

BRIGHTON & HOVE CITY COUNCIL

HOUSING MANAGEMENT CONSULTATIVE COMMITTEE

3.00pm 5 SEPTEMBER 2011

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Wakefield (Chair); Duncan, Farrow, Peltzer Dunn, Pidgeon, Robins, Summers and Wells

Tenant Representatives: Ted Harman (Brighton East Area Housing Management Panel), David Murtagh (Brighton East Area Housing Management Panel), Trish Barnard (Central Area Housing Management Panel), Jean Davis (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), Beverley Weaver (West Hove & Portslade Area Housing Management Panel), Chris Kift (Hi Rise Action Group), Tony Worsfold (Leaseholder Action Group), Tom Whiting (Sheltered Housing Action Group) and Barry Kent (Tenant Disability Network)

Apologies: Councillor Randall and Chris El Shabba (substitute tenant representative).

PART ONE

14. PROCEDURAL BUSINESS

14A Declarations of Substitute Members

14.1 Tony Worsfold declared that he was attending as a substitute for Muriel Briault.

14B Declarations of Interests

14.2 Councillor Summers, Councillor 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).

14C Exclusion of the Press and Public

14.3 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.

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

15. MINUTES OF THE PREVIOUS MEETING

15.1 Tom Whiting asked for the second sentence of 11.6 to be amended as follows: "Tom Whiting stressed the need for sheltered housing. This was *more* financially viable *especially where care services are involved.*"

15.2 **RESOLVED** – That the minutes of the Housing Management Consultative Committee Meeting held on 13 June 2011 be agreed and signed as a correct record subject to the amendment above.

16. CHAIRMAN'S COMMUNICATIONS

Resident Involvement and widening participation

16.1 The Chair explained that she was aware that there has been some recent concern that the administration might not value the involvement of residents in the way it did things. She wanted to clear up misunderstandings and hear peoples' concerns.

16.2 The Chair stressed that she wanted to be absolutely clear that she would place residents at the heart of everything that the administration did in relation to the management of council housing.

16.3 The Chair valued tenants' involvement and she would be attending as many tenant meetings as she could during the next few months up to Christmas, in order to observe, listen and answer questions. She stressed it was important for her to hear the tenants' concerns. If she was unable to attend a meeting she would send another councillor.

16.4 The Chair wanted a partnership with residents, working together to design, deliver and monitor housing services.

16.5 At the next round of Area Panels the Chair wanted to spend some time to consider how the administration could make a bigger difference to resident involvement and engage more people to support tenants' work, give their views, and help hold the council to account. The administration be not be foisting decisions on tenants and the Chair stressed that she fully recognised what her predecessors had put in place. She did however, think that participation could be widened to include more tenant involvement.

16.6 The Chair reported that the Administration had pledged to increase engagement and introduce a tenant-led scrutiny panel. Officers within the housing and democratic services have been exploring ways of introducing tenant scrutiny and would be bringing a report to the next HMCC at the end of the month. The Chair now wanted to directly involve residents in further developing ideas around introducing tenant scrutiny. At the next round of Area Panels she would be establishing a resident-led 'innovation group' to start some early work on this. She would chair this group as she wanted to be directly

involved in working with tenants. The group might also have ideas on how the administration could give tenants and leaseholders opportunities to be more involved, working on approaches that removed barriers and increased democracy, and the number and types of groups. It was likely that the group would work together between September and December 2011, and be made up of current tenant representatives, some tenants who are not currently engaged, councillors and officers.

