

**BRIGHTON & HOVE CITY COUNCIL**

**HOUSING COMMITTEE**

**4.00pm 13 NOVEMBER 2013**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present: Councillors Randall (Chair), Kennedy (Deputy Chair), Peltzer Dunn (Opposition Spokesperson), Barnett, Davey Farrow, Fitch, Mears, Morgan**

**PART ONE**

**27. PROCEDURAL BUSINESS**

**27A Declarations of Substitute Members**

27.1 Councillor Morgan declared he was substituting for Councillor Wilson

**27B Declarations of Interests**

27.1 Councillors Randall and Fitch, as board members of Brighton & Hove Seaside Community Homes, each declared a Disclosable pecuniary interest in item 31(b) and said they would leave the Council Chamber during consideration of that item.

**27C Exclusion of the Press and Public**

27.3 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.

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

**28. MINUTES**

28.1 Councillor Farrow referred to paragraph 15.1 and said he hadn't yet received a copy of the letter which was sent to tenants. The Chair apologised and said a copy would be sent. Councillor Farrow also noted that it had been agreed that a report on those

affected by the changes to Housing Benefit would come to the Committee, and asked when that would be. Officers said that a report would be provided in due course.

28.2 Councillor Peltzer Dunn referred to paragraph 23.5, regarding the lack of progress in redeveloping the site of the former Gala Bingo building in Portland Road, and was pleased to say that building work had now started.

28.3 Councillor Farrow referred to paragraph 21.7 and asked if the Community Safety Team were now able to provide a copy of the protocol. The Chair said it was still being worked on, but when it was completed a copy would be provided.

28.4 Councillor Farrow referred to paragraph 22.1, and asked the Chair what day in November the Rough Sleeper count would be undertaken. The Chair said officers would be able to advise him after the meeting.

**28.5 RESOLVED** – That the Minutes be agreed as a correct record.

## **29. CHAIR'S COMMUNICATIONS**

29.1 The Chair informed the Committee of the following:

A cross party workshop had been held with members of the Housing and Planning Committees. The workshop had looked at estate regeneration, the development of sites in Preston Road and Manor Road and discussed how the committees could work together in the future. The event had been very successful and more would be held. Councillor Kennedy added that it had been very interesting and it had been useful to get a view of proposed developments from a planning perspective. Councillor Farrow thanked Councillor Kennedy for proposing the idea to hold a workshop. Councillor Peltzer Dunn said he had also found it very useful and thanked those who arranged it.

The Chair said he had attended and spoken at the Better Cities conference in Lisbon, which had been very interesting and useful. He confirmed that the event had been funded by the University of Lisbon.

The Council were looking at a scheme to provide a hostel just for women. For some women who were homeless it was wasn't appropriate for them to have to share hostel accommodation with men, and so alternatives were being looked into.

He would be attending the finals of the Apprentice Scheme in Birmingham, and he was pleased to say that the Mears Group were one of the finalists.

Members of the Committee would be invited to see the final property being developed in Preston Road.

The Chair announced that he had given notice of his intention to resign from the Board of Brighton and Hove Seaside Community Homes. The resignation would take effect from the beginning of December. He had decided to resign due to the conflict of also being Chair of the Housing Committee and the Housing Management Consultative Sub Committee.

**30. CALL OVER**

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

**31 PUBLIC INVOLVEMENT**

31a.1 There were no petitions

31b.2 A Written Question was submitted by Ms Y Lambrianides. As the question related to Seaside Homes, both the Chair and Councillor Fitch left the room. The Deputy Chair, Councillor Kennedy, took the Chair for this item. The Chair invited Ms Lambrianides to ask her question.

The Question was:

‘Seaside Homes tenants with new born babies have been told that when the baby reaches one year old, they will be re-allocated two bedroom flats. There are so many people already waiting for two bedroom properties so why should Seaside Homes tenants have that privilege, and what gives the Temporary Accommodation Team (TAT) the right above and beyond Home Moves? Surely a two tier approach to council housing is unfair? So I would like to know how TAT re-allocate them and what kind of bigger accommodations are available for them (i.e. Seaside Homes, BHCC, housing association etc ) ? ‘

The Chair provided the following response:

