

**BRIGHTON & HOVE CITY COUNCIL**

**HOUSING MANAGEMENT CONSULTATIVE COMMITTEE**

**3.00pm 6 FEBRUARY 2012**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Wakefield (Chair); Duncan, Farrow, Hamilton, Mears, Peltzer Dunn, Pidgeon, Randall and Summers

**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), John Melson (Hi Rise Action Group), Muriel Briault (Leaseholder Action Group), Colin Carden (Older People's Council), Tom Whiting (Sheltered Housing Action Group) and Barry Kent (Tenant Disability Network)

**PART ONE**

**65. PROCEDURAL BUSINESS**

**65A Declarations of Substitute Members**

65.1 Councillor Mears declared that she was attending as a substitute for Councillor Wells. Councillor Hamilton declared that he was attending as a substitute for Councillor Robins.

**65B Declarations of Interests**

65.2 Councillor Randall, Councillor Summers, 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).

**65C Exclusion of the Press and Public**

65.3 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.

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

## 66. MINUTES OF THE PREVIOUS MEETING

### Amendments to the minutes

66.1 *Tenant Satisfaction with repairs – Paragraph 63.5* – John Melson asked for the last line of this paragraph to be amended to read “Mr Melson noted the improvement in the percentage for decent homes and *asked if this was the criteria* for kitchens and bathrooms.

66.2 *Communal Repairs – Paragraph 63.19* – John Melson asked for the 4<sup>th</sup> line to read “Mr Melson wondered if the stock being transferred to the LDV was the least expensive to *repair....*”

### Comments on the minutes

66.3 *Matters Arising* - The Chair had asked members to comment on the accuracy of the minutes rather than raise matters arising. She stressed that there was a very full agenda and wanted to ensure there was time to consider all items on the agenda.

66.4 Tom Whiting questioned whether it was right to deny members the right of raising matters arising. He asked for a legal view.

66.5 The Senior Lawyer informed members that there was a legal requirement to consider the accuracy of the minutes of the previous meeting. However, there was no legal right to consider matters arising from the minutes. This matter would fall under the remit of the Chair.

66.6 Members agreed that as it had been the custom and practice to consider matters arising from the minutes, they would like this to continue. This was agreed by the Chair.

66.7 *Dams in Bevendean – Paragraph 55.3* - Tom Whiting queried why the minute did not go into more detail as to whether the problem was caused by dam breakage or flooding by precipitation. Councillor Farrow explained that he had raised this matter at several meetings when more detail had been given. An officer had sent him a report on the subject. The Chair stated that details could be sent to Mr Whiting.

66.8 *Closure of Public Toilets – Paragraph 56.9* – Stewart Gover asked Councillor Randall if any action had been taken about this matter. Councillor Randall explained that there had been changes made to the proposals. He would send the report to Mr Gover.

**67. CHAIRMAN'S COMMUNICATIONS****Innovation Group**

- 67.1 The Chair reported that the Innovation Group had started meeting in November 2011. This hard working group consisted of long standing involved and newly involved residents. The aim of the Group was to explore ways of involving more residents in housing & social inclusion. A presentation on the work of the Group had been made to two housing area panels so far and initial findings had been well received. All the housing area panels would receive the presentation. The final report would be presented on Friday 21 March. All HMCC members would be invited.
- 67.2 The Chair reported that a written report would be presented to the HMCC meeting in April and the City Assembly in May. All HMCC members would receive a copy. Members of the Innovation Group were all tenants or council leaseholders.

**68. CALLOVER**

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

**69. PETITIONS**

- 69.1 There were none.

**70. PUBLIC QUESTIONS**

- 70.1 There were none.

**71. DEPUTATIONS**

- 71.1 There were no deputations.
- 71.2 Stuart Gover expressed concern about the late report on the Housing Allocation Policy Review (Item 81). The last day for submitting a deputation on this subject was 30 January 2012 by 12 noon. He had only received the report two days earlier and had not had the time to study it.
- 71.3 The Chair explained that there was a 12 week consultation period, and the paper on the agenda was an interim report. A deputation could be brought to Cabinet or full Council when the report was submitted to those meetings.
- 71.4 Councillor Farrow proposed deferring consideration of the report to the next meeting of HMCC on 19 March. This would enable tenants to consult with residents.
- 71.5 The Chair stressed that if the paper were not considered today, it would not be submitted to full council until May. The Lead Commissioner Housing reminded members that the HMCC had agreed a timetable for consideration of the report. The

paper submitted today was an interim paper. It outlined responses to date and gave members a number of options to consider.