- 16.7 The administration wanted to widen participation and encourage new tenants and leaseholders to get involved, but this did not mean that the administration did not value the input and valuable experience that long standing tenant representatives brought.
- 16.8 David Murtagh informed the Chair that he was annoyed with what he read in the press and would like to know how many tenants had been in discussions with Councillor Randall. Feedback from tenants was not good. Consultation had not been so good since the elections.
- 16.9 The Chair stated that the administration wanted to improve communications. She had spoken to councillors who wanted more information before meetings. She agreed with their view and was happy to share information. The Chair invited members to get in touch with her if they had any questions.
- 16.10 Chris Kift mentioned that it was minuted in the last Tenant Compact Monitoring Group meeting that some members wanted to write a letter to Councillor Randall about how few councillors were attending meetings. Councillor Randall responded straight away and councillors had attended a following meeting. This had been achieved informally by ringing Councillor Randall. When Chris had raised concerns about changes to the Area Panels, the Head of Housing and Social Inclusion had contacted him within 10 minutes. The matter was discussed at the last two City Assemblies and the only gaps needing re-election were where people had stood down. He could not see why this matter was causing problems.
- 16.11 Ted Harman informed the meeting that he had only found out about a letter sent to tenant representatives this morning. The last letter he received about Area Panels was in July 2011. He had not heard the outcome of a meeting with Councillor Randall. Chris Kift explained that he would be reporting on the outcome of that meeting at a meeting of the Tenant Compact Monitoring Group on Monday 12 September.
- 16.12 Councillor Robins referred to the Chair's comments about attending meetings. He asked if she was unable to attend, did she intend her substitutes to be Green councillors? The Chair explained that this was her intention but she was happy to work co-operatively with all councillors.
- 16.13 Councillor Peltzer Dunn referred to the lack of communication with tenants and councillors. He accepted that this was not the fault of the Chair. It was the duty of officers to inform tenants and councillors. It was worrying that there were tenant representatives who had not been kept informed. He found it difficult when people phoned him and he was not able to advise them, as he had not been kept informed. He stressed that co-operation was the way forward. A platform of trust had been damaged by inaction.

- 16.14 The Head of Housing and Social Inclusion acknowledged the concerns raised. A decision had been made to defer the elections at Area Panels for a few months in order to look at the various tenant groups. It was necessary to talk to 70 organisations. This was not possible on the phone, and it was decided that a letter should be sent out. The letter had been sent out in August as that was when the agendas were set for the Area Panels. He apologised for the lack of communication and acknowledged that the content of the letter could have been shared with members of the HMCC and the Tenant Compact Monitoring Group. However, the contents of the letter needed to be shared with constituents wider than this group. He apologised if the process was causing anxiety and concern.
- 16.15 Stewart Gover remarked that most people in the meeting room were paid to attend. However, tenants' representatives were in attendance for free. He referred to the Housing and Regeneration Act 2008 as authority for the proposition that no-one in the country should interfere with tenant representation at the Area Panels. He considered that officers and councillors had no authority to interfere with the due process of an Area Panel Meeting.
- 16.16 Councillor Duncan stressed that the administration were trying to embed new structures and new ways of doing things, and wanted to ensure more voices were heard. He had been carrying out visits around the city to hear the views of residents. Democracy and listening were at the heart of what the administration wanted to do.
- 16.17 David Murtagh referred to a special meeting held last year that looked at this issue. He asked why the matter was being discussed again.
- 16.18 The Head of Housing and Social Inclusion replied that officers were continuing that work. At the next meeting of the HMCC there would be a report on a Resident Involvement Strategy. The Localism Bill would be going through parliament and there was a legislative need for scrutiny. This would build on the work of the Tenant Compact Monitoring Group.
- 16.19 Councillor Peltzer Dunn referred to Stewart Gover's comments about the legality of the proposed changes to the Area Panels. He asked for the Senior Lawyer's view. The Senior Lawyer informed the Committee that what had been stated did not seem quite right. She would need to read the Act of Parliament and report back.
- 16.20 Tom Whiting considered the whole business to be a shambles. There was a need to start again to put things right.
- 16.21 The Chair stated that she was happy to have a fresh start and had taken on board the above comments regarding communications. She urged tenants to bring concerns to the administration.

Tenant Inspectors.

- 16.22 The Chair stated that some committee members might remember that tenants had previously expressed an interest in being trained to become Tenant Inspectors to evaluate the quality of service provision by Mears and the council's other repairs and

maintenance contractors. The Chair knew that this is something that David Murtagh had been requesting for some time.

