





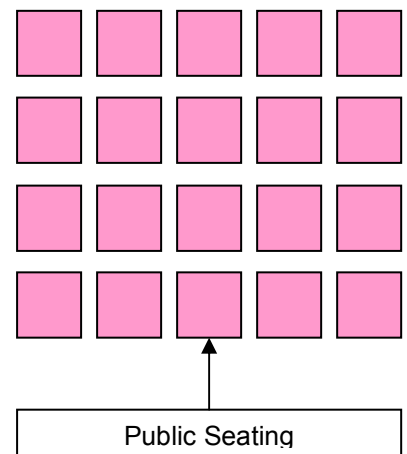
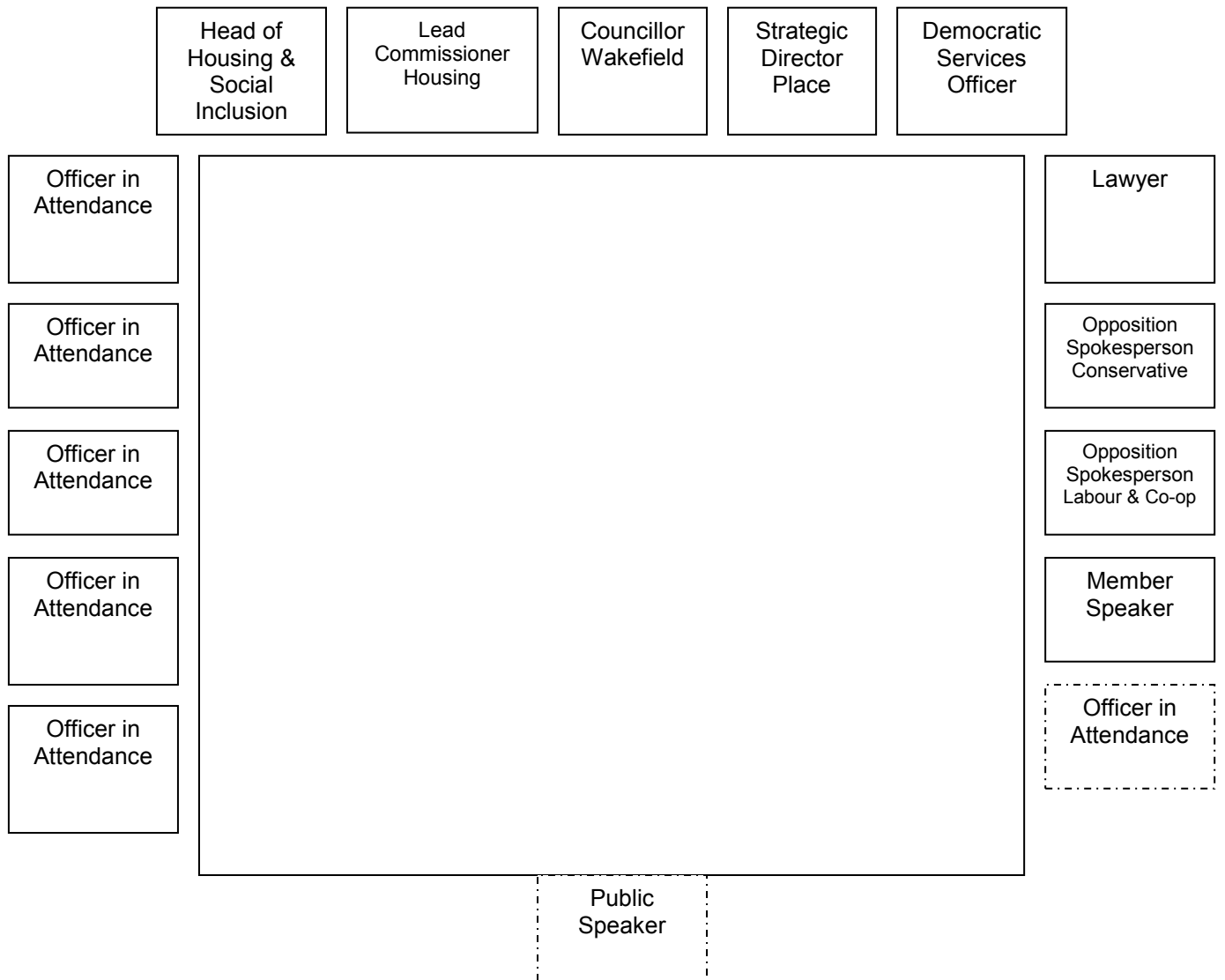
Brighton & Hove
City Council

Cabinet Member Meeting

Title:	Housing Cabinet Member Meeting
Date:	29 February 2012
Time:	4.00pm
Venue	Council Chamber, Hove Town Hall
Members:	Councillor: Wakefield (Cabinet Member)
Contact:	Caroline De Marco Democratic Services Officer 01273 291063 caroline.demarco@brighton-hove.gov.uk

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Democratic Services: Meeting Layout



AGENDA

74. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

75. MINUTES OF THE PREVIOUS MEETING

1 - 8

Minutes of the Meeting held on 18 January 2012 (copy attached).

76. CABINET MEMBER'S COMMUNICATIONS

77. ITEMS RESERVED FOR DISCUSSION

- (a) Items reserved by the Cabinet Member
- (b) Items reserved by the Opposition Spokespersons
- (c) Items reserved by Members, with the agreement of the Cabinet Member.

NOTE: Public Questions, Written Questions from Councillors, Petitions, Deputations, Letters from Councillors and Notices of Motion will be reserved automatically.

78. PETITIONS

Report of the Strategic Director, Resources (copy attached).

79. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 22 February 2012)

HOUSING CABINET MEMBER MEETING

No public questions have been received by the date of publication.

80. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 22 February 2012)

No deputations have been received by the date of publication.

81. LETTERS FROM COUNCILLORS

No letters have been received.

82. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

83. NOTICES OF MOTIONS

No Notices of Motion have been received by the date of publication.

84. MINUTES OF THE ADULT SOCIAL CARE & HOUSING OVERVIEW & SCRUTINY COMMITTEE 9 - 14

Minutes of the meeting held on 12 January 2012 (copy attached).

85. MINUTES OF THE HOUSING MANAGEMENT CONSULTATIVE COMMITTEE 15 - 34

Minutes of the meetings held on 19 December 2011 and 6 February 2012 (copies attached).

86. LETTING AGENTS ACCREDITATION SCHEME 35 - 50

Report of Strategic Director, Place (copy attached).

Contact Officer: Sylvia Peckham, John Maguire Tel: 293318, Tel: 29-3786

Ward Affected: All Wards

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

HOUSING CABINET MEMBER MEETING

For further details and general enquiries about this meeting contact Caroline De Marco, (01273 291063, email caroline.demarco@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Tuesday, 21 February 2012

BRIGHTON & HOVE CITY COUNCIL

HOUSING CABINET MEMBER MEETING

4.00pm 18 JANUARY 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Wakefield (Cabinet Member)

Also in attendance: Councillor Peltzer Dunn (Opposition Spokesperson) and Farrow (Opposition Spokesperson)

PART ONE

60. PROCEDURAL BUSINESS

60(a) Declarations of Interests

60.1 There were none.

60(b) Exclusion of Press and Public

60.2 In accordance with section 100A of the Local Government Act 1972 ("the Act"), the Cabinet Member considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of the proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

60.3 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of any items on the agenda.

61. MINUTES OF THE PREVIOUS MEETING

61.1 Councillor Peltzer Dunn referred to paragraph 55.5. He asked how someone at Plumpton College could always be on site to risk assess people. The Head of Housing and Social Inclusion explained that the council would work with Plumpton College to appropriately risk assess people. The project was not fully progressed yet. The wording of this sentence would be amended (see resolution).

61.2 Councillor Peltzer Dunn drew attention to paragraph 55.6, which referred to cash payments. He had now received this information.

- 61.3 **RESOLVED** – That the minutes of the Housing Cabinet Member Meeting held on 1 December 2011 be agreed and signed by the Cabinet Member subject to an amendment to paragraph 55.5 last sentence which should read “Plumpton College was likely to be involved in an advisory capacity in risk assessing the site and in undertaking risk assessments prior to the project commencing.”

