

BRIGHTON & HOVE CITY COUNCIL

HOUSING COMMITTEE

4.00pm 26 SEPTEMBER 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Wakefield (Chair), Councillor Powell (Deputy Chair), Peltzer Dunn (Opposition Spokesperson), Farrow (Opposition Spokesperson), Barnett, Fitch, Jarrett, Mears, Hawtree and Shanks

PART ONE

12. PROCEDURAL BUSINESS

12A Declarations of Substitute Members

12.1 Councillor Hawtree declared that he was attending as a substitute for Councillor Duncan.

Councillor Shanks declared that she was attending as a substitute for Councillor Davey

12B Declarations of Interests

12.2 There were none

12C Exclusion of the Press and Public

12.3 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.

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

13. CHAIR'S COMMUNICATIONS

- 13.1 The Chair said she was pleased to see the amount of building work being undertaken to properties in the city, and was encouraged that one of the benefits of the building work was that there were new opportunities for young people to undertake apprenticeships.
- 13.2 The Chair reminded the members of the Housing Committee that there would be a presentation on potential development sites on Housing Revenue Account land at the conclusion of the meeting.

14. MINUTES

- 14.1 The Committee considered the Minutes of the Housing Committee meeting held on 20 June 2012.
- 14.2 Councillor Farrow referred to paragraph 2.1 and reminded officers that he had been informed that the information he requested may come to a future meeting. It was confirmed that the matter was being looked at.
- 14.3 Councillor Mears referred to paragraph 11.3 and said that a list of properties in Essex Place which had decent homes surveys (re: kitchens and bathrooms) had not yet been provided. The Committee were advised that the matter was still in progress and information would be provided in due course.
- 14.4 **RESOLVED** – That the Minutes of the Housing Committee meeting of 20 June 2012 be agreed

15. MINUTES OF THE HOUSING MANAGEMENT CONSULTATIVE SUB-COMMITTEE

- 15.1 The Chair reminded Members that the Minutes of the Housing Management Consultative Sub Committee meeting of 4 September 2012 were provided for information only.
- 15.2 Councillor Farrow referred to paragraph 12.1 where concern had been raised over the lack of tenant representatives attending the meeting. Councillor Farrow wanted the members of the Housing Committee to be aware of the poor attendance. The Chair said she shared Councillor Farrow's concerns, and suggested to the Members present that they contact the tenant reps in their own wards and encourage them to attend future meetings.
- 15.3 **RESOLVED** – That the Minutes of the Housing Management Consultative Sub Committee meeting held on 4 September 2012 be noted.

16. CALL OVER

- 16.1 It was agreed that all items would be reserved for discussion.

17. PUBLIC INVOLVEMENT

(a) Petitions

17.1 The Committee noted that there were no petitions from members of the public.

(b) Written Questions

17.2 The Committee noted that no written questions from members of the public had been submitted for the meeting.

(c) Deputations

17.3 The Chair reported that one deputation had been received from members of the public and invited Ms Miriam Binder, who was the spokesperson for that Deputation, to come forward and address the meeting.

Ms Binder thanked the Chair and read her Deputation:

We have brought this deputation to ask the Committee to consider the implementation of essential adaptations, such as access ramps and other adaptations necessary to enable individuals within Brighton & Hove to live independent, self-determining lives. We feel that a more proactive approach once the original application and resultant assessment has taken place would greatly facilitate a far speedier delivery of the appropriate adaptations where needed. This would also require an awareness and differentiation between long term and deteriorating illnesses and disabilities. End-users are not provided with a clear explanation of the process an application for adaptations undergoes and requests for clarification regarding this process are at best met with partial responses. The process does not appear to be aware of the detrimental effect that an elongated process has on the end users. Our current experience is that there is no on-going communication between the end users and providers of the various adaptations. This can lead to applications getting caught up in the system. We would ask that the Committee, when considering our deputation, bear in mind that delay in the provision of essential adaptations can have a detrimental effect on the general health and wellbeing of disabled individuals as well as impact negatively on their ability to maintain independence. In addition there can be an increased financial burden on candidates for essential adaptations such as access ramps where equipment such as wheelchairs, both manual and power assisted, may require increased maintenance and repair costs when they are required to operate in a non-adapted and therefore more harmful environment.