‘Seaside Homes tenants do not enjoy the same security of tenure as Council Tenants. They occupy their properties on an assured short hold basis the same as the private sector. Tenants that are placed into Seaside Homes are placed under a number of duties including homeless legislation and the Council is duty bound to ensure that the accommodation is suitable. Seaside tenants are informed that they may apply for a transfer to alternative temporary accommodation if they are sharing with a child, but this will not be considered until the child is at least one year old. The fact that they are on a waiting list does not guarantee that they will receive a move for a substantial period of time and priority varies on a case by case basis. There are currently in excess of 200 household on the two bedroom list long term temporary accommodation. Seaside Homes Tenants are only able to bid for social housing under the Council’s allocation policy. Homeless households are normally in band C unless they have been assessed as requiring an urgent move on mobility or medial basis. This is the same for all people accommodated in Temporary accommodation and there has always been a different system for this group. If the household is accommodated under a different council duty and the accommodation is suitable to meet their needs they are likely to be in Band D with no identified housing need.’

The Chair asked Ms Lambrianides whether she had a supplementary question, and she confirmed she did and asked the following:

‘Why does the Housing Office have no power over Seaside Tenants? The property still belongs to Brighton & Hove City Council, no matter who they let/sublet it to. When Council Tenants have complaints against Seaside Homes Tenants, the Temporary Accommodation Team has a willingness to use more resources to defend their clients than the Housing Office theirs so we have a situation where Seaside Homes tenants have better representation than Council tenants!! We have no representation. I was told

by Aaron Burns that he is unable to take any measures against the partner of a Seaside Homes client if they do not appear on the tenancy agreement. Action, if any, is through the tenant. How could we protect ourselves from Seaside Tenant's partner, if no support from Council? On top of that Seaside Home tenants can use both resources. How fair is that?'

The Chair was able to provide a response at the meeting and stated:

'Seaside homes are owned by an independent company under a lease from the Council. The management of these properties is carried out by the Temporary Accommodation Housing Management Team. Anti-Social Behaviour (ASB) is treated extremely seriously by the Council. The Temporary Accommodation Team have one ASB officer to cover long term temporary accommodation, which include the current 300 Seaside properties. Council Tenants have access to their own housing management team if they are experiencing ASB and there is a team of ASB officers who deal with this matter. Where there are incidents of ASB that involve Council and non Council tenants these matters will normally be dealt with by the relevant officer liaising to deal with the matter and attempt to resolve the matter. If the matter is not resolved this may lead to tenancy enforcement against the perpetrator of the ASB. In terms of dealing with ASB from household members, the same position applies to any tenant regardless of who the landlord is. The named tenant is responsible for the conduct of any person either living in or visiting the property. Mr Burns is correct that enforcement action can only be taken against the named tenant the same position if a Council Tenant is a sole tenant. Seaside Homes Tenants are managed by a different housing team and should not have access to housing management provided for Council Tenants. This does not mean of course if a seaside homes tenant makes a complaint about Anti Social Behaviour against a council tenant that this would not be looked into. Since the right to buy there are many properties that have been sold and are now let to private tenants who would have the same access rights to have ASB dealt with.'

The Chair advised Ms Lambrianides that a written copy of the responses would be sent to them.

31c.3 There were no Deputations

## **32. ISSUES RAISED BY COUNCILLORS**

32a.1 There were no Petitions

32b.2 There were no Written Questions

32c.3 There were no Letters

32d.4 There were no Notices of Motion

## **33. PET POLICY**

33.1 The Committee considered the report of the Executive Director Environment Development and Housing on the Pet Policy. The report was presented by Ms E Hitchens, Senior Neighbourhood Officer.

- 33.2 Councillor Barnett asked whether officers checked whether tenants had had their dogs chipped. Officers advised that they would, and added that when compulsory micro chipping was introduced, the Dogs Trust would be involved.
- 33.3 Councillor Morgan said that having a pet could be beneficial for some people, and asked if the authority promoted that. Officers advised that there was a leaflet which promoted the keeping of pets but it was important that people had the right pet for them. Councillor Peltzer Dunn said it was important that tenants should understand the implications of having a pet, the cost implications etc.
- 33.4 Councillor Peltzer Dunn said that the current policy did not limit the number of cats or dogs people had, and said it could be very difficult for officers to have to make a decision if someone was felt to have too many. He suggested that the policy should limit tenants to having only one. The Chair asked for legal advice. The solicitor advised that a rigid policy of only one dog per property could be vulnerable to challenge on the basis that the council had unlawfully fettered its discretion. The policy could however properly include a provision that 'Permission will normally be given for only one dog', thereby preserving the council's discretion. The Committee agreed, and directed officers to include appropriate wording in the policy. Councillor Rufus asked what would happen if a tenant moved. The solicitor said consent was given for a tenant to keep a pet in a particular property. If the tenant moved, a new consent would be required.
- 33.5 **RESOLVED** – That subject to the inclusion of a provision normally limiting the number of dogs in any household to one, the Housing Committee agrees to the adoption of the Pet Policy.