62. CABINET MEMBER'S COMMUNICATIONS**Ainsworth House Update**

- 62.1 The Cabinet Member reported that the Council now had vacant possession of Ainsworth House, after it was squatted by a group of about 20 people. Contractors could now get on with the important job of demolishing the building and starting work to build much needed new family homes. She was pleased to announce that Kier Property (part of the Kier Group) was appointed as preferred contractor on 23 December 2011 following a 5 month procurement process. The Kier Group was one of the country's leading construction, services and property companies. The contract was being drawn up for signing and sealing by both parties by the end of the week (20th January 2012). Kier would then take formal possession of the site at the agreed time.
- 62.2 The Tenants Working Group, who had been involved with every aspect of this project from the start, would be liaising closely with Kier during the build process to ensure that the 15 new environmentally friendly council homes met the council's key requirements.

HRA Empty properties

- 62.3 The Cabinet Member reported that the council would be bringing forward 112 long term empty HRA homes not yet batched to go to the LDV for refurbishment and occupancy on a temporary basis to mitigate revenue & community pressures around these homes remaining empty for long periods of time & for these homes to be brought into use more quickly to meet housing needs in the City.
- 62.4 The Cabinet Member reported that with regard to Brookmead & Preston Road; following an initial meeting with the Leader & Housing Commissioning, there had been an approach to Housing Commissioning for a follow up meeting on investment options for refurbishment (on leasehold disposal) and new build on sites which they wished to discuss with their potential investors.
- 62.5 Councillor Farrow asked if there were figures for empty properties outside of the council's ownership. The Head of Housing Strategy replied that there were 953 long term empty properties. 38% had been empty for more than a year. Officers were working with owners and landlords to try to get these properties back in use as soon as possible.

Empty properties - HCA bid - Bringing empty homes back into use

- 62.6 The Cabinet Member reported that as part of the Coalition Housing Strategy, c £80m had been set aside for tackling empty properties from within the 2012-15 Affordable Homes Programme. This was for empty homes that would not be brought back into use

without financial intervention. The council proposed to respond by leading a sub regional bid across Brighton & Hove and East Sussex (district & boroughs).

62.7 The Council also proposed to support a Co-op bid, Co-operative Housing in Brighton & Hove (CHIBAH). The Council also aimed to work with Parity Trust on Empty Property Loans: Parity had agreed to work with BHCC & BEST partners in support of the bid. Parity were a not for profit community finance provider who currently had a contract with all BEST authorities for provision of Home Improvement Loans. The Council aimed to deliver 30 empty homes back into use under this programme per annum, bidding up to £750k per year.

62.8 Councillor Farrow asked if a site had been identified for co-operative housing. He was very interested in this development and would like to be updated with any further information. The Cabinet Member replied that no formal decision had been made on the site yet. She would keep Councillor Farrow informed and would invite him to any relevant meetings on this matter.

63. ITEMS RESERVED FOR DISCUSSION

63.1 **RESOLVED** – That all items be reserved for discussion.

64. PETITIONS

64.1 There were none.

65. PUBLIC QUESTIONS

65.1 There were none.

66. DEPUTATIONS

66.1 There were none.

67. LETTERS FROM COUNCILLORS

67.1 There were none.

68. WRITTEN QUESTIONS FROM COUNCILLORS

68.1 There were none.

69. NOTICES OF MOTIONS

69.1 There were none.

70. UNDERSTANDING THE IMPACTS OF THE WIDER WELFARE REFORM AGENDA

70.1 The Cabinet Member received a presentation from the Head of City Services which set out the major changes that would occur as a result of the wider welfare reform agenda.

The presentation also highlighted the impact of the changes on the private rented sector and on council and social housing. PowerPoint slides were circulated at the meeting.

- 70.2 Councillor Farrow stated that he hoped that the Cabinet Member had spoken to the Leader of the Council about having some strategies in place to protect the people of the city.
- 70.3 The Cabinet Member replied that strategies were being discussed. The Head of City Services explained that this matter had been discussed at the Strategic Leadership Board twice and a scoping and planning meeting was imminent for how the Council worked across the City to manage and communicate this. Officers were working hard on collecting data about potential impact and were working with colleagues across the Council to plan for the changes.
- 70.4 Councillor Farrow asked how these changes would be communicated to residents. The Cabinet Member stressed the importance of communication to allow residents to prepare for the changes.
- 70.5 The Head of City Services stated that officers were aware of this issue and had written to the 25-34 age group a number of times (this group would only be eligible for single room rent from January 2012). Officers had also phoned round to ensure that people understood the changes that were taking place. A third of this age group had made arrangements to live elsewhere before the changes took place. Some were making other arrangements. She was very aware that people needed time to plan.
- 70.6 Councillor Peltzer Dunn commended the Head of City Services for her briefing.
- 70.7 The Cabinet Member stated that she had asked the Head of City Services to come back to update the Cabinet Member Meeting in a couple of months.
- 70.8 The Head of City Services informed members that if they had any questions about these issues they were welcome to email her.

71. PROCUREMENT OF HOUSING & ADULT SOCIAL CARE ADAPTATIONS FRAMEWORK AGREEMENT

- 71.1 The Cabinet Member considered a report of the Strategic Director Place which sought Cabinet approval for the tendering of a framework agreement to provide for minor and major adaptations in council homes and in private sector housing in Brighton & Hove. The report was submitted to the Cabinet Member Meeting for information.
- 71.2 The Cabinet Member stated that the framework agreement was good news. It would be helpful for Housing and Adult Social Care to have a joined up approach.
- 71.3 The Operations Manager/Housing Adaptations OT Team presented the report. She stated that the consultation included representatives of the Tenant Disability Network and the Federation of Disabled People.

- 71.4 Councillor Peltzer Dunn referred to the recommendations. He asked when the timetable for implementation would be in place. The Operations Manager replied that this would be in place by late summer/autumn.
- 71.5 Councillor Farrow asked how the arrangements and partnership with Mears Ltd could work on the Decent Homes project. The Operations Manager replied that there had been joint working with Mears already. There were a number of questions added to the Decent Homes checklist to help identify new needs, someone with a disability not already known to the housing adaptations service and where replacing like for like would not meet the long term need. Cases with the housing adaptations OT team were being cross referenced against the Decent Homes Programme. Adaptations were being picked up at this time.
- 71.6 The Cabinet Member stressed that the whole idea of adaptations was to promote equity for disabled people to allow them to have more independence in their homes and community.
- 71.7 **RESOLVED** – (1) That the report be noted.
- (2) That it be noted that the report would be considered by Cabinet on the 19 January, 2012.
- 72. ADDITIONAL LICENSING FOR HOUSES IN MULTIPLE OCCUPATION (HMO) CONSULTATION & AMENDMENT OF STANDARDS FOR LICENSED HMOS.**
- 72.1 The Cabinet Member considered a report of the Strategic Director Place which gave an update on the progress of consultation on the proposal to introduce additional licensing for smaller HMOs in the wards identified. This included information & feedback gathered to date as part of the initial evidence gathering stage.
- 72.2 Councillor Farrow thanked the Head of Housing Strategy and his colleagues for the helpful briefing for councillors on this issue. He stressed that there was an expanding problem with HMO's. Councillor Farrow stressed that there had been a resistance from some landlords and letting agents to improving their properties. There were now all kinds of people living in multi-occupancy and some landlords were allowing stock to fall into poor condition. He welcomed the work that was going ahead.
- 72.3 Councillor Peltzer Dunn asked questions relating to the consultation. He referred to paragraph 3.16 on page 34 of the agenda and asked why the initial evidence gathered was not considered fit for purpose. The Head of Housing Strategy replied that there was new guidance for Local Authorities on how to carry out peer reviews. As a result, it was thought that it would be an improvement to carry out visits to the same people to gather more evidence.
- 72.4 Councillor Peltzer Dunn referred to paragraph 3.17 of the report. He questioned the wording of the second bullet point, which appeared to exclude people who were opposed to additional licensing. It was agreed that the wording should be appropriately altered.