16.23 Since the last meeting of HMCC, the Chair had met with Mears to discuss issues raised by residents. As part of this she had asked Mears to come up with some proposals for how the council could train a group of tenants to become tenant inspectors. To get this started, the Chair had asked Mears to arrange for some tenants to visit another social housing landlord to meet other tenant inspectors and learn how this works in their area. Mears would be discussing this at the next meetings of the Repairs & Maintenance Monitoring Group and Asset Management Panel. The Chair asked tenants to let her know if they would like to be involved. She requested that residents emailed her as this was likely to get the quickest response.

17. CALLOVER

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

17.2 **RESOLVED** - That all items be reserved for debate and determination.

18. PETITIONS

18.1 There were none.

19. PUBLIC QUESTIONS

19.1 There were none.

20. DEPUTATIONS

20.1 There were none.

21. LETTERS FROM COUNCILLORS

21.1 There were none.

22. WRITTEN QUESTIONS FROM COUNCILLORS

22.1 There were none.

23. HOUSING REVENUE ACCOUNT 2010/11 FINAL OUTTURN AND FORECAST OUTTURN FOR 2011/12 AS AT MONTH 4

23.1 The Committee considered a report of the Head of Housing & Social Inclusion which set out the Housing Revenue Account (HRA) 2010/11 final outturn and the forecast outturn for 2011/12 as at Month 4. The report was presented by the Head of Finance – Business Engagement. The 2010/11 outturn was a net underspend of £1.377 million compared to budget as shown in Appendix 1 to the report. The forecast outturn for 2011/12 was an underspend of £0.656 million as shown in Appendix 2.

- 23.2 Stewart Gover asked why the rent income from car parks and garages had fallen so drastically. The Head of Finance – Business Engagement explained that the drop in income related to St James’s House Car Park being closed for some time.
- 23.3 **RESOLVED** – (1) That it is noted that the final outturn for the HRA for 2010/11 was an underspend of £1.377 million. This represents a variance of 2.85% of the gross revenue budget of £48.294 million. General HRA revenue reserves have increased by £1.077 million to £4.700 million as at 31 March 2011.
- (2) That the forecast outturn position for 2011/12 as at Month 4, which is an underspend of £0.656 million, be noted.

24. ANNUAL REPORT TO COUNCIL TENANTS AND LEASEHOLDERS 2011

- 24.1 The Committee considered a report of Head of Housing and Social Inclusion requesting the Committee to consider the final draft annual report to all council tenants and leaseholders for the year ending 31 March 2011 at Appendix 1 and recommend that the Cabinet Member for Housing approve it for publication and distribution to all council tenants and leaseholders with Homing In later this month.
- 24.2 The Housing Stock Review Manager explained that she would outline the context and how the annual report was produced. The Head of Housing and Social Inclusion would then report on the main highlights of the performance and improvement plans as set out in the report itself.
- 24.3 Members were informed that since April 2010 the council has come under the regulatory framework for social landlords of the Tenant Services Authority (TSA), along with other council landlords and housing associations. This framework required social landlords to publish an annual performance report to their tenants and to reach a number of minimum standards.
- 24.4 The annual report was required to assess the council’s performance against the TSA’s standards and meet a very detailed brief, including setting out how tenants had been involved in producing and scrutinising the report and the ‘service offer’ and improvement plans for the current year. Landlords were required to meet the commitments they made to their tenants.
- 24.5 The first annual report last year was very well received, so officers followed a similar plan and format this year. On 24 January 2011, the HMCC noted the progress officers had already made in meeting the commitments in last year’s report and agreed the plan and timetable for involving council tenants and leaseholders in producing and scrutinising this year’s report.
- 24.6 Like last year’s report, officers were keen that the current Annual Report included in their own words and in pictures tenants’ and leaseholders’ own perceptions of the council’s performance and what resident working groups had achieved, working in partnership with members and officers.
- 24.7 Officers also wanted to give all residents the opportunity to tell the council what they wanted to say or see in the report. So officers asked everyone – in last year’s annual

report itself, in feedback and suggestion forms, on the council website, through Homing In and at Area Panels and the City Assembly:

- for feedback on last year's report and how it could be improved
- for comments and suggestions for this year's report
- and to send short quotes on the achievements of their groups.

