

### BRIGHTON & HOVE CITY COUNCIL

#### HOUSING MANAGEMENT CONSULTATIVE COMMITTEE

3.00pm 29 MARCH 2010

COUNCIL CHAMBER, HOVE TOWN HALL

#### MINUTES

**Present:** Councillors Caulfield (Chairman); Barnett, Carden, Davey, Fryer, Mears, Pidgeon, Simpson (Opposition Spokesperson) and Wells

**Tenant Representatives:** Stewart Gover (North & East Area Housing Management Panel), Ted Harman (Brighton East Area Housing Management Panel), Heather Hayes (North & East Area Housing Management Panel), Chris Kift (Central Area Housing Management Panel), David Murtagh (Brighton East Area Housing Management Panel), Beryl Snelling (Central Area Housing Management Panel), Muriel Briault (Leaseholder Action Group), Tom Whiting (Sheltered Housing Action Group), John Melson (Hi Rise Action Group) and Barry Kent (Tenant Disability Network)

#### PART ONE

#### 71. PROCEDURAL BUSINESS

##### 71A Declarations of Substitute Members

71.1 There were none.

##### 71B Declarations of Interests

71.2 Councillors Simpson and Wells, Heather Hayes and Ted Harman declared a personal interest in any discussion on the LDV as they are Board Members of Brighton and Hove Seaside Community Homes (the Local Delivery Vehicle).

##### 71C Exclusion of the Press and Public

71.3 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

71.4 **RESOLVED** - That the press and public be not excluded from the meeting.

## 72. MINUTES OF THE PREVIOUS MEETING

72.1 Councillor Simpson referred to paragraph 60.7 and asked why a report on mobility scooters had not been presented to this meeting. The Assistant Director Housing Management apologised and explained that officers were carrying out more work to ensure that a full report could be tabled at the HMCC. It was a complex issue with different solutions to different blocks. Progress was being made.

72.2 Tom Whiting mentioned that tenants in Leach Court who used mobility scooters wanted to put in an application for the use of a redundant building. The Assistant Director Housing Management said he would make the Housing Manager aware of the suggestion and would ensure a quick response.

72.3 Councillor Simpson referred to paragraphs 67.2 and 67.3 which related to the negative subsidy situation. She mentioned that the Housing Minister, John Healey had announced proposals to dismantle the current Housing Revenue Account system of funding council housing. This would mean that the council would have 10% more money available to maintain homes.

72.4 Councillor Mears stated that the council would be looking at the finer details of the proposals. There were issues with the paper and she believed that it was possible that councils could end up worse off than they were already.

72.5 **RESOLVED** – That the minutes of the meeting held on 8 February 2010 be approved and signed by the Chairman subject to an amendment to the first line of paragraph 69.2 which should read “John Melson made the point that some front line services were improving but stressed that the response *needed to be better.*”

## 73. CHAIRMAN'S COMMUNICATIONS

### New repairs contract

73.1 The Chairman explained that the new Repairs Partnership with Mears would go live on the 1<sup>st</sup> of April. This was a very exciting time for the service and the partnership offered an opportunity to improve the service to residents across the city and bring more homes up to the Decent Homes Standard. The mobilisation was progressing well and there were currently no major outstanding issues or concerns. The council were therefore confident that the contract will get off to a good start.

73.2 As well as the double page spread in the February edition of Homing in, all tenants should have received a flyer about the new contract with their annual rent statement. The flyer gave details for contacting the service (the only change was a new email address, but the old address would continue to be monitored). The new contract meant that repairs could now be reported 24 hours a day and the council had also introduced a local phone number so tenants with mobile phones could call without incurring further costs. The flyer also gave details of Mears ID cards, vans and uniforms.