- 72.5 Councillor Peltzer Dunn referred to paragraph 3.15 bullet point 5. “Many (private tenants) cited concerns that the costs would be past to them.” He stressed that information should be passed to them. He was concerned with the new consultation document and stated that it would have been helpful to have sight of it before it was sent out. Councillor Peltzer Dunn referred to paragraph 3.18 (Action 2 – Evidence Analysis). He asked why this did not state that the process would be based on the final consultation findings. The Head of Housing Strategy replied that this section would be made clearer.
- 72.6 Councillor Peltzer Dunn asked about the definition of an HMO. The Head of Housing Strategy replied that there were many definitions of HMO’s but for the purpose of the report it was based on occupiers of the property concerned. He would send further information on this matter to Councillor Peltzer Dunn.
- 72.7 **RESOLVED** - (1) That the update on the progress of consultation on the proposal to introduce additional licensing for smaller HMOs in the wards identified be noted.
- (2) That it be noted that there is authority under the existing scheme of delegation for the Strategic Director Place to extend consultation on additional HMO licensing of HMOs of two or more storeys and three or more occupiers in the wards identified and on proposed changes to the Brighton & Hove City Council Standards for Licensable HMOs between January 2012 and March 2012.
- (3) That it be noted that the fees for existing mandatory HMO licences remain unchanged for 2012/13.
- 73. INTERREG IVA LEARNING CITIES BID**
- 73.1 The Cabinet Member considered a report of the Strategic Director Place which sought approval and endorsement for participation in the Interreg IVa Learning Cities Project.
- 73.2 The Cabinet Member stated that this was a good news story. The project strengthened neighbourhoods and removed barriers for learning in neighbourhoods.
- 73.3 The Social Inclusion Manager presented the report and explained that the Learning Cities bid was successfully appraised and agreed at the end of November, with formal notification received in early December 2011. Match funding would be identified from existing resources within the HRA. The funding would pay for two Learning Participation Workers who would focus on wider outreach work. They would be working with people on a one to one basis. The funding would also provide training for staff and residents.
- 73.4 **RESOLVED** - (1) That city council participation in the Interreg Iva Learning Cities Project be approved and endorsed.

The meeting concluded at 5.14pm

Signed

Chair

Dated this

day of

BRIGHTON & HOVE CITY COUNCIL

ADULT SOCIAL CARE & HOUSING OVERVIEW & SCRUTINY COMMITTEE

4.00PM 12 JANUARY 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors K Norman (Chair); Phillips (Deputy Chair), Buckley, Gilbey, Peltzer Dunn, Turton and Wealls

Co-opted Members: Robert Brown (BHLINK)

PART ONE

34. PROCEDURAL BUSINESS

35A Declaration of Substitutes

35.1 There were none.

35.2 Cllr Mike Jones sent his apologies.

35B Declarations of Interest

35.3 There were none.

35C Declarations of Party Whip

35.4 There were none.

35D Exclusion of Press and Public

35.5 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.

35.6 **RESOLVED** – that the press and public be not excluded from the meeting.

35. DRAFT MINUTES OF THE MEETING HELD ON 03 NOVEMBER 2011

36.1 RESOLVED – That the minutes of the meeting held on 03 November 2011 be approved and signed by the Chairman.

36. CHAIR'S COMMUNICATIONS

37.1 The Chair told members that the scrutiny panels on vulnerable adults and on the budget were nearing their conclusion.

37.2 The Chair informed members that the scrutiny workshop on community meals and the community meals tasting session had both taken place. A report back will be presented to ASCHOSC at its next meeting.

37. PUBLIC QUESTIONS

38.1 A public question from the Brighton & Hove Local Involvement Network (LINK) was received (see minute book). This was debated as part of the agenda item on Homelessness.

38.2 Officers agreed that a written response on the issue raised would be sent to the LINK.

38. LETTERS FROM COUNCILLORS

39.1 There were none.

39. NOTICES OF MOTIONS REFERRED FROM COUNCIL

40.1 There were none.

40. PRESENTATION FROM CLLR BILL RANDALL, CHAIR OF THE BRIGHTON & HOVE STRATEGIC HOUSING PARTNERSHIP

41.1 Cllr Randall spoke to the committee about the working of the Strategic Housing Partnership (SHP).

41.2 Cllr Randall outlined some of the major housing challenges facing the city. These included:

- Homelessness – with the number of people applying for temporary accommodation and the number of rough sleepers both up significantly in the past few months.
- Social Housing – inadequate to meet demand, particularly in terms of family homes. The SHP is actively engaged with city Registered Social Landlords (RSLs), but the new national rent regime requiring RSLs to charge 80% of market rates for rent will make RSL properties unaffordable for many local people.
- Student Housing – family homes being converted to student accommodation; nuisance problems associated with some homes in multiple occupation (HMOs); lack of dedicated student housing (especially for students at Brighton University). Cllr Randall noted that

both city universities were now fully engaged with this issue and taking more responsibility for problems associated with their students. The council was looking to use planning law to check the spread of HMOs, but needed to be circumspect to avoid legal challenge.

- Private Rented – vacancies in the sector silting up, and significant recent rent increases.
 - Housing Benefit – imminent changes to the benefit system likely to exacerbate housing problems, particularly for young people.
 - New homes – very little activity either nationally or locally. The council is looking to encourage new building on two city sites: Circus Street and Preston Barracks.
 - Empty Homes – looking at reducing the number of empty council properties (currently around 70, although part of this has been necessitated by the development of Seaside Community Homes and the requirements of its financing). Also looking at how best to deal with private sector empty properties.
 - Supporting People – recognising the importance of Supporting People grants and seeking to protect Supporting People activities as much as possible in the current financial climate.
 - Extra Care – increasing demand for a range of supported housing options for older people.
 - Tenants – greater tenant involvement in making decisions about their housing, both in terms of council tenants and people in the RSL or private sector.
- 41.3 Asked whether he would consider remaining as SHP Chair when he takes up mayoral duties in May 2012, Cllr Randall told members that he would certainly consider doing so if asked.
- 41.4 In response to a question on the sub-letting of social housing, Nick Hibberd, Head of Housing and Social Inclusion, told members that tenancy fraud was a priority for the Housing service. Housing and the council's Audit service worked together to investigate potential sub-letting, either on the basis of tip-offs from members of the public or cross-checking housing records with benefits' data. Although not a problem on the same scale as in some London boroughs, sub-letting was a significant issue and was not tolerated. The council did prosecute suspected fraudsters, although this was a tricky process as it was typically not easy to collect evidence sufficient for a conviction.
- 41.5 The Chair thanked Cllr Randall for attending and answering members' questions.

41. HOMELESSNESS: TRAINING SESSION

- 42.1 This item was presented by Narinder Sundar, Commissioning Manager, BHCC Housing Commissioning Unit; and Richard Denyer-Bewick, Quality Assurance and Risk Manager, BHCC Rough Sleepers' Team.

- 42.2 Members were told that rough sleepers present a significant local challenge. Most rough sleepers (around 65%) have no local connection, and may originate from a wide variety of places – they are not just displaced people from London. Rough sleepers typically have very complex needs, including mental health, physical health and substance misuse issues.
- 42.3 The council provides or commissions a number of services for this group of people, working with and alongside other organisations including local church groups. One such organisation currently runs St Patrick’s Night Shelter, providing 14 beds, but will shortly be closing the service. A group of city churches plan to open extra cold weather provision, which should replace some of this capacity; and the council also funds an extreme weather shelter scheme.
- 42.4 In answer to questions regarding how the number of rough sleepers was counted, the committee was told that the methodology of the official count was nationally fixed; although recognised as inaccurate, the consistency over time of this count allows the current situation to be compared with past situations. The council also undertakes its own count which is much more accurate; typically, the local count produces around double the results of the national count.
- 42.5 In response to questions regarding the trigger for opening the extreme weather shelter, members were told that the shelter is opened whenever there is a forecast for freezing weather across three consecutive days. The shelter is opened on day 1 of the forecast period, and the situation is reviewed daily thereon.
- 42.6 Members were also told that the location of the emergency shelter is not widely publicised, as the shelter is only accessible via referrals; it would be too dangerous to simply allow rough sleepers to turn up on spec. Although requiring referral might seem to risk delaying access to an emergency provision, in fact the great majority of rough sleepers are known to agencies and can be referred very quickly.
- 42.7 Members were also informed that the council had bid for funding for a project that would identify and swiftly intervene with new rough sleepers, aiming to get them off the streets with immediate effect. This scheme would be available to people with or without a local connection.
- 42.8 In response to a question about the occupancy rate at city hostels, members were told that rates were very high – in practical terms, there is a waiting list for places and the Homelessness team works hard to encourage timely ‘move-on’ to less intensively supported accommodation for hostel residents in order to free up places for the most needy.
- 42.9 The Chair thanked the officers for their contribution, praising their wide knowledge of city homelessness issues.