71.6 Committee members expressed concern that the paper did not state that it was an interim report, and was asking for a specific recommendation to Cabinet. It was stressed that the consultation period did not end until 19 February. It was agreed that an indicative vote from the tenants followed by a vote from councillors should be taken on whether to consider the report at the meeting today.

71.7 **RESOLVED** – That Item 81 – Housing Allocation Policy Review be withdrawn from the agenda.

## **72. LETTERS FROM COUNCILLORS**

72.1 There were none.

## **73. WRITTEN QUESTIONS FROM COUNCILLORS**

73.1 There were none.

## **74. DECENT HOMES - BRIGHTON & HOVE STANDARD**

74.1 The Committee received a presentation from Tom Gillham, Head of Property & Investment. Slides of the presentation were circulated to members.

74.2 The presentation informed members that the Government had decided that by 2010 every council home should reach “Decent Homes” standard. That meant that every property must be fit to live in, be in a reasonable state of repair, have reasonably modern facilities and services, and be warm and weatherproof. The Government had given Brighton & Hove an extension to 2013.

74.3 The presentation provided a history to developing a Brighton & Hove Standard. Members were given details of the four tests for decency, 1. Meets statutory standards. 2. Reasonable state of repairs. 3. Reasonably modern facilities. 4. Warm and weatherproof.

74.4 The presentation gave details of how surveys were carried out and reviewed, and showed progress to date.

74.5 Councillor Farrow expressed concern about the Brighton & Hove Standard. He believed that people with disabilities were being discriminated against. He stated that the policy was not clear and the people with disabilities believed that if their bathrooms were adapted, they might not be eligible to have their kitchens adapted.

74.6 The Head of Housing and Social Inclusion explained that the Decent Homes Standard was about a property. The Tenants’ Handbook had information that stated that if a person improved their home, or if it had received adaptations, that property might meet decent homes standards and may no longer be entitled to further adaptations.

- 74.7 Councillor Farrow considered that the policy needed to be set out in simple terms. He wanted a fair policy for all. The Chair suggested that it would be helpful if officers prepared an A4 paper clearly setting out the main points of the policy.
- 74.8 John Melson considered that if tenants spent money to improve their homes, it should not debar them from having further work carried out.
- 74.9 The Head of Housing and Social Inclusion explained that decent homes standard work was being completed on a needs basis. It was difficult to change the process during the programme. When work was completed there could be a discussion with tenants. He drew attention to the four tests outlined in the presentation and explained how the tests were applied.
- 74.10 Councillor Hamilton stressed that people whose kitchens and bathrooms did not meet the standards would be better off asking to have a new kitchen fitted. People who asked for a new bathroom first, would not be eligible for a new kitchen. There was general agreement that this anomaly needed to be addressed.

74.11 **RESOLVED** – That the presentation be noted.

**75. UPDATE ON LEASING TO BRIGHTON & HOVE SEASIDE COMMUNITY HOMES (SEASIDE)**

75.1 **RESOLVED** – That the presentation be deferred until the next meeting of the HMCC on 19 March 2012.

**76. MOBILITY SCOOTER STORAGE AND OTHER FIRE SAFETY WORK**

76.1 **RESOLVED** – That the presentation be deferred until the next meeting of the HMCC on 19 March 2012.

**77. HOUSING REVENUE ACCOUNT BUDGET 2012/13**

77.1 The Committee considered a report of the Strategic Director Place and the Director of Finance that presented the Housing Revenue Account Forecast Outturn for 2011/12 as at month 7 and the proposed Budget for 2012/13 as required by the Local Government and Housing Act 1989. Members were required to consider the budget proposals including changes to rents, fees and charges as well as savings and service pressures. Appendix 1 set out the budget for 2011/12. Appendix 2 provided a summary of self financing. Since the report had been written the government had reduced the costs to 18.1 million.

77.2 The Chair welcomed the report. She informed members that the report outlined how tenants' rents would be spent next year on managing council homes and the contribution that council housing would make to addressing wider housing need. The Chair was particularly pleased to see that through these proposals the council would bring its long term empty homes back into use; improve its existing housing to bring all properties up to the Brighton & Hove standard by the end of 2013; make its services more accessible for residents; provide new targeted support services for people in financial difficulty; and build more new council homes for those who don't have them.