#### 34. NOMINATION AGREEMENTS

- 34.1 The Committee considered the report of the Executive Director Environment Development and Housing on Nominations Agreements. The report was presented by Ms S Peckham, Head of Temporary Accommodation & Allocation.
- 34.2 Councillor Mears was concerned that there was a lack of information in the report, and would have liked to have seen a list of the Registered Providers, a timescale for the development of the Temporary Accommodation Framework, and details on the different rates of Housing Benefit which could be applied for. Councillor Farrow said that he would have liked to have seen more detailed information in the report, particularly on the Local Authority's liability to meet any rent lost if a property was empty for longer than the agreed timescale. Councillor Peltzer Dunn echoed his colleague's comments and suggested the item be deferred to the next meeting in order for more information to be provided.
- 34.3 Councillor Fitch asked whether there would be any cost implications if a decision was delayed. Officers said negotiations were taking place with contractors and until the terms could be agreed the Authority would continue to incur costs. Councillor Fitch said

on that basis he would suggest that the report be considered today, if further information could be provided for the next meeting.

- 34.4 The Chair agreed that further information could be provided at the next meeting.
- 34.5 A vote was taken on whether to defer the item to the next meeting of the Housing Committee. It was agreed that the matter would not be deferred and a decision taken today.
- 34.6 RESOLVED** -That Housing Committee resolve that the Executive Director Environment, Development and Housing be authorised to enter into Nomination Agreements with Registered Providers on the basis set out in this report, subject to the approval of the terms of the individual Nomination Agreements by the Executive Director Finance and Resources to confirm value for money.

### **35. EXTRA CARE HOUSING - BROOKE MEAD UPDATE**

- 35.1 The Committee considered the report of Mr G Raw, the Executive Director Environment Development and Housing on Extra Care Housing – Brooke Mead. The report was presented by Mr M Reid, Head of Housing Strategy and Development.
- 35.2 The Chair added that extensive discussions had taken place with Planning on the proposals, and Mr Raw said that he had met with the HCA, and they had been very supportive of the scheme.
- 35.3 Councillor Mears noted that there were no parking spaces in the development, and was concerned that visitors would not be able to park. Councillor Mears thought the costs were high and would have liked a breakdown to have been provided. Officers said that the procurement process was still being undertaken, and more information could be provided at a later date.
- 35.4 Officers advised that underground parking was considered, but the cost would have been £700k and so was not feasible. There was parking in the area which could be used. There would be a loading bay, which could be used if there were visits from doctors etc.
- 35.5 Councillor Barnett thanked officers for the report, but was disappointed that the two bedroom flats had gone. Councillor Mears noted that the number of flats had increased and asked for reassurance that they would not be too small. Officers said architects had tried to maximise the number of units, but each one would be of reasonable size.
- 35.6 Councillor Peltzer Dunn noted that the Financial Implications in the report referred to 44 units, but in the report it says 45 and asked for clarification. Officers advised that there were going to be 44, but recent discussions with Planning had enabled the design to be changed to allow an additional unit which would be a two bedroom flat. The costs would be changing as the matter progressed, but the comments in the report were accurate at this stage. The Accountant confirmed that the cost of £8.3m was correct; there would be

some variation but if there were any significant changes the matter would go back to the Policy & Resources Committee.

**35.7 RESOLVED** - That Housing Committee –

(1) Delegate authority to the Executive Director Environment Development & Housing to enter into the Care & Support Specialist Housing Fund (2013-18) Funding Agreement with the Homes & Communities Agency, the key elements of which are set out in this report.

(2) Recommend that the Policy & Resources Committee approve a capital programme budget up to a maximum of £8.3 m for the delivery of Brooke Mead extra care scheme to be financed through unsupported borrowing in the Housing Revenue Account, HCA Grant and a contribution from ASC.