- 24.8 Officers also, like last year, issued a consultation draft report for everyone to comment on, at the end of June. A copy was sent to all tenant and resident associations with a feedback form, copies were available at council offices and put it on the council website and the council's consultation portal. Officers emailed over 2,200 tenants and leaseholders that the council have email addresses for with a link to the report and asking them to have their say and put postings on Twitter and Facebook.
- 24.9 Officers arranged more publicity than last year and made sure every council tenant and leaseholder had the opportunity to be involved. Fewer responses were received than last year, but the final draft report reflected the feedback that was received. The council was very grateful to those residents and representatives who provided feedback and quotes and pictures for the report, which brought it alive and also gave residents' point of view.
- 24.10 This year the report also featured staff who made an exceptional contribution last year. The mix of photos and quotes reflected the partnership between residents and the council to achieve excellent performance.
- 24.11 Last year officers consulted a large number of tenants to see how they thought the council met the new TSA standards at that time. Officers used that information to outline in last year's annual report how they met the TSA standards, any gaps and what they planned to do by 31 March this year to improve the council's services.
- 24.12 The council continued with the same structure, following the TSA standards for the sections in this year's report. In each section officers had set out clearly how they met those commitments and the council's plans to improve further over this current year.
- 24.13 The final stage for residents to scrutinise the annual report was at this meeting, but officers were also grateful to have received some suggestions from the Homing In Tenant Editorial Board, such as a caption for the photo on the front cover.
- 24.14 The Tenant Services Authority would be abolished next year and a 'backstop' role to intervene on consumer matters was being transferred to the Homes and Communities Agency. The TSA would be consulting on changes to the regulatory framework later this autumn. In the meantime it had said that the council don't need to send them a copy of this year's annual report.
- 24.15 The requirement to produce an annual report to tenants was expected to continue. The government was currently consulting on new directions it proposed to make to the new regulator and those included requiring landlords to publish an annual report.

- 24.16 Accordingly, The Housing Stock Review Manager highlighted that officers were once again asking residents on the back cover of the Annual Report to let the council know what they think of it and what they would like in a future report.
- 24.17 The Head of Housing and Social Inclusion reported that the Annual Report documented improvements in service over the last year. It demonstrated that the council had listened to residents and met the promises made in last year's Annual Report.
- 24.18 It was not 100% good news – and there were areas where the council needed to improve. However, in every area tenants were involved in making improvements.
- 24.19 The Head of Housing and Social Inclusion highlighted some of the achievements from the report. There had been good improvements to the website including the Customer Online System which had resulted in positive feedback. There had been a lot of work to streamline processes to improve customers' experience of the service. The City Assemblies were getting better each time and becoming more interactive.
- 24.20 74% of tenants' homes now met the Decent Homes Standard and the council was still on track to bring all tenants' homes up to Decent Homes Standard by the end of 2013/14. The Council remained in the top quartile for energy efficiency of housing stock. The repairs service had provided a challenge but 95% of the almost 6000 people surveyed last year were satisfied or very satisfied with repairs carried out. More work needed to be done to get this right.
- 24.21 A great deal of good work had been carried out with mystery shoppers and it was good news that lettings were quicker now. The Estate Service reported that there was now 80% satisfaction with the cleaning service. Officers were challenged to further improve this service. The council was continuing to carry out improvements in fire safety. There was increased resident satisfaction with anti social behaviour and with regard to Value for Money the council had achieved the highest ever level of rent collection rate. He thanked staff who worked in that area.
- 24.22 Finally, the Head of Housing and Social Inclusion thanked tenants for their involvement in the report. He also thanked the Housing Stock Review Manager for her hard work in producing the report.
- 24.23 Chris Kift reported that in relation to fire safety, a recent high rise fire drill had put to bed the myth that fire fighters could only reach the 5th floor. They had reached the 11th floor. He stressed that these drills should be carried out throughout the city, so that residents could see what the fire service could achieve.
- 24.24 The Chair reported that she was a member of the Fire Authority and that the council was already requesting that these drills should take place.
- 24.25 Jean Davis reported that automatic fire doors at Essex Place and other blocks were fitted but did not work. The Head of Housing and Social Inclusion undertook to get a response to Jean on this matter.

