

**BRIGHTON & HOVE CITY COUNCIL****ADULT SOCIAL CARE & HOUSING OVERVIEW & SCRUTINY COMMITTEE****4.00PM 8 MARCH 2012****COMMITTEE ROOM 1, BRIGHTON TOWN HALL****MINUTES**

**Present:** Councillors K Norman (Chair); Buckley (Deputy Chair), Jones, Peltzer Dunn, Wealls, Morgan, Follett and Robins

**Co-opted Members:** Averil Fuller (Brighton & Hove Local Involvement Network)

**PART ONE****54. HOUSING ALLOCATIONS**

- 54.1 This item was introduced by Terry Parkin, Strategic Director, People. Sylvia Peckham, Head of Temporary Accommodation and Assessment, Housing Strategy, was also present to answer members' questions.
- 54.2 Mr Parkin told committee members that the current allocations policy for care leavers had been legally challenged. Legal advice is that the allocations policy meets the requirements of housing law, but may not meet the corporate parenting requirements set out in the 1989 Children's Act. The council is therefore potentially vulnerable to judicial review, and indeed one application for judicial review is pending.
- 54.3 After consulting widely with interested parties, it was clear that most looked after children wanted to be placed in social housing when leaving care – i.e. being given Band A status on the housing waiting list. Given that the numbers involved are relatively small (10-20 young people per year), and given that the council has an excellent record of effectively supporting care leavers to manage their tenancies (with an 85% success rate), the best option was to revert to granting care leavers Band A status. This would only apply to those young people assessed as being capable of living independently with an appropriate care package. Other young people would be offered supported housing solutions. An officer-led allocations committee chaired by the Strategic Director, People, would be established to manage the allocations process.
- 54.4 Although not a committee member, Cllr Mary Mears asked to be permitted to address the committee, and the Chair agreed. Cllr Mears made a number of points about the planned change in policy and how it was being introduced, telling members that:
- Housing Management Consultative Committee (HMCC) had not declined to comment on the allocations report; rather, HMCC members were unwilling to

consider the report at their 06 February 2012 meeting whilst the consultation around the allocations policy was still ongoing.

- While the council did have a duty to find suitable accommodation for care leavers, this need not be in council housing, but could include the private rental sector.
- Information to tenants in the report was currently unclear or inaccurate – for instance, it was stated that there was no call on Housing Revenue Account (HRA) funding for care leavers, where in fact there could be (for example if a tenancy failed). Tenants were worried about the potential impact, on the HRA and on waiting lists, of the planned change in allocations policy.
- People should be aware that care leavers would be predominantly housed in East Brighton rather than being spread across the city.
- CYPT has 15 places per annum that it can use to house young people – these could be used for care leavers.
- Some care leavers could be asylum seekers with only a limited leave to stay in this country; there was potentially an issue with this group being granted secure (i.e. life-long) council tenancies.
- The Government was currently reviewing housing priority for current and ex-service people, and any consequent changes in legislation/guidance could impact upon local housing availability.
- The current allocations policy was agreed after extensive consultation only a year ago, and no concerns about the legality of the council's policy with regard to care leavers had been voiced.
- She had made a formal complaint to the Chief Executive and requested an internal review by Audit. In particular, Cllr Mears believed that the financial information included in the allocations report was misleading, and that the tone of the report might needlessly cause anxiety.

54.5 In response to Cllr Mears' points, Mr Parkin told members that he did not want tenants to be anxious, but that anxiety might be caused by misinformation, with some tenants believing that the number of care leavers seeking social housing was much larger than it really was. Neither was it the case that there was a policy for housing a majority of care leavers in any one part of the city – care leavers could use the Choice Based lettings system to choose their own accommodation, although many preferred to return to the communities where they had roots and family ties. (This was a difficult issue to talk about in public due to data confidentiality, but Mr Parkin was happy to talk privately with members.) It was true that CYPT had access to a number of housing places, but these were required for young people with a range of needs, not just for care leavers.

54.6 In answer to a question on elected member involvement on the proposed allocations committee, Mr Parkin told members that legal advice was that elected members should not be directly involved in making allocations decisions. However, the work of the

allocations committee would be scrutinised by the member-led corporate parenting committee.

- 54.7 In response to a query as to which body would have oversight of children's issues when the CYPT Board was abolished, Mr Parkin told the committee that there were no immediate plans to abolish the CYPT Board, although the Board would be placed in abeyance. Current board responsibilities would be taken on post-May 2012 by the new Children's Committee.
- 54.8 Ms Peckham told members that there had been two consultations around the planned changes to allocations policy: one with the general public, and one with council tenants. The public consultation had closed on January 29, but the tenant consultation had been extended until February 19 so as to allow the first 2012 round of Area Panels to be included in the consultation. However, given the need to fit in with the Council's decision-making timetable, this required that the report presented to HMCC at its 06 February meeting was necessarily a work in progress. The completed report will be presented to HMCC at its 19 March meeting.
- 54.9 In response to a question on actions taken by other local authorities, Mr Parkin told members that it was not necessarily easy to find comparable authorities. However, most similar authorities do either grant Band A status to their care leavers or offer very comprehensive support to other housing solutions.
- 54.10 It was noted that the security of tenure that came with assured council tenancies was a very important factor for care leavers, who typically lacked the resort of staying with their family should a private sector tenancy fail.
- 54.11 Members also noted that there were a number of inconsistencies and inaccuracies in the report, notably in terms of a reference to an Appendix 8 (which was not included in the report) and an unintelligible graph in Appendix 2.
- 54.12 Cllr Peltzer Dunn proposed an amendment to the report recommendation, namely that the committee should:

**“request that Cabinet delays making a decision on the housing allocations policy report until the report has been presented to the 19 March 2012 meeting of the Housing Management Consultative Committee”**

Councillor Wealls seconded this amendment and it was put to the vote, with members agreeing 6-2 to accept the amendment.

**54.13 RESOLVED –**

- (1) That the report be noted;
- (2) That the Adult Social Care and Housing Overview & Scrutiny Committee request that Cabinet delays making a decision on the housing allocations policy report until the report has been presented to the 19 March 2012 meeting of the Housing Management Consultative Committee.