42. SAFEGUARDING ADULTS ANNUAL REPORT

- 43.1 This item was introduced by Denise D’Souza, Director of Adult Social Services and Lead Commissioner, People. Also present were Brian Doughty, Head of Adults Assessment, and Michelle Jenkins, Safeguarding Adults Manager

- 43.2 In response to a question asking how council staff and those of partners were alerted to safeguarding issues, members were told that a variety of means were used, including an email staff register that automatically alerted subscribers. There are still some software incompatibilities, particularly regarding the council's Care First and the NHS Care Programme databases, and non-IT solutions to these may be required.
- 43.3 In answer to a query about the high number of safeguarding alerts compared to investigations, the committee was told that safeguarding procedures had subsequently been clarified, as it was felt that partners were making alerts where there were care rather than safeguarding issues – many of the alerts were leading to care assessments rather than safeguarding investigation.
- 43.4 In response to questions regarding the relatively low alarm rates from BME and LGBT communities, members were told that there was ongoing work to raise awareness amongst BME people. Currently, data is not collated on LGBT people, as there is a sensitivity about asking for this information at a time of crisis.
- 43.5 In answer to a query about the long time taken to conduct some safeguarding investigations/staff investigations, the committee was told that the process was sometimes unavoidably lengthy as investigations into staff misconduct often had to wait until a safeguarding investigation had concluded. However, the process was now as streamlined as possible.
- 43.6 The Chair commended the council's safeguarding team for their excellent work, reflected in the annual report.
- 43.7 RESOLVED – That the annual safeguarding adults report be noted.**
- 43. REPORT OF THE DIRECTOR OF ADULT SOCIAL CARE/ STRATEGIC DIRECTOR, PEOPLE, ON ASC PERFORMANCE**
- 44.1 This item was introduced by Philip Letchfield, Head of Performance and Contracting, ASC.
- 44.2 Members were informed that the Department of Health (DH) had launched 'Local Accounts': an annual, locally produced report on ASC performance. Local accounts are currently voluntary, and there is very little guidance on them, the intention being that each area develops a report that suits its specific needs. The question for Brighton & Hove is therefore how best to take this project forward. The intention is to consult with local people and stakeholders (including BHLINK and the Older People's Council) to produce a Local Account that is of real use to local people.
- 44.3 In response to comments about the difficulty of getting members of the public to engage in a consultation on the format of the annual social care performance report, members were told that this issue was a tricky one, and that the council would have to plan carefully, considering how best to use stakeholders to encourage debate. Amongst the stakeholder groups/forms of publicity suggested as useful were: the BHLINK newsletter, The Pensioner newsletter, community newspapers, Community Development Teams and the Tenant Disability Group. It was also suggested that ASC might consider running a prize draw to encourage consultation responses.

44.4 RESOLVED – That the report be noted and officers invited to a future committee meeting to discuss a future iteration of their plans with regard to Local Accounts.

44. ITEMS TO GO FORWARD TO CABINET OR THE RELEVANT CABINET MEMBER MEETING

45.1 There were none.

45. ITEMS TO GO FORWARD TO COUNCIL

46.1 There were none.

The meeting concluded at Time Not Specified

Signed

Chair

Dated this

day of

BRIGHTON & HOVE CITY COUNCIL

HOUSING MANAGEMENT CONSULTATIVE COMMITTEE

3.00pm 19 DECEMBER 2011

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Wakefield (Chair); Duncan, Farrow, Mears, Pidgeon, Randall, Robins, Simson 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), Stewart Gover (North & East Area Housing Management Panel), David Avery (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 (Leaseholders Action Group), Tom Whiting (Sheltered Housing Action Group) and Barry Kent (Tenant Disability Network)

Apologies: Jean Davis, Heather Hayes and Tina Urquhart.

PART ONE

54. PROCEDURAL BUSINESS

54A Declarations of Substitute Members

54.1 Councillor Mears declared that she was attending as a substitute for Councillor Peltzer Dunn. Councillor Simson declared that she was attending as a substitute for Councillor Wells. Dave Avery declared that he was attending as a substitute for Tina Urquhart.

54B Declarations of Interests

54.2 Councillor Summers 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).

54C Exclusion of the Press and Public

54.3 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.

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

55. MINUTES OF THE PREVIOUS MEETING

55.1 *Homemove in Community Centres – Item 42.4* – Councillor Simson asked which centres would receive copies of Homemove. She was informed that printed copies of Homemove were available in all sheltered units and at the Java Café in Woodingdean.

55.2 *Victoria Road Housing Office – Items 42.9, 42.10, 42.11* – Councillor Robins asked for an update. The Head of Housing and Social Inclusion stated that a decision to move the office was made in March 2011. An email had been received from the Head of Property Services explaining the process for the move. The move was earmarked for 2013/2014. There was a commitment to involve the West Area Panel and residents in the west nearer the time.

55.3 *Dams in Bevendean – item 52.3* – Councillor Farrow asked for an update. The Head of Tenancy Services explained that officers were in contact with Property and Estates regarding the maintenance of dams. She assured Councillor Farrow that the risk to Bevendean was very low at the moment.

55.4 It was suggested that it would be useful for councillors if there could be a survey of potential flood areas across the city. Councillor Duncan reported that the feedback from civil contingency was that current water levels were low and there was more likely to be a water shortage.

55.5 *Access to the Whitehawk Hub – Paragraph 53.25* – John Melson stated that Chris Kift had made a trip to the Whitehawk Hub and had found it very different from the conclusion drawn from the minutes.

55.6 The Chair informed members that she had visited the hub along with the Head of Housing and Social Inclusion and Councillor Powell. They had walked from the car park to the hub and back. The Chair had noticed the points raised by Chris Kift and they were being taken seriously. For example, trees needed to be trimmed back.

55.7 Chris Kift reported that he had had trouble with traction on his chair due to the number of leaves in the narrow lane. Meanwhile, at the bottom of the slope there was a Y junction which had a strange camber. Chris noticed an old man with a stick having difficulty moving up from the wide junction as did Chris. If there were a bus service it would be a long slog up the hill. The hub was too far away from any bus stop for anyone with leg and chest problems or other disabilities.

55.8 The Chair had noticed the camber and pointed out that it was possible to turn right to the library at the top of the junction. She considered that there needed to be better signage. Meanwhile, she had stressed that in future the council needed to be involved with people like Chris at the beginning of a development. The Chair reported that she

had written letters to the Chief Executive regarding gritting and Roger French regarding the bus service to the hub as outlined in the minutes.

- 55.9 The Head of Housing and Social Inclusion informed the Committee that the council considered that the site was accessible and wanted to continue to make improvements both before and after the move. Signage would be improved. There was no date for the move at present. Councillor Randall confirmed that signage would be dealt with as a matter of urgency.
- 55.10 **RESOLVED** – That the minutes of the Housing Management Consultative Committee Meeting held on 7 November 2011 be agreed and signed as a correct record.

56. CHAIR'S COMMUNICATIONS

Brian Balchin

- 56.1 The Chair reported the sad news that Brian Balchin died unexpectedly last week. Brian was a committed member of the tenant movement. Whether as part of the Jasmine Court Tenants Association, Sheltered Housing Action Group, Choice Based Lettings User Group or Repairs and Maintenance Monitoring Group, to name but a few, his contribution was greatly valued by residents and staff alike. Brian would be greatly missed and his death was a great loss. The funeral would take place on Friday 23 December 2013 at 11.15am at the North Chapel at Wood Vale Crematorium.
- 56.2 Tom Whiting stated that Brian was his friend. He was totally dedicated to other people and would be greatly missed.
- 56.3 The Committee held a minute silence in tribute to Brian.

