

### BRIGHTON & HOVE CITY COUNCIL

### HOUSING MANAGEMENT CONSULTATIVE COMMITTEE

3.00pm 8 NOVEMBER 2010

COUNCIL CHAMBER, HOVE TOWN HALL

### MINUTES

**Present:** Councillors Caulfield (Chairman); Allen, Barnett, Fryer, Mears, Pidgeon, Randall, Simpson (Opposition Spokesperson) and Simson

**Tenant Representatives:** Ted Harman (Brighton East Area Housing Management Panel), David Murtagh (Brighton East Area Housing Management Panel), Jean Davis (Central Area Housing Management Panel), John Melson (Central Area Housing Management Panel), Stewart Gover (North & East Area Housing Management Panel), Heather Hayes (North & East Area Housing Management Panel), Tina Urquhart (West Hove & Portslade Area Area Housing Management Panel), Muriel Briault (Leaseholders Action Group), Tom Whiting (Sheltered Housing Action Group) and Barry Kent (Tenant Disability Network)

Also present: Trish Barnard (Deputy, Central Area Housing Panel)

### PART ONE

#### **41. PROCEDURAL BUSINESS**

##### **41A Declarations of Substitute Members**

41.1 There were none.

##### **41B Declarations of Interests**

41.2 Councillors Barnett, Simpson and Randall, Trish Barnard, 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).

##### **41C Exclusion of the Press and Public**

41.3 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.

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

#### **42. MINUTES OF THE PREVIOUS MEETING**

42.1 *Consultation Draft of Resident Involvement Strategy* - Tom Whiting referred to paragraph 36.5 and stressed that he was referring to an efficiency chart. He was pleased to report that he was now receiving information about improving efficiency and savings, but considered that tenants needed information on how to contribute and how to improve. The Chairman informed the meeting that more information would be provided at the Area Panels.

42.2 **RESOLVED** – That the minutes of the meeting held on 27 September 2010 be approved and signed by the Chairman.

#### **43. CHAIRMAN'S COMMUNICATIONS**

##### **Beryl Snelling**

43.1 The Chairman reported that Beryl Snelling was unwell. She suggested sending a card to Beryl on behalf of the Housing Management Consultative Committee.

##### **Sheltered Schemes – Quality of Information Mark**

43.2 The Chairman was pleased to announce that all of the Council's sheltered schemes had been awarded the Quality of Information (QI) Mark for the first time. The Quality of Information Mark was a Kite Mark to help ensure that older people have access to accurate and detailed information about sheltered housing schemes. It was endorsed by the CLG and the Department of Health. This meant that the Quality of Information Mark would appear on the Council's promotional material.

43.3 The Chairman congratulated all the staff in sheltered housing who had worked hard to achieve the award. Tom Whiting concurred. John Melson agreed and stated that much credit should go to Tom Whiting and the Sheltered Housing Action Group.

##### **Home Energy Efficiency Investment Opportunities**

43.4 The Chairman reported that there would be a presentation on this subject later on the agenda. Energy efficiency work had been launched in Energy Efficiency Week. The council was carrying out a great deal of work such as loft insulation, installing high efficiency condensing boilers and a communal solar hot water system. The Council would be doing more to make people aware of this important work.

#### **44. CALLOVER**

44.1 The Chairman asked the Committee to consider which items listed on the agenda it wished to debate and determine in full.

44.2 **RESOLVED** - That item numbers 50, 51, 52, 54 and 55 be reserved for debate and determination. Items 53 and 56 are agreed without discussion.

**45. PETITIONS**

45.1 There were none.

**46. PUBLIC QUESTIONS**

46.1 There were none.

**47. DEPUTATIONS**

47.1 There were none.

**48. LETTERS FROM COUNCILLORS**

48.1 There were none.

**49. WRITTEN QUESTIONS FROM COUNCILLORS**

49.1 There were none.

**50. BRIGHTON & HOVE SEASIDE COMMUNITY HOMES - RESPONSE TO FINANCIAL & COMMERCIAL OFFER FROM THE COUNCIL**

50.1 The Committee considered a report of the Strategic Director of Place which informed members that on 11 November 2010 the Cabinet would consider recommendations to bring about the completion of the Local Delivery Vehicle (LDV) project. The LDV would need to secure a funder and negotiate a loan in order to purchase, via lease, property from the council in exchange for a substantial capital receipt subject to a final decision for leasing which meets the "Best Consideration" test. The funds received by the council would be used to support the decent homes programme and meet tenants' aspirations for improvement to their homes.