Legislation and guide lines

The Human Rights Act 1998 (HRA) itself does not provide a human right to the provision of an adapted home; the provision of any home at all is not within the HRA. The HRA however does entitle individuals to a respect for their home and for respect for their private lives in the enjoyment of it. A social housing provider may in some circumstances become obliged to address difficulties that arise for particular residents which prevent them from enjoying their homes. The HRA is significant in specific in

relation to the length of time it may take for the provision of adaptations to a home where these are statutory or regulatory obligations. There is provision within the Equality Act 2010 that puts the duty to make reasonable adjustments on, amongst others, the local authority; in specific with regards to adaptations where a physical feature puts a disabled person at a substantial disadvantage in comparison with persons who are not disabled, to take such steps as is reasonable to avoid the disadvantage. Physical impairment makes taking part in normal daily activities difficult. This is greatly exacerbated where disabled individuals find themselves living in a disabling environment. This substantial disadvantage is addressed by the provision of adaptations where applicable via the Disabled Facilities Grant (DFG). The Department for Communities and Local Government published a good practice guide in June 2006 for the delivery of housing adaptations for Disabled People. This guide addresses an acceptable time frame for provision of adaptations dependent on the varying degrees of case priority. With the assumption of a 5 working day week the guide proposes that high priority cases should be completed in 16 weeks (80 working days) with a maximum target time of 52 weeks (260 working days) for the least urgent cases.

Recommendations:

- *Allocating a named individual who will be responsible for overseeing an application and maintaining regular contact with the applicant/end-user would greatly reduce these oversights, thereby reducing the backlog of applications in process.*
- *Bearing in mind the additional pressures and difficulties disabled individuals face in living independently, a more proactive engagement on the part of statutory service providers, would result in a far more effective process; essential steps in the process becoming less likely to stall as a result of having been overlooked.*
- *Being clear from the outset what process a given application has to undergo, there being a difference between various adaptations dependant on cost, form and location of the given adaptation would also significantly reduce the opportunity for stalling a process.*
Something as simple as a cover sheet attached to every application detailing the process, start and finish time, individual/department responsible in a linear progression schedule.
- *A built in alert where an application is stalled could easily be incorporated into a database that charts all the current applications being processed by the various departments responsible.*

- 17.4 The Chair thanked Ms Binder for attending the meeting and presenting the Deputation. The Chair said she was concerned with the issues raised and was happy to agree with all the recommendations which had been suggested.
- 17.5 Councillor Farrow thanked Ms Binder for attending the meeting, and said that it was important that those with disabilities got the assistance they required.
- 17.6 Councillor Mears thanked Ms Binder for her Deputation, and asked officers how much money was left in the budget to provide adaptations. It was confirmed that the original budget was £850,000 for council properties and £1,100,000 for private properties. Written confirmation would be provided later to confirm what budget was remaining.

Councillor Mears said that previously both Adult Social Care and Housing had been independently providing adaptations, and noted that there had been an earlier proposal to change that and move the responsibility and budget for that area of work to one department. It was confirmed that all adaptations now came within Housing.

- 17.7 Councillor Hawtree thanked Ms Binder for her Deputation, and said he was concerned with the problems she had encountered and was pleased that the recommendations had been accepted. Councillor Hawtree said that residents could always contact their councillor if they were encountering difficulties.
- 17.8 Councillor Peltzer Dunn thanked Ms Binder for her presentation and asked if a report could be provided outlining the current situation with regard to requests for adaptations. The Chair agreed that that would be useful and a report would be provided. Councillor Mears asked if that report could also go to the Housing Management Consultative Sub Committee. It was agreed it would.
- 17.9 Councillor Powell thanked Ms Binder for attending the meeting, and hoped that appropriate steps would be taken to assist Ms Binder.
- 17.10 Councillor Fitch thanked Ms Binder and apologised for what had happened and hoped that the situation would now be rectified.
- 17.11 Councillor Mears expressed surprise that Ms Binder had not taken the matter up with her ward councillor. Ms Binder said she had, and it was on their advice that she had submitted the Deputation.