City Assembly

- 56.4 The Chair thanked and congratulated everyone who was involved in the City Assembly last month. A record number of tenants attended and there were over 400 hits on the webcast with people viewing the debate online, and more than 100 taking part via twitter.
- 56.5 For the first time residents could bring children as a crèche was available. It was great to see some families and one or two teenagers taking part.
- 56.6 The Chair congratulated the City Assembly Chair, Chris Kift, and Vice Chair, Stewart Gover who were both re-elected.
- 56.7 The Chair stated that it was a great day and a great turnout. It demonstrated just how powerful using the internet and social media could be to involve residents more widely.
- 56.8 The Chair acknowledged that it was important to remember there were people who did not use computers or smart phones and would never tweet, text or log on to Facebook. The council were exploring ways of helping people to get on-line, but also to continue using traditional ways of involving people.

Closure of Public Toilets

56.9 The Chair referred to a paper that was circulated to Committee Members by Stewart Gover regarding the proposal to close several public toilets in the city. The Chair stated that a consultation process was in place and the administration welcomed the tenants' input. The Chair thanked Stewart for his paper.

Multi Agency Health and Care Working Party

56.10 Tom Whiting informed the Forum that it had come to his notice when looking at the budget proposals that there was a move by Adult Social Care to "improve the care of sheltered tenants". This had never been discussed at the HMCC and there had been a failure of consultation through the various groups including the Sheltered Housing Action Group.

56.11 Councillor Mears stated that the budget proposals would result in 30 units being lost to housing in 2012/2013. Tenants had not been consulted and this matter should be discussed at the Sheltered Housing Action Group.

56.12 Councillor Randall explained that the proposal was due to an increased need for extra care. This matter could be brought back for discussion. Councillor Randall stressed that the budget had been produced 2 months early in order to allow for consultation.

56.13 John Melson stressed that there was a shortage of housing. Properties should be being built.

56.14 The Chair stated that squatters were being moved from Ainsworth House to enable that development to take place.

57. CALLOVER

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

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

58. PETITIONS

58.1 There were none.

59. PUBLIC QUESTIONS

59.1 There were none.

60. DEPUTATIONS

60.1 There were none.

61. LETTERS FROM COUNCILLORS

61.1 There were none.

62. WRITTEN QUESTIONS FROM COUNCILLORS

62.1 There were none.

63. HOUSING & SOCIAL INCLUSION PERFORMANCE REPORT (QUARTER 2)

63.1 The Committee considered a report of the Head of Housing & Social Inclusion which set out the second quarter performance report for Housing & Social Inclusion for the financial year 2011-2012 and followed the format for presenting information agreed at the last meeting.

63.2 Councillor Mears stated that it had previously been agreed to have figures and not percentages in the report. Meanwhile she noted that asbestos removal was not mentioned. Councillor Mears referred to the delays in the Ainsworth House project. She understood that the delays to the development were not caused by asbestos but due to a problem with procurement. She requested a report on Ainsworth House.

63.3 The Head of Housing and Social Inclusion informed Councillor Mears that he would send her a report on asbestos removal. Councillor Farrow asked for this to be sent to all councillors on the HMCC.

63.4 John Melson stated that there were 350 empty homes. He asked if they were included in the report. The Head of Housing and Social Inclusion explained that long term empty properties were not included in the calculations.

63.5 John Melson referred to paragraph 3.5.0 – Tenant satisfaction with repairs. This stated a 97.54% satisfaction. He asked why jobs were cancelled, and whether the jobs were wrongly raised. Mr Melson noted the improvement in the percentage for decent homes. He asked if the criteria for kitchens and bathrooms had moved to the Brighton & Hove standard.

63.6 The Chair stated that she would like to see more clarification on why more appointments were not kept.

63.7 The Head of Housing and Social Inclusion reported that future reports could include details on cancelled jobs. With regard to tenant satisfaction, he was aware that there was mistrust in the process. As a result, officers were looking at a number of ways of measuring satisfaction. This might involve using tenants or third party representatives to produce the figures. This matter would be discussed by the various groups in the New Year.

63.8 The Head of Housing and Social Inclusion explained that the standard on Decent Homes had not changed. The council was trying to communicate more clearly on this subject. He would be happy to circulate an explanation of the standard to all members of the HMCC.

- 63.9 Ted Harman expressed concern about the use of percentages which he felt did not give sufficient information. The Chair agreed that raw figures were needed.
- 63.10 Councillor Randall stated that progress on long term empty properties should be reported to the HMCC. He stressed that work needed to be carried out to see if there was asbestos at Ainsworth House. Meanwhile, the LDV was now beginning to deliver.
- 63.11 Stewart Gover was glad to hear that the squatters were being moved from Ainsworth House. The Head of Housing and Social Inclusion reported that a court hearing had issued a possession order for the squatters to leave. If they remained, bailiffs would remove them before Christmas.
- 63.12 Beverley Weaver reported that she had spoken to a Mears operative on 27 October. She was told that 500 tenant satisfaction surveys had to be completed by the end of the month, and that some of the surveys were not being completed accurately. She questioned how there could be a 97% satisfaction rate. Ms Weaver mentioned that her son had required some work and the job was cancelled. He had to wait another 3 weeks.
- 63.13 The Chair stated that she had requested a meeting with the Head of Housing and Social Inclusion and Mears Ltd. Tenant satisfaction would be discussed.
- 63.14 The Head of Housing and Social Inclusion referred to the allegation made by Beverley Weaver. This was the first he had heard of it and it would need to be investigated.
- 63.15 James Crier from Mears Ltd reported that communal repairs such as jobs to communal blocks were excluded from the satisfaction survey. Customer surveys were carried out on PDA's (personal digital assistants). There would be a need to carry out an audit to ensure that the surveys were carried out properly. The Chair stated that it needed to be made clear whether the information collected on the PDA's was for Mears' records or for the council's records.
- 63.16 Councillor Simson asked for clarity regarding the percentage of empty properties passing right first time. She was not clear whether the decent homes percentage was measured on the national or local standard. Councillor Simson asked how properties renovated under the LDV were prioritised. She considered that family homes should be prioritised.
- 63.17 The Head of Housing and Social Inclusion reported that the percentage of empty properties passing right first time was 97.93%. This was slightly below the target but had not impacted much on the turn around time, which was currently 18 days. The council was still performing better than in previous years. Meanwhile, the council worked to the Brighton & Hove Standard which also applied to kitchens and bathrooms. The standard had not changed and could not be a lesser standard than the national standard.
- 63.18 The Head of Housing and Social Inclusion reported that there was an agreed business model with regard to properties renovated under the LDV. The council were trying to prioritise long term empty properties and were working with contractors to see how best

to prioritise. It might be done geographically. There would be a time scale for each batch of properties to ensure an income stream for Brighton & Hove Seaside Homes.

- 63.19 John Melson raised the issue of communal repairs. He asked why someone else other than Mears Ltd did not collect information on these repairs. He suggested that a representative from a local association could give feedback. Mr Melson wondered if the stock being transferred to the LDV was the least expensive property, in order to squeeze costs. Meanwhile, Mr Melson expressed concern that the Brighton & Hove Standards should be the very best standards and not the worst.
- 63.20 The Chair stated that she would like a report to be made available to all members setting out exactly what the decent home standards were, and providing information on specific standards for Brighton & Hove Seaside Homes Ltd.
- 63.21 Councillor Randall agreed with Mr Melson regarding the matter of judging tenants' satisfaction on communal blocks. He suggested that there could be a tenant representative for each block to look at the work that had been carried out. With regard to the LDV, it was not avoiding taking on the more expensive homes. There was a mixture of different homes. He asked for a presentation on this matter at the next meeting.
- 63.22 John Melson asked about progress on scooter storage. The Head of Property and Investment reported that the scooter storage programme was being rolled out. Tom Whiting confirmed that work was progressing.
- 63.23 John Melson stressed that officers had not visited individual blocks to discuss this matter. The Chair asked for the relevant officer to provide a report back to the next HMCC meeting on the progress with scooter storage.
- 63.24 **RESOLVED** – (1) That the report and the above comments be noted.