50.2 Cabinet's approval of the recommendations would provide BHSCCH with the assurance it needed to conclude negotiations with their selected funder.

50.3 A copy of a deputation being submitted to Cabinet on 11 November was circulated to Members. The deputation from tenant representatives urged the Cabinet to give approval to the LDV and to ongoing consultation with tenant representatives.

50.4 The Chairman mentioned that a briefing on the latest developments in relation to the Local Delivery Vehicle had been held on 3 November 2010. The Chairman understood that a more up to date version of the report to Cabinet had been published. This could be made available to members if they wished to see a copy.

50.5 In response to Stewart Gover's concerns about the set up costs so far funded by the Council, the Chairman stressed that these would be fully repaid by the company. This would either be in the form of a lump sum or would be paid over time. John Melson

suggested interest should be payable if the company negotiated repayment in instalments.

- 50.6 Mr Melson considered that property values quoted in the report were below market values and that rents included in the current model were far behind private sector rents. Mr Melson urged colleagues to support the deputation to Cabinet from tenant representatives.
- 50.7 The Director of Finance explained that with regard to valuations, the price the LDV were able to pay for the lease of the properties was not necessarily the same as the open market valuation. Valuation was a mechanism to help ensure tenants gain a fair price for properties and the price would depend on a variety of factors at the time of leasing. It was set out in law that best consideration must be achieved for these properties and valuing leases of 40 to 50 years was a complex issue requiring professional valuers.
- 50.8 The Director of Finance reported that a lot of work had been carried out to keep operating costs of the LDV as low as possible. With regard to rent levels, the Council could consider whether it would be reasonable to pay the LDV more than Local Housing Allowance and a number of issues need to be negotiated in detail. The risks taken by the Council would affect the general fund, not the Housing Revenue Account (HRA). The aim for the HRA was to get the highest price for the lease premiums.
- 50.9 Councillor Mears appreciated Stewart Gover's concerns but reminded the Committee that the purpose of the LDV was to raise funding to refurbish people's homes. If £30m could be achieved, it would be well worth the effort.
- 50.10 The Chairman agreed that the project would bring empty properties back into use and refurbish properties.
- 50.11 Councillor Fryer asked for clarification regarding charitable status, and whether the stock would return to the council. She asked if all empty properties would be brought back into use and referred to paragraph 5.11 and asked if there was less money for the LDV due to the capping of housing benefit.
- 50.12 The Chairman replied that there were benefits in having charitable status in terms of tax and VAT. Leases would ensure that the freehold of the properties would remain under council ownership and could be as short as 30 years. Local housing allowance changes would be offset by revised costs. The Chairman stressed that she wanted every empty property brought back into use as soon as funding was available from the LDV.
- 50.13 The Lead Commissioner Housing explained that the mix of unit sizes to be leased had been changed to mitigate the changes to Housing Benefit. He confirmed that the Council was already paying more for private sector leases than the rents modelled for the LDV. Costs would be reviewed during detailed negotiations with banks and the LDV.
- 50.14 The Chairman undertook to hold a joint briefing for the Committee and tenant representatives following the completion of negotiations and before anything was signed.