18. ISSUES RAISED BY COUNCILLORS

(a) Petitions

- 18.1 The Committee noted that there were no petitions from councillors.

(b) Written Questions

- 18.2 The Committee noted that no written questions from councillors had been submitted for the meeting.

(c) Deputations

- 18.3 The Committee noted that no Deputations from councillors had been submitted for the meeting.

19. UPDATE ON SINGLE HOMELESS AND ROUGH SLEEPERS IN BRIGHTON & HOVE

- 19.1 Members were provided with a verbal update on Single Homeless and Rough Sleepers within the city.
- 19.2 The Committee were advised that the local authority commissioned services for homeless and rough sleepers in the city. The services covered Emergency Placement Accommodation, Hostel Accommodation and Rough Sleepers Street Services &

Relocation Team. There were 373 units of emergency accommodation within the city, ranging from 4 bedroom units to guest house style properties with shared facilities. The average length of stay in emergency placement accommodation was 150 days, and as of the 12th July 2012 336 households had been placed. There were 277 units of accommodation in 8 hostels. There were also a number of services commissioned to house and support young people who were homeless. These services provided 66 units of accommodation. The cost of rough sleeper's services and hostel accommodation for both adults and young people in 2012/13 was just over £3.5m. A Scrutiny Panel would shortly be set up to look at homelessness and hostel provision in the city. An annual homeless count would take place in November, and at that time more information would be available.

- 19.3 Councillor Farrow, who had requested the verbal update, thanked the officer for attending but said he was unhappy with the information provided. Councillor Farrow said he had requested a written report on the current state of homeless and rough sleepers, and had been told that there was insufficient time to prepare a written report and so a verbal update would be given. Councillor Farrow asked that a written report now come to the next Housing Committee meeting.
- 19.4 Councillor Hawtree asked that if there were a report that it include information about 'sofa surfers'. The Chair agreed that information on hidden homeless would be useful, but accepted that by their very nature the numbers were hard to know.
- 19.5 Councillor Mears thanked the officer for the update, and looked forward to seeing a written report in due course.
- 19.6 Councillor Jarrett thanked the officer for providing an update.
- 19.7 Councillor Powell thanked the officer for the update, and informed the Committee that the authority had recently employed two additional members of staff to help those who had alcohol problems and were new to rough sleeping.
- 19.8 Councillor Peltzer Dunn welcomed a written report on this issue, but suggested that if the head count was not being taken until November, that it would be more useful to wait for that to be undertaken before the report was written. Councillor Wakefield agreed that it would be preferable for a report to be prepared after the count had been taken in November.
- 20. UPDATE ON THE IMPLEMENTATION OF THE ADDITIONAL LICENSING SCHEME FOR HOUSES IN MULTIPLE OCCUPATION (HMO)**
- 20.1 The Committee considered a report of the Strategic Director Place which updated the Committee on the progress of preparation for the implementation of additional licensing.
- 20.2 Councillor Hawtree thanked officers for the report, and noted that although there would be a cost implication for landlords it would be beneficial to all parties in the long run. Councillor Hawtree asked if there was a requirement for landlords to use

environmentally friendly white goods, and was advised that landlords were always encouraged to use the most energy efficient products.

20.3 Councillor Jarrett thanked officers for the report. Councillor Jarrett hoped that the scheme, which would be self financing, would lead to an improvement in living conditions which would improve the quality of life for tenants which in turn could lead to a reduction in anti-social behaviour.

20.4 **RESOLVED**

- 1 That the Housing Committee noted the steps taken by the Private Sector Housing Team to prepare for implementation of the Additional Licensing Scheme in the five wards.
- 2 That the Housing Committee approved that licence applicants that were registered charities be granted a free application.
- 3 That the Housing Committee approved areas of clarification and revision to the acceptable sizes for shared kitchens in the Brighton & Hove City Council Standards for Licensable Houses in Multiple Occupation as outlined in the report and in Appendix A of the agenda

21. **TENANT SCRUTINY**

21.1 The Committee considered a report of the Strategic Director Place on the creation of a Tenant Scrutiny Panel. The report set out the model for the Introduction of Tenant Scrutiny Panels in the city. The matter had previously been considered by the City Assembly, Housing Area Panels and the Housing Management Consultative Sub Committee.