- 73.3 The Cabinet Member was pleased that planning permission for the Supercentre in the Fairway trading Estate on Moulsecomb Way had now been achieved. This means the council could now start work on this exciting development, turning it into a state of the art operations centre for the partnership. The plan was to locate the retained council staff in this building as well as Mears, and to open the building in the summer.
- 73.4 A change of this size meant that the coming weeks were bound to see some teething problems and the council would appreciate the tenants' patience in helping the council to quickly resolve any issues that arose. The Cabinet Member thanked tenants for their continued support.

### **Ainsworth House**

- 73.5 The Cabinet Member explained that as previously reported to HMCC, last autumn the council made a bid to the Homes and Communities Agency for funding available to local authorities to deliver new council homes for social rent. Ainsworth House in Wellington Road, was identified as the best site to seek to develop with grant funding. The council submitted a bid to build 15 new council homes on this site.
- 73.6 The Council were advised by the HCA that, unfortunately, the bid did not go through as this was a competitive process and other bids offered better value for money which was a key criteria for the HCA.
- 73.7 The Council committed to follow up on further opportunities to develop new council homes on this site and, at that time, the HCA advised that they still wished to explore with the council how the scheme might be brought forward.

The Cabinet Member stressed that although the council were not successful with the bid, it did qualify as investment partners with the HCA. This gives the council the opportunity to bid for grant funding now under the National Affordable Housing Programme. The council also had subsequent discussions with the HCA about funding development of new council homes on the Ainsworth House site.

- 73.8 The council wanted to take this forward and were looking at a number of options in relation to how to procure the design and build services and at the value for money issues associated with each.
- 73.9 The council had made it very clear that any development would be council led with the new homes delivered owned and managed by the Council.
- 73.10 The council were committed to making sure that tenants are fully consulted and engaged in the plans from the start.

### **Self financing proposal for the Housing Revenue Account**

- 73.11 The Cabinet Member reported that last Friday the Housing Minister released the government's proposals on reform of the Housing Revenue Account (HRA). The press release for the offer stated that the deal would release additional money for managing council homes, but also that in return councils would have to accept a share of an additional £3.65bn debt.

- 73.12 The council welcomed moves to reform the unfair subsidy system which has meant that tenants have paid millions of pounds back to government each year. The offer might provide a genuine chance to resolve the long standing problem of the HRA Subsidy system, but the council would need to be cautious at this stage about whether this was a good deal for Brighton & Hove until officers had been able to give the offer detailed consideration. It was clear that the position of each Council would be different and the government had recognised this by giving the council until 6<sup>th</sup> July to respond.
- 73.13 The finance team would now begin to re-model the 30-year business plan on the basis of the proposals. There would be a report back to HMCC once there was a clearer understanding of how the opening debt figure would impact upon the business plan.

### **Update on the Local Delivery Vehicle**

- 73.14 The Cabinet Member reported that the LDV board received the council's offer on February 12<sup>th</sup>. The Cabinet Member had since met with John Regan as the Company Chair and also received a detailed letter providing the Cabinet Member with assurances as to the company's continued commitment to securing money which could be used for raising and improving the standard of homes in the city.
- 73.15 John Regan had wanted to attend the meeting to update the tenants personally, but was unable to do so due to prior commitments. John had written a letter giving members of HMCC an update of what had taken place so far. Roy Crowhurst was in attendance. Both John and the other members of the board had personally invested a lot of time in progressing the project and the Cabinet Member thank them for all the work that had been done and continue to be done.
- 73.16 John and the board had looked at the offer and except for one or two things were generally happy with it but want to come back to the council and formally propose a number of changes that they believed would enhance the deal. The board had asked the council for a little more time, to get the right financial advice so that the lender could assess how much money could be lent. Given all the time that CLG wasted when the council asked for express consent, the Cabinet Member thought that it was only right that the council gave the time he needed to get funding in place so that as much money as possible could be used to improve the city's homes. The Cabinet Member hoped that the tenants would also see that the company needed more time.
- 73.17 Roy Crowhurst informed members that the following letter had been circulated at the meeting.