- 50.15 Councillor Allen welcomed the idea of a joint briefing. He referred to paragraph 6.4 and remarked that no detail was given to explain the recommendation to approve additional budget provision to allow development of the project to financial and commercial close.
- 50.16 The Chairman explained delays due to the attempts to obtain express consent from the previous Secretary of State had increased set up costs. As detailed in paragraph 6.5 costs were envisaged to be refunded.
- 50.17 John Melson remarked that he did not wish to see the LDV overcharged. Properties needed a large cash input. He stressed that it was important to get the project up and running.
- 50.18 Councillor Simpson welcomed the progress with the LDV. Although the originally estimated capital receipt of £45m was not achievable, £30m was still a good sum. She considered local housing allowance changes had reduced the potential capital receipt and increased the risk the council was being asked to take on. She was not aware of any approach to the current government to approve express consent.
- 50.19 Councillor Mears explained that she and the Chairman had spoken to the new Housing Minister. He had gone through all the paperwork for the applications for express consent and one or two instances of incomplete paperwork had now been addressed. She was confident that the minister had all the relevant facts in front of him.
- 50.20 The Chairman remarked that if best consideration could not be achieved, the Secretary of State could still give consent. In future the need for consent would be removed by the Localism Bill.
- 50.21 Stewart Gover stated he wanted the project to work and stressed the importance of accurate property valuations. Mr Gover considered that the elected Chair of the LDV should attend meetings of the HMCC.
- 50.22 The Chairman remarked that all LDV Board members were volunteers and that contact needed to be appropriate while negotiations were ongoing. However, she was happy to organise another meeting for tenant representatives to have discussions with the Board.
- 50.23 Ted Harman stressed that Board Members had worked hard and spent a long time on the project. There was a need to get the project started.
- 50.24 Councillor Randall agreed that a huge amount of work had gone into the project. He was pleased to see that the need for consent was to be removed. There was now a need to agree the project.
- 50.25 **RESOLVED** – (1) That the report for the Cabinet Meeting on 11 November 2010 be noted.
- (2) That the comments of the Housing Management Consultative Committee be considered by Cabinet at their meeting on 11<sup>th</sup> November 2010.

**Note:** Stewart Gover abstained from voting on the above recommendations.

**51. BUILDING NEW COUNCIL HOMES & HOUSING ESTATE MASTER PLANNING**

- 51.1 The Committee considered a report of the Strategic Director, Place which provided details of the Building New Council Homes Tenant Working Group and the Housing Revenue Account (HRA) Estates Master Plan work being undertaken to identify sites and properties across the city that have potential for development, refurbishment or regeneration.
- 51.2 The Chairman considered the work to be exciting news. Few local authorities were leading on building new council homes. Work on Ainsworth House would be a priority. The Estate Master Plan would identify sites for Council housing.
- 51.3 Councillor Simpson considered the report to be good news. She asked how many sites were new. She also asked if the new homes would be council homes as they were known at the moment. She had been concerned at the pronouncement of the Housing Minister. She stressed that 800 homes in 10 years would not meet all the city's housing needs.
- 51.4 The Chairman responded by stating that it was her understanding that the new homes would be rented in the same way as existing council homes. Grants were drying up from central government and the council were having to think of different methods of funding. This including self financing and the LDV. The Localism Bill would mean that the council would have the freedom to build in future without having to depend on central government.
- 51.5 The Head of Housing Strategy and Development and Private Sector Housing reported that not all of the potential sites for council housing would be new. For example, some were garage sites.
- 51.6 Heather Hayes was concerned that the new homes should not be mainly flats. There were many families on the waiting list.
- 51.7 The Chairman stated that no decision had been made on the type of homes to be built on the Ainsworth House site. She stressed that there was a shortage of flats for people who wanted to downsize. The aim was to have a mixture of housing with more family sized houses.
- 51.8 The Lead Commissioner Housing confirmed that there were plans to build more 3 or 4 bed homes.
- 51.9 Councillor Fryer stated that it was useful to have a report on housing need in the city and she considered the proposal to be good news. However, she was surprised that there was a need for 4 bedroom houses. Councillor Fryer asked if there would be no right to buy the new homes.
- 51.10 The Chairman replied that the right to buy was available to everyone. Meanwhile, there was a need for 4 bedroom houses. A significant number of people on the waiting list were looking for one extra bedroom. This information could be made available to Councillor Fryer.