- 77.3 The report also outlined how the council would move to a self-financing housing revenue account from the 1 April. The council would no longer be subject to the outdated subsidy system which tenants campaigned to end. Self financing would allow the council to take a longer term view when planning how it invested in the housing stock, as it would no longer have to respond to an annual budget determination to government. However, as part of the settlement the council also had to make a one off payment to government of £18m this year.
- 77.4 Councillor Mears welcomed the move to self financing and noted the reduction in costs. She referred to paragraph 27 of Appendix 2 (Disposals). Councillor Mears stated that if consent for disposal of council housing assets was no longer required, there would be a need for a vote from tenants before any action was taken. Councillor Randall assured Councillor Mears that there were no plans to transfer stock.
- 77.5 Councillor Mears stated that the money coming in from the LDV was a new innovative way for raising money for housing. She felt that the LDV should be shown as a separate figure and not shown as part of a lump sum. Councillor Randall agreed that this should be made clearer.
- 77.6 The Head of Finance – Business Engagement stated that LDV capital receipts were shown in the Housing Revenue Account Capital Programme report.
- 77.7 Councillor Mears stressed that LDV money should be identified for housing and not the general fund. It needed to be clearly shown. The Chair referred to paragraph 4.3 of the capital programme report where there was a specific reference to the leasing of properties to Brighton & Hove Seaside Community Homes.
- 77.8 **RESOLVED** – (1) That the report be noted.
- (2) That it is noted that the report proposes that Cabinet:
- (a) approves the budget for 2011/12 as shown in Appendix 1
  - (b) approves individual rent increases and decreases in line with rent restructuring principles as determined by the Government.
  - (c) approves the changes to fees and charges as detailed in paragraph 3.17 to 3.26 of the report.

## **78. HOUSING REVENUE ACCOUNT CAPITAL PROGRAMME 2012-15**

- 78.1 The Committee considered a report of the Strategic Director Place and the Director of Finance that sought approval for the 2012/13 capital programme and provided a provisional capital programme for the following two years, 2013/14 and 2014/15, for the Housing Revenue Account (HRA). The report took into consideration the latest resources available and commissioning investment priorities. The Council's Housing Revenue Account (HRA) related to the council's landlord duties in respect of approximately 12,250 properties and 2,250 leasehold properties.

- 78.2 The Chair informed the Committee that the report outlined proposals for £74million investment in the city's housing over the next 3 years. As well as some of the areas such as building new homes and bringing all council empty properties back into use, the Chair was pleased to see that the report reflected the discussions that took place with tenants at the city assembly budget workshop last November through:
- increased investment in the lift replacement programme
  - increased investment in adaptations
  - a new approach to Estate Development budget, with Mears working on a not-for-profit model which would increase the money available for tenant projects
  - money prioritised for making the city's homes and blocks more energy efficient, through over-cladding, new energy efficient lighting, and new efficient boiler systems.
- 78.3 Stewart Gover referred to paragraph 5.22 of the report which related to building new council homes. He thought it a good idea to demolish some vacant garage sites to enable new housing units to be built. He suggested maisonettes would be popular.
- 78.4 Stewart Gover referred to Appendix 1 of the report, which set out the HRA Capital Programme 2012-15 expenditure. No mention had been made of Ainsworth House. The Head of Finance – Business Engagement explained that Ainsworth House had been included in the 2011/12 Capital Programme. Appendix 1 set out the new budget for new schemes. Councillor Mears mentioned that one of the reasons for the delay in work on Ainsworth House had been due to asbestos and she thanked the Head of Housing and Social Inclusion for the report on asbestos.
- 78.5 Councillor Mears asked for an update on how much money would be available from 31 March. She referred to paragraph 5.20 of the report relating to solar panels. She considered this was a disappointing story. The Government had been successfully challenged in court and the consultation did not end until March.
- 78.6 Councillor Mears made the point that sensor lighting would be inappropriate in high rise flats where people would have to negotiate pitch black landings.
- 78.7 The Head of Housing and Social Inclusion explained that there was presently a process to upgrade the efficiency of lighting. Officers were looking specifically on the efficiency of sensor lighting.
- 78.8 John Melson also regretted the loss of the solar panel offer. Councillor Randall stated that there had been a lot of uncertainty about the contract and many firms had gone out of business. The Strategic Director Place hoped that there would be a solution to this problem in six months time.
- 78.9 Barry Kent mentioned that LEDs were like a normal light bulb but only used 10% of the electricity. The Chair agreed that LEDs were very energy efficient. Officers would investigate the most suitable lighting to install. The Chair stated that she did not want tenants to have to negotiate dark landings.
- 78.10 **RESOLVED** – (1) That the Housing Management Consultative Committee recommend that Cabinet approves the capital programme budget of £27,229 million and financing for 2012/13 as set out in paragraph 4.1.