Dear HMCC members

Roy Crowhurst and the other Tenant Board Members of Brighton & Hove Seaside Community Homes (the LDV) updated all the Area Housing Management Panels this month on progress with the project, as agreed. However, we welcome this opportunity to be able to provide all members of the HMCC with an update of where we're at as a board with the offer that the council gave to us on the 12<sup>th</sup> February. The board was extremely pleased to receive the offer which now allows us to speak to our funder and acquire the much needed investment to improve council homes and achieve the aims of the company.

Our main focus has been to acquire a financial advisor who can put together a business plan and enable the board to make a formal response to the council's offer.

At this point we will be in a position to negotiate those elements of the offer that we believe currently limit the banks ability to provide the company with significant sums. Ultimately we aim to provide the council with a substantial capital receipt and enable sufficient borrowing power to support the company's running costs and overheads.

The board is working as quickly as possible to secure a funding deal and recognise that you have been considering the project and the various requirements for a while and are anxious to see the project completed soon, however the board needs more time to obtain the information it needs before it can formally respond to the council's offer and move the project on.

I hope that you will allow us to continue to develop an offer response and to discuss the funding arrangements with our banker. I would like to keep you informed of developments directly from now on and would be happy to come back to HMCC when we have received a funding offer from the bank.

Yours sincerely,

John Regan

Chair  
Brighton & Hove Seaside Community Homes

- 73.19 Mr Crowhurst explained that the Board could not proceed further until a business plan was in place. They would then come back to the Council with an offer.
- 73.20 Chris Kift reported that there had still been no answer from John Denham, Secretary of State for Communities and Local Government. The Policy and Performance Manager suggested a follow up letter by recorded delivery would be the best way forward.
- 73.21 The Chairman asked the Assistant Director to set up a briefing session for members concerning the offer. There was a need to discuss the offer in detail.
- 73.22 Ted Harman invited members to a lunch on 26 April 2010 to meet members of the Board.

#### **74. CALLOVER**

- 74.1 The Chairman asked the Committee to consider which items listed on the agenda it wished to debate and determine in full.
- 74.2 **RESOLVED** - That all items be reserved for debate and determination.

#### **75. PETITIONS**

- 75.1 There were none.

**76. PUBLIC QUESTIONS**

76.1 There were none.

**77. DEPUTATIONS**

77.1 There were none.

**78. LETTERS FROM COUNCILLORS**

78.1 There were none.

**79. WRITTEN QUESTIONS FROM COUNCILLORS**

79.1 There were none.

**80. HOUSING MANAGEMENT FINANCIAL INCLUSION STRATEGY (CONSULTATION DRAFT)**

80.1 The Committee considered an update report of the Director of Housing, Culture & Enterprise concerning the development of the Financial Inclusion Strategy. The strategy aimed to address the interrelated issues experienced by financially excluded residents in Brighton & Hove.

80.2 Tom Whiting mentioned that the last meeting of the Housing Income Management Monitoring Group took place on the same day as several other meetings. Several other members also expressed concern about clashes of meetings. The Chairman asked the Policy and Performance Manager to look at this problem. She stressed the necessity of encouraging more tenants to become involved in meetings.

80.3 The Policy and Performance Manager reported that officers would be encouraging other tenants to attend and take part in tenant meetings.

80.4 **RESOLVED** - That the report and the comments of the HMCC be noted.

**81. TENANT SERVICES AUTHORITY ARRANGEMENTS FOR REGULATING THE COUNCIL'S LANDLORD SERVICES**

81.1 The Committee considered a report of the Director of Housing, Culture & Enterprise which explained that the Tenant Services Authority (TSA) would become the regulator of the council's landlord services from 1 April 2010 when, subject to the Secretary of state making a formal direction, it becomes responsible for regulating all social housing landlords including local authorities. After formal consultation, the TSA published its regulatory framework and standards for landlords on 16 March 2010. The report outlined the content of the regulatory framework for social housing in England from April 2010 for noting by the Committee.