- 51.11 The Lead Commissioner Housing reported that a detailed needs analysis could be made available. There were 100 families in one bedroom flats whose needs were 4 bedrooms.
- 51.12 Councillor Randall considered the proposal to build 800 homes to be good news. Wansworth had produced 200 properties by building on garage sites. He considered that building decent sheltered housing would encourage people to give up family homes.
- 51.13 Heather Hayes asked if there was money to build on existing properties. The Chairman replied that there were discussions taking place about this suggestion. Some homes were large enough for loft conversions and extensions.
- 51.14 The Lead Commissioner Housing replied that discussions were taking place to secure funding for extensions and loft conversions. One option would be to convert lofts for owner occupiers at no cost to them and rent them out to council tenants.
- 51.15 John Melson stated that he hoped that any future building project would move away from the concept of one bedroom units. People in one bedroom accommodation could not have a carer stay with them or have family to stay.
- 51.16 Councillor Barnett agreed with building more homes on estates for the elderly. This would enable them to have their families around them. She also agreed that there should be more family homes.
- 51.17 The Chairman considered that there should be regular updates to monitor progress on the proposals.
- 51.18 **RESOLVED** - That Cabinet be recommended to:
- (1) Approve the development of a comprehensive estates masterplan in partnership with tenant representatives to inform best use of HRA assets and identify opportunities to build new Council homes.
  - (2) Approve the development of procurement, design and delivery options for new Council housing on identified sites.
  - (3) Delegate authority to the Lead Commissioner for Housing in consultation with Cabinet Member for Housing to further develop options to enable delivery of estate masterplan objectives and building of new Council homes.

## **52. HOME ENERGY EFFICIENCY INVESTMENT OPPORTUNITIES**

- 52.1 The Committee considered a presentation from the Head of Housing Strategy and Development (slides attached).
- 52.2 The Chairman referred to Feed in Tariffs (FIT). The Council wanted see if this scheme could be used by council tenants. This would be another way of generating income and saving energy bills in the city.

- 52.3 David Murtagh mentioned that although high efficiency boilers had been installed, many houses in Bevendean and Moulsecomb had undersize radiators. He asked how it could be efficient to only warm rooms to 60% of the capacity of the boiler.
- 52.4 James Cryer (Managing Partner Mears Ltd) replied to explain that the new boilers were more efficient and there was a 30% fuel saving. The size of radiators had no effect on the boilers' efficiency. Meanwhile, the temperature of bedrooms was designed to be lower than the living areas and the radiator in bedrooms were smaller as a result. Mr Cryer stressed that it was important to look at other methods of warming houses such as loft insulation.
- 52.5 Barry Kent expressed concern at losing his hot water tank if he had a high efficiency condensing boiler fitted.
- 52.6 Mr Cryer confirmed that the combination boilers were suitable for homes with up to three bedrooms, as they supplied all the hot water needed.
- 52.7 Councillor Randall considered the initiatives to be good news in relation to council housing but was less impressed with the situation with private rented sector. He considered that funding was needed from other sources, such as the EU. Councillor Randall stressed that 48% of Co2 emissions came from domestic premises in Brighton & Hove. There was a need to carry out more loft insulation. Carrying out this work would also make savings for the health service, as people would be living in healthier conditions.
- 52.8 The Chairman made the point that although many people had loft insulation, it was often not up to standard as it was fitted some years ago.
- 52.9 The Chairman thanked the Head of Housing Strategy and Development for his work on the home energy efficiency investment opportunities and stressed that he and his team had brought a huge amount of investment to the city. A report on the work being carried out would be submitted to the Committee in the near future.
- 52.10 **RESOLVED** – That the presentation be noted.

### **53. HOUSING REPAIRS & IMPROVEMENT STRATEGIC PARTNERSHIP UPDATE AND AUDIT COMMISSION REPORT**

- 53.1 The Committee considered a report of the Strategic Director, Place which set out the progress of the Housing Repairs and Improvement Partnership with Mears Group Limited which commenced on 1 April 2010. The Audit Commission had carried out an inspection of the Housing Repairs and Improvement Partnership to assess its robustness and effectiveness, and consider how embedded the new arrangements were. During the inspection the Audit Commission reviewed contract and management documents and interviewed Mears managers, council officers and Members.
- 53.2 **RESOLVED** - (1) That progress made in delivering the new Repairs & Improvement Partnership be noted.