64. REPAIRS & IMPROVEMENTS HANDBOOK

- 64.1 The Committee considered a report of the Head of Housing and Social Inclusion which presented a proposal for a new and updated "Repairs and Improvements Handbook". The handbook gave details and advice to all tenants on repairs and improvements to their homes and had been designed to complement the existing tenant handbook.
- 64.2 The Chair reported that she had received a few emails from people who had expressed concern about the new repairs handbook. She had discussed the handbook at a meeting with Councillor Randall, the Head of Property and Investment and the Head of Housing and Social Inclusion. Although the handbook was clearly written, it had errors which would be corrected. There was also some ambiguity such as the section on floor coverings. There needed to be clarity on that issue. The handbook was not ready to publish yet and would be presented to the Repairs and Maintenance Monitoring Group, the Area Panels and then back to the HMCC.
- 64.3 Stewart Gover referred to the bullet points on page 32 of the agenda. He stated that some of these were in the wrong columns. For example, a bullet point showed it was the responsibility of the tenant to deal with gas cooker repairs, including connections

and meters. It could not be responsibility of tenants to deal with connections and meters. It also stated that tenants were responsible for garage keys, and the maintenance of locks which was incorrect. He would take these issues to the Repairs and Maintenance Monitoring Group.

- 64.4 The Chair stated that with regard to gas cookers, there needed to be an extra column. It was certainly not the tenants' responsibility to repair gas connections and meters. The company who supplied the gas had that responsibility. The tenants were responsible for contacting the company.
- 64.5 The Head of Housing and Social Inclusion explained that it had not been easy to clearly describe what was the responsibility of the tenant or landlord. The council wanted to look at these issues with the tenants.
- 64.6 Beverley Weaver noted that the report stated that WC seats and toilet chains were the tenants' responsibility. She asked if training would be given. Meanwhile, there was no mention of the council claiming for criminal damage.
- 64.7 The Head of Housing and Social Inclusion explained that there was information on rechargeable repairs in the tenants' handbook. Tenants should be given information about how to leave their properties.
- 64.8 David Murtagh referred to lost or stolen keys. He informed tenants that they could get cover for keys on their home contents insurance.
- 64.9 Councillor Simson referred to the section of the handbook which dealt with tenant alterations and improvements. She specifically referred to the paragraph which stated "please remember that any improvements that you do could affect your eligibility for planned work as part of the Brighton & Hove Standard. For example, if you replace your kitchen or bathroom to a high standard, your property may not then qualify for a replacement kitchen or bathroom." Councillor Simson felt this paragraph would be off putting to tenants who wanted to improve their properties. She felt it was a negative paragraph and she asked if it could be reworded.
- 64.10 John Melson referred to the section on Repair Responsibilities, specifically to internal decoration, including the inside of the front door. He asked if tenants were responsible if contractors damaged wallpaper. Surely it was the contractor's responsibility to make good. The Chair replied that this matter would be clarified.
- 64.11 Councillor Farrow stated that he felt that there should be mention of an asbestos register in the handbook. The Head of Property and Investment explained that there was an asbestos register. There was a reference to asbestos in the leaflet and there was a separate leaflet on asbestos.
- 64.12 **RESOLVED** – (1) That the report be referred to the Repairs and Maintenance Monitoring Group for consideration. It will then be referred to the Housing Area Panels before further consideration at the HMCC on 19 March 2012.

The meeting concluded at 5.30pm

Signed

Chair

Dated this

day of

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 4th 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

HOUSING CABINET MEMBER MEETING

Agenda Item 86

Brighton & Hove City Council

Subject:	Letting Agent's Accreditation Scheme		
Date of Meeting:	29th February 2012		
Report of:	Strategic Director of Place,		
Contact Office Name:	Sylvia Peckham	Tel:	29-3319
	John Maguire		
	E-mail:	Sylvia.peckham@Brighton-hove.gov.uk	
		John.maguire@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To seek a general authority for the Strategic Director of Place to develop and launch a Letting Agent's Accreditation scheme in the city in partnership with local letting agents which will seek to recognise and reward letting Agents who consistently offer a high standard of service to their tenants.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member for Housing approves the creation and launch of the Letting Agents Accreditation Scheme.
- 2.2 That the Cabinet Member for Housing delegates authority to confirm the accredited status of Lettings Agents to the Strategic Director of Place, upon achievement of the criteria for accreditation.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 In late 2010 and early 2011, Overview and Scrutiny Committee undertook an examination of the practices of letting agents in the city's private rented sector. One of the outcomes was a recommendation that the council should set up an Accreditation Scheme to encourage and reward good practice in the sector.
- 3.2 The scheme will sit alongside the council's existing Landlord Accreditation Scheme and will be open to any Letting Agent who operates in the city and who meets the agreed criteria.
- 3.3 The proposed scheme has been developed in partnership with Letting Agents and the University. The scheme has been devised as a way of developing the council's role within the sector with the aim of improving standards, tenancy management and in increased transparency in fee charging structures. The known private rented sector accounts for almost 23% of the total housing stock in the city and as such is the

second largest tenure. Therefore the council believes that whilst regulation isn't possible, incentives can be created which will drive up standards in this sector.

Benefits available to agents who are accredited will include:

- Promotion and recognition as an Accredited Agency on the Council's website and so will be a trusted Agent.
- Once accredited they will be able to use the Accreditation logo in their stationery.
- Agents will be entitled to call a single number within the council and have their questions asked or their problems investigated.
- Tenants will be encouraged to monitor the service they receive from their Agents and feedback to the council who will investigate any issues.
- Agents and Landlords will be encouraged and supported to improve both their property standards and their service standards. Advice and information on grants and other services which can support landlords will be available.
- The council will work with the Universities to promote Accredited Agents to students and parents.

3.4 The aim is to launch the new scheme in early March with marketing and publicity materials being made available to coincide with the launch.

3.5 Consideration has been given over whether to charge for this service. However, as the council is keen to attract as many agents as possible to take part, it was thought that imposing charges might be a barrier to involvement. Other councils in have introduced successful schemes and have not charged for this. There will be no significant cost implications for the council. Staffing resources will be met from within the existing structure.

4. CONSULTATION

4.1 We have consulted with a number of Letting Agents and the Universities in developing this proposed scheme, and have taken on board the outcome identified by Overview and Scrutiny Committee. We will review the scheme after a year to analyse benefits of the scheme and how it could develop and will consult with all Letting Agents as part of this.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

It is not anticipated that there would be significant financial implications arising from the recommendations of this report with Officer time, marketing and stationery costs being met from existing resources.

Finance Officer Consulted: Michelle Herrington

Date:26/1/12

5.2 Legal Implications:

We are aware that similar schemes are being run by local authorities in different areas of the Country. We are empowered under Local Government Act 2000 to do anything that is not prohibited (this activity is not prohibited), which promotes the economic social and environmental well being of our area. S2(4) of the same act allows us to : enter into arrangements or agreements with any person, or co-operate with, or facilitate or co-ordinate the activities of, any person. It would seem that as the purpose is to provide a better letting regime within the city, which will have at least social benefits and potentially environmental as well, that this is an objective under the act.

We have checked with our Insurance team and they are satisfied that our current insurance scheme will cover any actions arising from our involvement. This would include matters such as:

- Disputes over rating that is given (the Council will rely on feedback from the tenants).
- An ineffective / negligently run scheme.
- Disputes over disciplinary action etc.
- Disputes over accreditation (or refusal of accreditation).

There is in existence the Accreditation Network UK which may provide a useful set of policies and procedures for the initial trial period of a year.

Please note that the insurance cover does not preclude actions being brought: it is sadly the case that Local Authorities are seen as an acceptable target for litigation. As long as there is a proper code of practice; appropriate resource allocation and appropriate mechanisms for compliance checking; complaint resolution and disciplinary action, then we should be protected. Careful thought will also have to be given to the mechanisms and structures of the agency, especially where we are working with third parties from outside the Council and who may be seen to have a vested interest.