81.2 The Assistant Director of Housing Management reported that the main issues were that the TSA had publicised six standards that landlords must meet. These were set out in Appendix 1 of the report. As a landlord, the Council needed to involve tenants in

deciding how to meet these standards. An annual report needed to be published by 1 October. There also needed to be a report on how the council met the standards.

- 81.3 Stewart Gover stated that tenants were worried about the powers of the TSA. The council could lose a lot if it did not meet their standards.
- 81.4 John Melson described the TSA as a landlord basher. It decided its own levels of what was considered satisfactory, and did not take on board what was decided by the tenants. He accepted that there needed to be a regulator but not one that did not consult with tenants.
- 81.5 Ted Harman mentioned that there were many uninhabitable properties in the city. The LDV needed to be up and running and properties needed to be upgraded or they would be lost.
- 81.6 Councillor Simpson considered that the council had nothing to fear from the TSA. It had been set up to improve the standards of tenants.
- 81.7 Councillor Mears disagreed with Councillor Simpson. She stressed that the council had spent three years trying to upgrade properties. It had been a struggle to get consent to take the LDV forward. The council had the red flag. The TSA were a quango with exceptional powers. The council had done everything in its power not to transfer stock. Councillor Mears suggested inviting the TSA to look at what the council was doing with the City Assembly. An invitation should be sent out to ask them to see how tenants groups meet in Brighton & Hove.
- 81.8 The Policy & Performance Manager agreed that this suggestion could be taken up through the Tenant Contact Monitoring Group.
- 81.9 Councillor Simpson mentioned a government press release regarding a report on house transfers. The report stated that self financing would create a level playing field for councils retaining stock. This would enable councils who retained stock to continue to maintain them. There would be more money in the HRA to spend on stock.
- 81.10 Councillor Mears said she had read the paper but she was concerned about a number of issues. One issue was the distribution of debt around the country. The council did not know how much debt it would inherit. If the council did not meet decent home standards by December, the TSA could take action.
- 81.11 Chris Kift stated that there was a need to communicate to the TSA that the council were doing well. John Melson concurred.
- 81.12 **RESOLVED** - That the contents of the report be noted.

## **82. REVIEW OF CHOICE BASED LETTINGS**

- 82.1 The Committee considered a report of the Director of Housing, Culture & Enterprise which set out the scope of the Review of Choice Based Lettings and systems for allocating accommodation. Following consultation, a final report would be prepared for HMCC and the Housing Cabinet Member Meeting.

- 82.2 The Chairman highlighted paragraph 3.3 of the report which stated that the review would be led by a focus group which would comprise tenants representatives. Two tenant representatives had been elected from each of the four area panels and a representative would also be elected from the Hi Rise Action Group and the Sheltered Housing Action Group. The Chairman was concerned that this had not yet been actioned, to enable the Focus Group to start meeting.
- 82.3 Chris Kift asked for the Tenant Disability Network to be included, and this was agreed by the Assistant Director Housing Management.
- 82.4 Tom Whiting stressed that the lower floors of sheltered housing should be used for disabled persons requiring adaptations, as they became vacant. He considered that there should be a policy to target that objective.
- 82.5 The Chairman replied that she was aware of this issue and suggested that it should be raised by the Sheltered Housing Action Group representative at the Focus Group.
- 82.6 Ted Harman expressed concern that adapted flats were being converted back to normal flats. The Assistant Director Housing Management assured Mr Harman that this was not the case. The council did not return adapted flats that were appropriate for disabled persons back as normal flats.
- 82.7 **RESOLVED** – (1) That the scope of the review and the timetable to achieve this be noted.
- (2) That a representative be elected from the Hi Rise Action Group, the Sheltered Housing Action Group and the Tenant Disability Network to serve on the Focus Group, to enable it to start meeting as soon as possible.