21.2 **RESOLVED:**

1. That the Housing Committee recommends to Policy & Resources Committee that proposals in the report as outlined in 3 and 4 below, are agreed.
2. That Policy & Resources Committee agrees to the establishment of a Tenant Scrutiny Panel in Brighton & Hove, with the terms of reference set out in Appendix A to this report with effect from December 2012.
3. That the Strategic Director, Place/Head of Housing & Social Inclusion be granted delegated powers to:
 - a. after consultation with the Chair of the Housing Committee and tenant representatives as he/she considers appropriate, appoint the selection panel for the appointment of Members of the Tenant Scrutiny Panel;

- b. after consultation with the Monitoring Officer, the Chair of Housing Committee and relevant tenant representatives, agree the code of conduct that would apply to Members of the Tenant Scrutiny Panel:
 - c. take any steps necessary or incidental to the establishment and continued operation of the Tenant Scrutiny Panel, including the power to make transitional arrangements as he/she thinks fit.
4. That Policy & Resources Committee note that the role of the Overview & Scrutiny Committee, including the powers regarding scrutiny and call-in are not affected by these proposals although the existence of the Panel and its work will be a factor taken into account in deciding what issues the committee reviews.

22. HOUSING INVESTMENT

- 22.1 The Committee considered a report of the Strategic Director Place, which provided information on the funding and delivery strategy for the development of new and improved affordable housing on council owned Housing Revenue Account (HRA) land.
- 22.2 Councillor Farrow welcomed the report, but had concerns over the time lines given and the costs involved, particularly those of the consultants and the design and feasibility studies. Officers advised that the timelines would certainly be looked at. With regard to costs, the figures provided in the report were ballpark amounts, and as the scheme progressed the costs would be become more detailed and accurate. Consultants needed to be used, and if there were an in-house team there would still be a significant cost implication.
- 22.3 Councillor Mears said that this matter had been started under the previous administration, and felt that the matter hadn't been taken forward any further. Officers confirmed that the matter was progressing and previous work undertaken had been incorporated into the report. Councillor Mears stated that £5m had previously been put aside and asked where that amount now was. It was confirmed that it was in the HRA Capital Account.
- 22.4 Councillor Hawtree thanked officers for the report, and welcomed the opportunity for more affordable housing.
- 22.5 Councillor Peltzer Dunn thanked officers for the report, and felt that whilst 29 units was not a large number it would make a difference. Councillor Peltzer Dunn had a number of concerns; he referred to paragraph 4.17 and suggested that as the developments would be over nine sites, it may be difficult to reduce costs through economies of scale. Paragraph 4.12 stated that Cabinet had approved £0.675m for preparing vacant council owned garage sites for development, and he asked how much of that amount was left. Paragraph 4.20 provided a schedule for taking the garage site development scheme forward and said that a planning application would be submitted in April 2014 with anticipated on site construction commencing in July 2014. Councillor Peltzer Dunn suggested that was unrealistic. Officers agreed with the points made, and said that more detailed costs and timelines would be provided in due course. With regard to the funding, £375k had been spent. A more detailed written response would be provided.

22.6 Councillor Fitch said that many Brown Field sites in the city had been identified, and asked why those sites were not being used before other locations. The Chair said that the issue of Brown Field sites could be considered at a future meeting of the Housing Committee.

227. **RESOLVED**

1. That the Committee agree to the procurement of a delivery partner to take forward the final feasibility, design and development of new council homes on vacant garage sites in consultation with stakeholders, utilising a range of housing options based on Low Cost Home ownership, Affordable rents and Target Rents. Once full schemes were developed they would be reported to Housing Committee.

2. That the procurement of initial feasibility and design, on identified case studies for housing opportunities on Housing Revenue Account land, where appropriate at an estimated cost, including stakeholder engagement and consultation, of £1 million.

3. That the Committee note the current timetable for the development of the garage sites in paragraph 4.20 of the report and for development of feasibility studies in paragraph 4.27 of the report.

23. **ITEMS REFERRED FOR COUNCIL**

23.1 **RESOLVED** That no items be referred to Council

The meeting concluded at 6.00pm

Signed

Chair

Dated this

day of