The Human Rights Act does have the right to enjoyment of home, it would be hoped that this work would further that principle. Article 6 – the right to a fair trial - is also engaged. As an accreditation scheme this will be a de facto tribunal and must act accordingly.

Lawyer Consulted: Simon Court

Date:1.12.11

5.3 Equalities Implications:

A letting agent's accreditation scheme will increase the quality of property in the market place and provide clearer information for different groups e.g. students, vulnerable homeless people etc to ensure they are aware of the implications of any tenancy agreement they sign.

5.4 Sustainability Implications:

The aim of the scheme is to work in partnership with Agents to raise the management and repair standards in the private rented sector, making it a more sustainable housing option and providing better value for money for tenants.

5.5 Crime & Disorder Implications:

Improved standards in both maintaining accommodation and management standards will contribute to reducing Anti Social behaviour. ..

5.6 Risk & Opportunity Management Implications:

A risk opportunity management matrix is appended.

5.7 Corporate / Citywide Implications:

The proposal will contribute to the council's strategic priorities of reducing inequality by providing good quality accommodation suitable for meeting households' needs.

6. **EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The council considered incorporating the letting agency accreditation scheme into the existing landlord's accreditation scheme. However, this would not enable the scheme to be tailored to the needs of Letting Agents as distinct from individual landlords. .

7. **REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The recommendations have been made so as to encourage Letting Agents to be more transparent and to improve the service provided to their customers. Accreditation will set minimum standards in service delivery which Letting Agents will be encouraged to achieve and tenants will be encouraged to expect.

SUPPORTING DOCUMENTATION

Appendices:

1. Letting Agent's Accreditation Guide

Documents in Members' Rooms

1. None

Background Documents

1. Letting Agent's Scrutiny Panel Final Report.

Brighton & Hove Letting Agents Accreditation Scheme (BHLAS)

Introduction

At BHCC we recognise the enormous role of the private rented sector in providing accommodation throughout our city. The Council believes it is important to work with and support letting agents who consistently maintain high standards within the private rented sector. This document is a guide setting out the Council's procedure for bringing letting agents into the Brighton & Hove Letting Agents Accreditation Scheme, (BHLAAS). If you have any other queries or concerns contact the council on 01273 293086.

Why have an Accreditation Procedure?

To ensure that higher standards are achieved and maintained and that agents are encouraged, supported and where possible, rewarded by the scheme and to encourage tenants to seek out accredited agents when searching for accommodation.

How will Tenants become aware of BHLAAS?

Tenants are informed of BHLAAS through organisations such as the local Universities, Citizen's Advice Bureaux, Tourist Information Offices and the Council's Private Sector Housing Teams who are expected to encourage prospective tenants to seek out accommodation let by accredited agents. The council will also publish publicity materials and undertake marketing of the scheme.

Agents can advertise their membership of the scheme in their offices. They are also able to use the logo on their websites, when advertising their properties or when they enter into written correspondence.

Agents are encouraged to display the BHLAAS Certificate in any property they manage. Businesses, which offer discounts to BHLAAS members, are encouraged to display information relating to the Scheme in their retail outlets.

What are the standards for Accreditation?

The standards for accreditation can be divided into two component parts. They relate to the physical standards of the property and the standards of tenant management as set out below.

Property Standards

- Clean and in good repair at the onset of a tenancy
- Adequate disposal of waste

- **Secure modern locks (In HMO's in each bedroom)**
- **Fixed Economic Heating**
- **Compliant to Fire Safety Regulations**
- **Compliant to Furniture/Furnishings Fire Regulations**
- **Current Gas Safety Certificate**
- **Current Buildings Insurance**
- **Agreement to random inspections**
- **Never to let a property known to have structural defects or any other known dangers.**

Management Standards

- **Fair & equal treatment of Tenants; race, gender etc.**
- **Accurate written Tenancy Agreement**
- **A Deposit Procedure compliant with the NDPS legislation**
- **Accurate Inventory /Schedule of Condition**
- **Photocopied evidence available to Tenants of Gas Safety Certificate**
- **Full repairs contact & procedure including tel. numbers for emergency repairs and**
- **Full explanation of use of Fire Alarm System**
- **Full explanation of use of Security Alarm & procedure**
- **Energy Performance Certificate**

Business Standards

- **Agent holds current Client's Monies Protection Insurance**
- **Professional Indemnity Insurance**
- **An accountant's report confirming that the business complies with the accounting standards of any national lettings accreditation agency.**
- **Must provide open and transparent charging structures to the extent that the tenant can fully anticipate the costs of rental in the forthcoming 12 months rental before signing the AST. These must be designed in such as way that the tenant can understand them**
- **Must provide tenants and landlords with full explanations for any increases in costs**
- **Undertakes customer satisfaction surveys**

- Allows BHCC to survey tenants/landlords on their experience of the agent

What are the Benefits to the BHLAAS Members?

The benefits to BHLAAS members include access to a dedicated officer, who provides general support and advice and acts as a link to other specialised officers who can quickly investigate any issues or problems the Landlord/agent is encountering such as housing benefit or environmental health issues.

Recognition & Promotion

Brighton & Hove City Council is keen to recognise and accredit agents whose management of both property and tenant are considered to be of a higher standard. Accreditation would give agents a market edge with tenants and landlords.

Accredited agents would have the right to display an Accredited Agent Certificate within their property and to use an Accredited Agent Logo when advertising their property.

The process of BHLAAS

Agents can contact the Council's Private Sector Development Officer (PSDO) who will fully explain the implications of the Scheme. If necessary, the PSDO will visit the agent to discuss the scheme.

This booklet contains a checklist. This list itemises all expected standards to be achieved to obtain accreditation. Upon receipt of a fully completed form and fully completed Checklists, the agent and his or her property/s (subject to meeting all the expected criteria) will be deemed to be accredited.

Agencies below standard at present

Agent's which at the time of application do not meet the full standards of BHLAAS, will be considered, provided they do not breach Health & Safety requirements or any other legal requirements. If agents can provide detailed and timed programmes of improvement to reach the standards then they can become accredited. The PSDO ensures that this programme of works is monitored.

How will the BHLAAS standards be monitored?

An agent cannot become accredited without agreement to participate in customer satisfaction surveys. Accreditation is limited to 3 years, and at the renewal stage a further visit may be carried out by the PSDO.

Tenants are entitled to report to the Council any significant fall in the standards of the property or its management.

Role of the Private Sector Development Officer

The PSDO presents BHLAAS to landlords and agents, is a support and source of advice for accredited agents and is a link to other council officers in order to resolve difficulties. This officer is responsible for promoting BHLAAS to a wide and varied audience. The officer is involved in delivering training, where necessary to private landlords. The officer will also be the Chair of any proposed Complaints Panel.

Accreditation Complaints Panel

The complaints panel will be made up of the council's PSDO, (the Chair), and two Accredited Agents. Where it is necessary to reach decisions, a majority vote will need to be reached. The Acquisitions and Accreditation Manager, acting neutrally will cast any deciding vote.

Benefits

Earlier Vacant Possession

We recognise that agents who are members of BHLAAS would be demonstrating good practice in terms of tenancy management. Accredited agents would want to ensure that everything is done to prevent people from becoming homeless and will seek support from Brighton & Hove City Council to help with this. For example, if tenants are getting into arrears, an agent can contact the PSDO so the appropriate Officers can intervene to resolve this, thereby avoiding the need to serve notice.

We do accept that there are times when this intervention may not prevent the need for possession. Tenants will then be given advice on how to find alternative accommodation.

It is always important for the agent to ensure that the Notice has been served correctly. Where there may be a duty on the Council to house the tenant in question permanently, and if the tenants are still in the property when Notice expires, alternative temporary accommodation will be sought. However, as it is still the tenant's legal right to remain in the property until a Bailiff's Warrant is executed, a tenant may still decide to chose this, despite other options presented to them.