- 24.26 Councillor Pidgeon reported that he was a member of the Fire Authority and expressed concern about the fire doors. He asked for a full report so that he could raise this issue with the people concerned.
- 24.27 Stewart Gover congratulated the Housing Stock Review Manager on the report. He asked about the current position regarding the Local Delivery Vehicle. He understood an offer had been made by Santander. He asked why progress had been stalled.
- 24.28 The Head of Housing and Social Inclusion reported that officers were in the final stages of looking at an offer from Santander. The council's lawyers were currently looking at the offer. It was still on track as far as he was aware.
- 24.29 Councillor Robins referred to the section of the report on Repairs and Maintenance. It reported that 95% of the 5,839 residents spoken to in 2010/11 being either satisfied or very satisfied with the repairs carried out. He asked how these people had been selected for the survey.
- 24.30 The Head of Housing and Social Inclusion reported that there were two methods, telephone surveys and satisfaction surveys tenants completed on the handheld devices of operatives. Satisfaction surveys were a proxy and not the full picture. The council did not rely on this information.
- 24.31 Councillor Robins queried whether Mears were asking people if they were satisfied and if so if they were paid for saying people were satisfied. The Head of Housing and Social Inclusion confirmed that that Mears did ask if people were satisfied but they were monitored by a Core Group with residents on it. Mears were not paid to say people were satisfied. A high survey rate had been achieved and the results could be broken down to see where things are not so strong.
- 24.32 Ted Harman reported that he was on the Partnership Group. More complaints were taken to the group than reports of good work being carried out. He called for more balance in the report. The Chair replied that if something went wrong, more people mentioned it, but agreed that it would be useful to see both sides of the reporting.
- 24.33 The Head of Housing and Social Inclusion explained that officers did monitor complaints and looked at what could be learnt from the complaints. He agreed that the response time for complaints needed to improve.
- 24.34 David Murtagh made the point that tenants needed to be trained as inspectors. Chris Kift reported that the last City Assembly had agreed that problems with Mears needed to be investigated.
- 24.35 The Chair reported that she had requested bi-monthly meetings with Mears. She asked tenants to share problems with the council so they could be sorted.
- 24.36 Councillor Peltzer Dunn referred to one of the sections of the Annual Report "How will we continue to improve?" As the report was being sent to leaseholders he asked about the legal position regarding re-charging leaseholders for improvements. The Head of Housing and Social Inclusion said he would reply in writing on this issue. However,

overcladding was an example of an improvement for which leaseholders would receive a service charge.

- 24.37 Councillor Peltzer Dunn asked if leaseholders had the right to object to improvements. The Head of Housing and Social Inclusion replied that work charged to leaseholders must be reasonable and the improvements must be required for the building.
- 24.38 Councillor Peltzer Dunn asked for a legal view on how an improvement could be required. The Head of Housing and Social Inclusion responded by promising to investigate this matter and contacting Councillor Peltzer Dunn.
- 24.39 Beverley Weaver considered that Mears should not have been used for the survey. The council should be using their own tenant satisfaction survey. Meanwhile, leaseholders were not happy and were having to pay extra amounts. Beverley referred to the 95% satisfaction rate for repairs and said that this needed to be broken down. She considered 95% a ridiculous figure. People did not know where to go to complain. Beverley reported a case of a woman who she said had been forced to complete a survey, which she had only signed to get rid of the man from Mears.
- 24.40 The Chair stressed that she took this situation seriously and was concerned to hear of the case of a woman who said she was forced to complete a survey. She agreed that figures should be broken down.
- 24.41 Stewart Gover agreed with Beverley. He mentioned a case of a kitchen which had been fitted and then ripped out and fitted again. He stressed the importance of monitoring and Value for Money. The council should be better at monitoring quality.
- 24.42 Stewart Gover referred to the comments made by Councillor Peltzer Dunn regarding leaseholders and suggested that the more leaseholders in a building the less they paid. If there were fewer leaseholders they would pay more.
- 24.43 The Chair reported that when tenant inspectors were trained, it would be really useful in checking the work carried out by Mears.
- 24.44 Nick Hibberd stressed that leaseholders paid a proportion of the costs in a building. It was not the case that if there were fewer leaseholders they would pay more. They only paid a fair proportion of the total cost.
- 24.45 Barry Kent asked why leaseholders were asked to pay a percentage of the cost when repairs were carried out to the roof. He also asked why leaseholders were being charged for another person's front door. The Head of Housing and Social Inclusion responded by stating that leaseholders should not be charged for work done on another person's flat. He suggested bringing back a report for discussion, which looked at how the council charged leaseholders. The Chair agreed to this suggestion and said she would welcome clarification on this issue.
- 24.46 Tom Whiting stated that improvements were measured against the Brighton & Hove Standards or Decent Home Standard. Anything below standard needed to be improved. He complimented the Housing Stock Review Manager on the report which he