- (2) That the findings of the Audit Commission in their inspection of the Repairs & Improvement Strategic Partnership be noted.

#### **54. ALLOCATIONS POLICY REVIEW**

- 54.1 The Committee considered a report of the Strategic Director, Place which set out recommended changes to the Homemove Allocations policy. Following this a 12 week consultation with the city would be conducted. A further report would then be brought back to HMCC with final recommendations for implementation following the consultation. The recommended changes to the Allocations Policy were attached as Appendix 1.
- 54.2 Members received a presentation from members of the working group formed to consider the policy review. These were Councillor Dawn Barnett, Chairman of the Working Group, Christina Hadleigh and Stewart Gover.
- 54.3 Stewart Gover praised the Homemove Manager and her staff for their work on the review.
- 54.4 The Chairman remarked that all the tenants who had worked on the review had made some innovative suggestions. Tenants had carried out a great deal of in depth research and had seen what happened in other organisations. She also acknowledged the work of the Head of Temporary Accommodation and Allocations, the Homemove Manager and the Head of Customer Access & Business Improvement.
- 54.5 Tom Whiting agreed that a great deal of work had gone into the review, but was concerned that key workers were not mentioned in the report. The City needed to encourage key workers such as police officers, nurses and fire officers.
- 54.6 The Lead Commissioner Housing explained that the wording key worker had not been used as it appeared to constrain rather than create opportunities. However, he stressed that Section 5 of the policy set out priority for working households and those making a positive contribution to the city.
- 54.7 John Melson stated that he was not happy with the proposal that at least 50% of all permanent social council housing stock would be advertised with a priority being given to those who could show that the ingoing primary tenant(s) is/are working or making a positive contribution to the city. He considered that the whole point of social housing was to address the needs of people on the waiting list who desperately need housing.
- 54.8 The Chairman replied that there were a number of residents who came to her surgery who could not afford the private rented sector in the city. These people often had to leave the city or give up work and go on benefits to access housing. Neither option was wanted for low paid workers. There were a significant number of residents who were in need and were working.
- 54.9 Councillor Fryer referred to paragraph 4.1 of the policy, which related to move on from care. The policy recommended that care leavers' application for housing would be demoted to Band D until they were ready to move on. Councillor Fryer stressed that young people in that category should have supported housing. Councillor Fryer referred

to Section 8 in relation to part 7 main duty. She fully supported giving priority to those with a city connection but asked if it conformed to legislation.

- 54.10 The Head of Temporary Accommodation and Allocations explained that there was in place a Joint Protocol with CYPT to address the needs of those young people moving on from care. In most cases young people moving on from care aren't ready to manage a tenancy and instead move on to a young people's supporting housing project. When they have completed the pathway and have learned life skills and are ready to live independently they are assisted to move on generally into a private rented shared house with other young people, as a flat on a Council estate is not usually the best form of accommodation for a young person. Homeless part 7 duty is set out in homelessness legislation and under that legislation the Local connection is set out as 6 out of 12 months.
- 54.11 Councillor Fryer had serious concerns about Section 5 of the policy. She stressed that housing associations gave priority to key workers. She was unable to support this section of the policy. She suggested that the percentage of 50% should be reduced.
- 54.12 The Lead Commissioner Housing suggested that this section could be reworded. However, he stressed that the council were currently excluding people who could benefit from living in council accommodation. The proposed policy did not exclude anyone. He considered that the concentration of deprivation and need was reinforced by the current housing policy.
- 54.13 The Chairman made the point that council owned properties were not necessarily the best places to house people. There was a need to support all aspects of housing in the city.
- 54.14 The Chairman emphasised that this recommendation came from tenants and it was necessary to listen to tenants on the estates.
- 54.15 Councillor Simpson agreed that a great deal of work had been carried out on the policy, and said she would like to see a copy of the final report. However, she was concerned at moving to a target of 50% for people in work. She had concerns with the current Local Lettings Plan which had a figure of 25%. She had thought the current plan was due to be reviewed in the autumn, and was worried that the proposals in the report were being progressed too quickly.
- 54.16 Stewart Gover stated that the proposals would broaden the pathway for different people to make applications for housing. He stressed that affordable housing was not social housing. Provision must be made for people in need of housing. The proposals were suggestions, and pathways to make it easier. He invited councillors to look at the work that had been carried out, and see if there was a better way forward.
- 54.17 John Melson made the point that the council now had permission to build council properties. There was a priority for people in genuine housing need. If there was a policy of allocating 50% to working people, what would happen to people on the waiting list? If the council was to provide affordable housing this should be done in partnership with other people. He was firmly against 50% and agreed that the Committee had not been informed about the progress of the current pilot.