**79. CONSULTATION ON REVISED ARRANGEMENTS FOR REGULATING THE COUNCIL'S LANDLORD SERVICES**

- 79.1 The Committee considered a report of the Strategic Director Place which outlined the revised regulatory framework for social housing in England from 1 April 2012, on which the Tenant Services Authority was currently consulting. The consultation period ended on 10 February 2012.
- 79.2 The Housing Stock Review Manager explained that the Tenant Services Authority was to be abolished in April 2012 and responsibility for regulating council landlords, housing associations and other registered providers transferred to a new independent regulation committee within the Homes and Communities Agency. There were proposed changes to the standards registered providers were required to meet and the circumstances in which the regulator would be able to use its monitoring and enforcement powers. The main changes were set out in paragraph 3.2 of the report.
- 79.3 The required outcomes of the four consumer standards which would be applied to the council were set out in Appendix 1. Landlords would still be required to meet all the standards that applied and councillors and boards who governed landlords' service delivery would remain responsible for ensuring that they did meet standards.
- 79.4 **RESOLVED** – (1) That the proposed new regulatory framework for social housing in England from 1 April 2012 be noted.

**80. UPDATE ON ANNUAL REPORT TO COUNCIL TENANTS AND LEASEHOLDERS 2011 AND PLAN FOR RESIDENT INVOLVEMENT IN THE ANNUAL REPORT FOR 2012**

- 80.1 The Committee considered a report of the Strategic Director Place which updated members on progress in implementing the improvement plans set out in the annual report to all council tenants and leaseholders for the year ended 31 March 2011. It reported the proposed revised requirements for registered providers of social housing to produce an annual report to their tenants set out in the Tenant Services Authority's consultation on a revised regulatory framework for social housing in England from April 2012. The report also proposed an outline plan and timetable for involving residents in producing and scrutinising the council's annual report to tenants and leaseholders in the year ending 31 March 2012.
- 80.2 The Housing Stock Review Manager reported that Appendix 1 to the report highlighted some examples of how the Council was meeting the commitments which it had made in the annual report and the progress already made.
- 82.3 The Housing Stock Review Manager reported that it was proposed to seek the views of the Tenant Editorial Board of Hoving In on the 2012 Annual Report. Residents would be asked to contribute quotes and pictures for inclusion in the report which would be published in September. Next year's Annual Report would be discussed by the City Assembly.
- 82.4 Councillor Randall considered the Annual Report to be exceptionally good. There had been better feedback than ever at this year's City Assembly. Meanwhile, it was



proposed to continue with the Tenants' Scrutiny Panel. Councillor Randall suggested that there should be a training session for tenants to help them write contributions for the Annual Report.

- 82.5 Ted Harman and Barry Kent mentioned that they were dyslexic and would find the training helpful.
- 82.6 Tom Whiting stressed the need to contact people at the grass routes. He thought that surveys and questionnaires were often not helpful or representative and asked "loaded" questions. Meanwhile mystery shopping always seemed to have good results.
- 82.7 John Melson drew attention to the small numbers of tenants involved in the tenant's movement. He was concerned that an editorial board was being consulted and felt more should be done to achieve better representation.
- 82.8 **RESOLVED** - (1) That the progress in implementing improvement plans included in the annual report to council tenants and leaseholders for the year ending 31 March 2010 highlighted in Appendix 1 to this report be noted.
- (2) That the proposed reduced regulatory requirements for producing annual reports to tenants with effect from April 2012, be noted.
- (3) That the proposed plan and timetable set out in paragraphs 3.6 to 3.7 of the report for involving residents in producing the annual report to tenants and leaseholders for the year ending 31 March 2012, be noted.

## 81. HOUSING ALLOCATION POLICY REVIEW

- 81.1 The Committee agreed that the report should be withdrawn from the agenda. See minute 71.

The meeting concluded at 5.46pm

Signed

Chair

Dated this

day of