considered very balanced. He suggested that the Annual Report should be sent out with the Tenant Compact brochure as a tool to encourage more tenant participation.

- 24.47 Councillor Robins asked who the council proposed to train as resident inspectors. He thought it would not be possible to train residents to inspect work in a matter of weeks. The Chair replied that there would be discussions with Mears about this matter. She suggested work could be inspected just after being completed, and again a few months later to check wear and tear. This information would be shared.
- 24.48 Councillor Robins did not think it possible to train residents to check gas fittings. He would like to see details of the training being put in place.
- 24.49 The Head of Housing and Social Inclusion explained that the starting point was to work with a group of interested tenants. It was very common across housing providers to invite tenants in assessing the quality of the service. However, tenants would not always be able to assess the more technical side of the service. There was a number of training courses available and information about the courses could be given to tenants. Some of these were organised by national tenants' organisations.
- 24.50 Ted Harman approved of the idea of having tenant inspectors and was thinking of becoming one himself. He considered it essential to get involved in this scheme.
- 24.51 David Murtagh stressed that tenants needed technical guidance when they were inspecting plumbing and central heating. There was no reason why experience could not be passed on. There were many tenants with experience in these trades who would be able to pass their knowledge on to other tenants.
- 24.52 Councillor Wells stated that he would not like tenants' representatives to be trained by Mears Ltd. People with experience in the construction industry should be involved in this scheme.
- 24.53 The Chair stated that she was sure that people with construction experience would be involved in the scheme but she would not want to exclude other people from becoming involved.
- 24.54 Chris Kift stressed the need for experience. There needed to be enough trades people involved who could be inspectors or trainers of inspectors.
- 24.55 Councillor Peltzer Dunn liked the idea of tenant inspectors and considered that there needed to be a range of training. However, he stressed that the council had a responsibility to the tenants and leaseholders. It was the council who should take responsibility, not semi retired amateurs with experience. He considered it wrong to rely on a voluntary service, although as an enhancement it would be helpful. Chris Kift objected to Councillor Peltzer Dunn's comments. He stressed that tenants worked extremely hard and did so because they wanted to.
- 24.56 The Chair stressed that the tenant inspectors would be in addition to any legal requirements for the council to check work carried out.

- 24.57 Councillor Peltzer Dunn asked if every job carried out by Mears was inspected by the council. The Chair replied that a cross section of jobs were checked.
- 24.58 Trish Barnard mentioned that when she had gas central heating installed the copper piping was visible on the walls. (This was not carried out by Mears). When she complained she was told she was lucky to have gas central heating as she was a council tenant.
- 24.59 **RESOLVED** – (1) That the Cabinet Member for Housing be recommended to approve the annual report to council tenants and leaseholders 2011 at Appendix 1 for publication and distribution to all council tenants and leaseholders.

The meeting concluded at 4.51pm

Signed

Chair

Dated this

day of