54.18 Councillor Randall remarked that there was an acute shortage of housing. He felt that the proposed policy was trying to deal with a large problem. He stressed that more needed to be done to help people find work. It was good news that more new homes were to be built. He agreed that the council did not want to build ghettos but he considered 50% too high a percentage. He also wished to hear the result of the pilot before agreeing the report.

54.19 The Chairman reported that the Working Group did look at the pilot and this could be brought to the next HMCC.

54.20 **RESOLVED** - (1) That the report be noted.

(2) That the report go out to consultation with the City on the recommendations put forward to amend the Allocations Policy.

## 55. TENANCY FRAUD POLICY

55.1 The Committee considered a report of the Strategic Director, Place which set out how Housing Management prevents, detects and resolved tenancy fraud, and included the council's response to a recent internal Audit review of how the council dealt with tenancy fraud.

55.2 The council had received a government grant of £30k to use to improve the prevention and detection of tenancy fraud. The report proposed that part of this grant was used to introduce photographic tenant identification.

55.3 Councillor Fryer remarked that she was broadly supportive of the policy. She asked about the position of existing tenants with regard to photographic tenant identification. She also asked if it was necessary for people who had passports and other ID.

55.4 The Business Improvement Manager, Tenancy Services explained that officers would keep the photo ID's on the council's computer system. However, the ID's would also be useful for tenants who did not have other forms of identification. The new initiative would only apply to people with new tenancies. Existing tenants would still have tenancy checks.

55.5 Councillor Randall considered fraud a difficult and widespread problem. He asked if the government viewed the council's proposals as a type of pilot project.

55.6 The Business Improvement Manager, Tenancy Services explained that the Government was aware that tenancy fraud was a big problem and were encouraging councils to detect tenancy fraud. The main tools used were photo ID proof of identity and data matching.

55.7 The Chairman stated that it would be useful to have an update report in 12 months time.

55.8 **RESOLVED** - (1) That the report be noted.

- (2) That the Cabinet Member for Housing is recommended to agree that the government grant be used to fund equipment to introduce photographic records of tenant identity for new tenants.

**56. MINIMUM STANDARDS FOR RESPONDING TO REPORTED ANTI-SOCIAL BEHAVIOUR**

56 .1 The Committee considered a report of the Strategic Director, Place which informed members that the Home Office had set out new guidance promoting a consistent, victim and witness focused approach around responding to reports of anti-social behaviour (ASB). Minimum Standards were attached to the report. These standards had been agreed on a multi-agency basis, including by Housing Management and Housing Strategy, Sussex Police and the Anti Social Behaviour Casework team. These were formally adopted in October 2010. The standards incorporated the views and feedback that had been gathered from tenants to date. The Council's response to tackling anti-social behaviour would be developed further with tenants through the Anti-Social Behaviour Focus Group and Local Offer for Anti-Social Behaviour.

56.2 **RESOLVED** - (1) That the Home Office minimum standards be noted.

- (2) That the report be referred to the ASB tenant working group to further develop and enhance this area of service.

The meeting concluded at 6.05pm

Signed

Chairman

Dated this

day of