(3) Delegate authority to the Executive Director Environment Development & Housing (in consultation with the Executive Director Finance & Resources) to enter into the necessary contracts (including with a development partner as necessary) to secure:

- (i) the demolition of the existing building as previously agreed by Policy and Resources Committee (21 March 2013);
- (ii) the design and build operations required to complete the development of the extra care housing scheme at Brooke Mead as described in this report; and
- (iii) the housing management operation, in respect of the new extra care housing scheme.

**36. NEW HOMES FOR NEIGHBOURHOODS - DEVELOPMENT OF NEW HOMES ON HOUSING REVENUE ACCOUNT LAND**

36.1 The Committee considered the report of the Executive Director Environment Development and Housing on New Homes for Neighbourhoods – Development of New Homes on Housing Revenue Account Land. The report was presented by Mr S Smith, Estate Regeneration Programme Manager and Mr N Parlett, LSH Financial Consultants

36.2 Councillor Morgan thanked officers for the report and said it was a good example on how sites can be developed, but he said it was important to balance needing housing against losing open spaces.

36.3 Councillor Peltzer Dunn referred to paragraph 3.13, and asked for further clarification on the figures given. Officers suggested it might be useful to have a separate meeting where the financial officers could provide a fuller explanation. Mr N Parlett said he was happy to hold a financial workshop if that would be useful. Councillor Peltzer Dunn thanked officers.

36.4 Councillor Mears said that there were many older people living in the Manor Place locality and it was good to have some accommodation which would allow them to remain in the area.

**36.5 RESOLVED –**

That Housing Committee Delegates authority to the Executive Director Environment, Development & Housing in consultation with the Executive Director, Finance and Resources to procure and award a contract (or contracts, if appropriate) for demolition works, final feasibility study, design and development of new council housing on the sites of:

- (i) the former Housing Office at Manor Place, Whitehawk, Brighton and
- (ii) 243-245 Preston Road, Brighton and authorises the Head of Legal to complete the required documentation .

### **37. ACCESS TO HOUSING SERVICES - HOUSING OFFICE ACCOMMODATION STRATEGY**

37.1 The Committee considered the report of the Executive Director Environment Development and Housing on Access to Housing Services. The report was presented by Ms H Edgar, Housing Service Operations Manager.

37.2 Councillor Morgan thanked officers for the report and commended officers for the consultation which had taken place for Manor Place, but said he had some concern over the level of engagement undertaken on this matter.

37.3 Councillor Farrow said he would like to know what tenant reps thought about the proposals. He said he was supportive of new homes being built on the site, but at the same time wanted to ensure that proper services were provided for tenants. It had been suggested that some of the Housing Office functions be moved to the nearby library, but with the budget cuts that could be at risk. Councillor Farrow said he wanted proper housing services to be available within the Lewes Road corridor.

37.4 Councillor Fitch said that if the Committee agreed the recommendations it would provide an opportunity for development. Officers should look at both Moulsecoomb Library and Hall, as there could be an opportunity for more homes to be built.

37.5 The Chair agreed that the site could provide a range of opportunities and a housing office could be built within a development. This was a key site which could provide more homes. The Chair advised the Committee that he had received an email from Mr D Murtagh supporting the proposal of building 24 new homes on this site.

37.6 Councillor Mears said she felt it was important to remember that the housing office was for the benefit of tenants.

37.7 Councillor Peltzer Dunn referred to paragraph 5.7, and asked how many tenants paid their rent in cash via Pay Point. Officers said they didn't have the information with them but it could be provided after the meeting.

### **37.8 RESOLVED –**

(1) That Housing Committee approves the Resident Access Strategy set out in sections 4.2 to 4.4 of this report.

(2) That Housing Committee approves the following Changes based on the Resident Access Strategy:



- (i) Closure of the Selsfield Drive Housing Office and relocation of services to the Oxford Street Housing Office by the end of 2013/14
- (ii) Removal of cash desks from the housing offices in 2014/15 once all residents who currently use this facility have been given advice and support to change to other payment methods.

(3) That Housing Committee approves that, once vacated, the Selsfield Drive Housing Office be demolished in order to be redeveloped, subject to planning consent, for new homes under Phase 2 of the New Homes for Neighbourhoods estate regeneration programme.

**38. ITEMS REFERRED FOR COUNCIL**

38.1 There were no items to be referred to the next Council meeting.

The meeting concluded at 6.00pm

Signed

Chair

Dated this      day of