Grants

The Council's Private Sector Housing Team provides a selection of grants available to private landlords. The Council's Housing Renewal Assistance Policy provides applications to be made for insulation measures of up to £1,000 and up to £3,000 for energy efficient gas central

heating. Letting Agents cannot be paid grants but can facilitate their landlords receiving these.

Housing Benefit

The Council recognises that delays in Housing Benefit do cause real hardship to agents and landlords. To this end where delays or problems occur, accredited landlords can contact the PSDO, who can make enquiries with Housing Benefit on the agents behalf.

To ensure accurate processing of initial Housing Benefit claims, agents need to ensure that the tenant has fully completed the benefit form and the landlord would be wise to photocopy the completed form for his/her records.

Agents should also seek written permission from their tenants to talk to Housing Benefits on their behalf otherwise HB will not be able to give them any information. All communications with HB are subject to data protection and customer confidentiality rules.

Tenancy Management

Fair & equal treatment of Tenants

An accredited agent must treat all tenants reasonably and fairly. Agents must not discriminate on the grounds of gender, race, sexual orientation, age, religion, marital status or disability. To do so is a criminal offence. Agents should endeavour to provide multi lingual information where practicable.

Agents should make a statement about their commitment to Equalities in the paperwork that they provide their tenants. This is particularly important in Brighton and Hove because of the many diverse and vulnerable communities who live here.

However, Positive Discrimination is encouraged eg. If a property specifically adapted for the disabled agents should seeks a suitable tenant for this. The council would be able to help with this.

Agents should have a formal procedure for dealing with Tenants' complaints and Tenants should be advised about this at the start of their Tenancy. This procedure should state how long it will take a landlord to deal with complaints and offer the tenant arbitration is necessary. The PSDO can offer support in this area.

Accurate Written Tenancy Agreement

A new Tenancy cannot begin until an existing one has ended. Brighton and Hove City Council recommend Tenancy Agreement models such as that offered by ARLA or the NLA. The PSDO can supply accredited landlords with a model Tenancy Agreement.

The agreement should show the full address of the property, the rent, payment dates, the deposit/RIA paid & any service charges with details.

The Tenancy Agreement should show what NDPS organisation holds the deposit and who will receive the interest accrued.

The Tenancy Agreement should confirm the rules and practices of the NDPS. Also how any disputes over the deposit will be resolved eg which ADR will be used.

Responsibility for paying for utilities should be clearly explained to the tenant/s and set out in the tenancy agreement. The method of rent payment eg Direct Debit, should be clearly set out.

The prospective tenant should be given time to consider the Tenancy Agreement and if required, seek advice before signing.

Tenancy Agreement Fee

When any fee is chargeable for the arrangement of the tenancy agreement, this should be included in that property's marketing.

Holding Fees

Can be taken if the accommodation is to be reserved for a period of time for the prospective tenant.

Tenancy Renewals

Tenancy renewal fees must be made clear to the prospective tenant before the AST is signed.

Accurate written Inventory and Schedule of Condition

A comprehensive photographic Schedule of Condition (Inventory) should be given to the tenant at the start of the tenancy. This should avoid disputes when assessing the final condition at the end. The PSDO can provide a model Inventory.

The tenant/s should have a reasonable amount of time to check the accuracy of the Inventory and agree it with the landlord/agent by both parties signing the document on each page. Ideally there should be two identical copies of the inventory, one for the tenant to keep and one for the agent to keep.

Agents should issue tenants with clear written guidelines regarding the standard of cleaning & other arrangements for bringing the tenancy to an end, to avoid misunderstandings as soon as possible.

There should be a formal check-out of the premises with the tenant and landlord or the agent.

A return of Deposit Procedure and Timetable

The agent should have a procedure and timetable for the return of a tenant's deposit.

The Government has outlined penalties which will apply if landlords and agents do not adhere to the rules of the scheme. If you are unsure about

any aspect of the scheme, call the Government's Department of Communities on 020 7944 4400 or your PSDO on 01273 293086

Managing Repairs

Repairs Contact & Procedure

The tenant/s should be provided with the landlord or agent's telephone number for repairs reporting. A further contact name and number should be provided in the event of the main contacts being unavailable.

Access arrangements for repairs or viewings should be made not less than 24 hours notice in advance, unless otherwise agreed or where such notice is impracticable. Tenants' privacy and entitlement to unnecessary intrusion must be respected at all times.

Repairs Timetable

Tenants should be provided with a Repairs Timetable specifying how long it will take the landlord/agent to undertake a repair. The timetable should run from the date of reporting and the repairs undertaken within the timescales outlined below;

Priority 1. Emergency Repairs which represent a danger to health and risk the safety of the tenant/s; or where the building or its contents have become seriously damaged, must be attended to within 24 hours.

Priority 2. Urgent Repairs to defects, which materially affect the comfort or convenience of the residents – must be attended to within an agreed number of days. The agreement timescale must reflect the seriousness of the repair need.

Priority 3. Non Urgent Repairs – not falling into the above categories must be attended to and the tenant updated on the agent's progress with the landlord.

Planned maintenance and services such as gas safety Checks must be undertaken with due regard to the tenant's convenience and 5 working days notice.

Making good

Decorative repairs for which the tenants have no responsibility, will be made good within a reasonable timescale if damaged or disturbed during repairs.

Full explanation of use of Fire Alarm Procedure and System

The agent should take time to explain this procedure and ensure that the tenant has understood what his/her actions should be in the event of a fire.

Full explanation of the use of the Security Alarm and Procedure

The agent should go through the setting and working of any security alarm with his/her tenant. A copy of the instructions to set and disarm

the alarm should be provided for each unit. Responsibility for maintenance of the system and call outs must be clearly laid out.

Security

Although not appropriate in some circumstances, tenants must have adequate levels of security in place such as locks on bedroom doors in student/shared accommodation.

Professional Memberships

Agents are actively encouraged to join a reputable national or local Association such as the Association of Residential Letting Agents (ARLA), Brighton & Hove Estate Agents Association (BHEA) or another reputable professional body. This is not mandatory.

Property Standards

Structurally sound unit (minimum standards) agent can reasonably be aware	<input type="checkbox"/>	as far as the
Clean & in good repair (Inventoried)	<input type="checkbox"/>	
Disposal of Waste (fully explained)	<input type="checkbox"/>	
Free from damp as far as the agent can reasonably be aware	<input type="checkbox"/>	
Secure (adequate working locks)	<input type="checkbox"/>	
Fixed economic heating (no bottled Gas or paraffin heaters)	<input type="checkbox"/>	
Compliant to Fire Safety Regulations as appropriate to the unit	<input type="checkbox"/>	
Furniture in a satisfactory condition & compliant to Fire Regulations	<input type="checkbox"/>	
Comply with Gas Safety Regulations	<input type="checkbox"/>	
Agreement to allow Tenants surveys	<input type="checkbox"/>	

Tenant Management Standards

Equal treatment of tenants (written statement)

Please enclose

Full compliance with National

Deposit Protection (state which scheme)

**Accurate written inventory/schedule
of condition provided to tenant.**

**Photocopies of gas safety certificates
provided to tenants.**

**Repairs procedure and contact details
provided to tenant with timetables. Please enclose.**

**Full explanations of fire/carbon
monoxide alarm procedure.**

**Full explanation of security alarm
Procedure.**

**Compliant with Fire safety Risk
Assessment regulations**

A Current Energy Performance certificate.

Application for Accreditation

Agency Name

Address

and

Post Code

.....

Telephone

Email

Company

Directors;

.....

Tenant's:-

Students or

General?

Do you accept

benefit

Claimants?

Any Sub agent?

Anticipated

Rent **£**

Application for Accreditation

Please detail your reason/s for applying to join the accreditation scheme;

.....
.....
.....
.....

I agree with the Council advertising my business and passing my details to prospective tenants; Yes.....No.....

I agree with my name being included in the Council's published list of Accredited Agents; Yes.....No.....

I agree to abide by the Code of Standards detailed in the Accreditation pack and will seek to provide the best possible service to my tenants

Signed;

Date:

Signed;

Date:

What happens next?

Send your completed application form to;

**Private Sector Development Officer
Acquisitions Team
Level 2
Bartholomew House
Bartholomew Square
Brighton
BN1 1JA**