### **83. SOCIAL INCLUSION PILOT - INTERIM REPORT**

- 83.1 The Committee considered a report of the Director of Housing, Culture & Enterprise on the work in progress on the Social Inclusion Strategy, currently in its second draft stage. Comments/feedback from key stakeholders, partners and council tenants would be sought before presenting a final draft to Cabinet for approval/agreement later this financial year. The Social Inclusion Manager informed members that the Anti-Social Behaviour Working Group would soon be set up.
- 83.2 Heather Hayes expressed concern about anti-social behaviour at weekends when no officers were on duty. She mentioned that there were drug and alcohol problems at Hollingdean and felt that there should be weekend cover especially in the summer. The Social Inclusion Manager said she would pass these comments back to the police.
- 83.3 The Chairman commented that it was her experience that the same people caused problems each weekend. These people were known to officers and there needed to be a tougher long term approach. Turning the Tide would be dealing with these problems and she hoped the strategy would be extended to cover the whole City.



- 83.4 Councillor Barnett expressed concern about the neglected and overgrown state of some gardens on the estates in her ward. Residents received letters but these were not followed up.
- 83.5 The Social Inclusion Officer explained that the strategy would ensure that there was a consistency across the city. The Anti-Social Behaviour Officer and the Supervising Housing Officer would make sure that letters were followed up. There would be a more assertive approach and action would be recorded. Officers would therefore be able to show evidence of action.
- 83.6 Councillor Carden stated that he would like to see more vigilant house inspections to ensure houses and gardens were kept in good order. He made the point that some people moved into houses with big gardens, and were not able to maintain them. The Chairman stated that this matter could be investigated under the Choice Based Lettings Review.
- 83.7 Chris Kift mentioned that Harvest had a scheme that provided help with gardens. He expressed concern that the Data Protection Act sometimes hindered work to deal with anti-social behaviour. For example, cameras recorded people smoking in lifts. He felt that there should be a way of allowing a nominated person to see the tape and identify the persons concerned. Beryl Snelling reported that this issue had been investigated and the tape could only be viewed if a crime had been committed and the matter had been reported to the police. The Chairman suggested that this issue should be discussed at the Anti-Social Behaviour Working Group.
- 83.8 Councillor Fryer welcomed the report. The strategy highlighted that prevention was better than cure and she stressed that the root causes of anti-social behaviour needed to be addressed. Councillor Fryer drew attention to the reference in the report about consultation with tenants, which was important for community engagement. She asked about timescales. The Social Inclusion Manager replied that the delivery of the service started in January. The pilot would finish in July. The Chairman explained that the pilot would be reviewed to see what worked and what did not work. There needed to be consistency across the city.
- 83.9 Concern was expressed about letters being sent out to some vulnerable tenants regarding the state of their properties. Councillor Simpson mentioned a case where a community warden visited an elderly couple in poor health. The Community Warden raised a number of issues with the housing officer, and the couple received a letter setting out six matters which needed attention. The Assistant Director Housing Management stated that he was aware of this case, and would be contacting the tenants concerned along with their tenant representative.
- 83.10 **RESOLVED** - (1) That the progress/achievements in Quarter One of the Social Inclusion Pilot be noted.

#### **84. HOUSING MANAGEMENT PERFORMANCE REPORT (QUARTER 3)**

- 84.1 The Committee had before them a report of the Director of Housing, Culture & Enterprise which set out the third quarter for Housing Management Performance for the financial year 2009/2010. The report included comparisons with the first and second quarter figures for this year, the end of year performance for the last financial year and

targets for future years. The areas covered included key Best Value (BV) performance indicators, by which the government measure and compare the council's performance in key service areas.

- 84.2 John Melson commented that officers sometimes limited their responses to tenants, as they were concerned about data protection legislation, when it was not always relevant.
- 84.3 Chris Kift raised concerns about the new type of front doors that had to be destroyed in order for emergency services to gain access. He was informed that this matter could be raised at the City Assembly.
- 84.4 This item was deferred to the next meeting as the Committee was not quorate.**

The meeting concluded at 6.02pm

Signed

Chairman

Dated this

day of