay for households.
- 10.2 Should the properties remain empty pending redevelopment it should be noted that empty properties are often used for a range of anti-social behaviour and can be the source of a substantial number of complaints from members of the public. It will also impact on the sense of security for remaining council tenants and leaseholders within the LPS blocks.

It is the council's experience that the longer a property is left vacant, its condition will worsen and as a result the more problems it will cause. This can then impact on the eventual cost of returning the property back into use if refurbishment is one of the options taken forward.

Other Implications:

11. Procurement implications

- 11.1 No procurement implications identified.

12. Crime & disorder implications

- 12.1 Vacant properties can become a target for anti-social behaviour and crime. Occupying these properties as Temporary Accommodation will eliminate this risk.

13. Conclusion

- 13.1 There are currently 21 vacant council properties in the LPS blocks arising through normal tenancy turn over since issues with the construction type were identified. The properties are accruing void loss and other associated risks highlighted within the body of the report.
- 13.2 The properties have had measures put in place to ensure their safety, these are listed in the context section of this report. In addition we have also drafted a lettings plan for these blocks (see appendix 1).. The lettings plan seeks to ensure that we have looked at the individual household risk profile in relation to the identified risk profile of the 8 blocks prior to allocation.
- 13.3 Commencing lettings of vacant properties as temporary accommodation under the lettings plan reduce costs associated with void loss, provide good quality, in area temporary accommodation, therefore reducing use of spot

purchased accommodation. Enabling the occupation of these homes will also provide benefits for the established community in relation to reducing risks of ASB associated with empty properties and feeling of neglect to the building.

Supporting Documentation:

Appendix 1

1.1 Lettings Plan