

**BRIGHTON & HOVE CITY COUNCIL**

**HOUSING COMMITTEE**

**4.00pm 19 JUNE 2013**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillor Randall (Chair), Kennedy (Deputy Chair), Peltzer Dunn (Opposition Spokesperson), Wilson (Group Spokesperson), Barnett, Duncan, Farrow, Fitch, Mears and Rufus

**PART ONE**

**1. PROCEDURAL BUSINESS**

**1A Declarations of Substitute Members**

1.1 There were no substitutes

**1B Declarations of Interests**

1.2 Councillors Fitch, Peltzer Dunn and Rufus declared a Disclosable Pecuniary Interest in Item 9, as landlords of residential property within the City

**1C Exclusion of the Press and Public**

1.3 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.

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

**2. MINUTES**

2.1 Councillor Farrow referred to item 70, and understood that some tenants had received letters from the Council which they felt were intimidating. The Chair said that the letters were being reviewed and amended, and confirmed that a copy of the new wording would be sent to all members of the committee. The Chair said that 782 visits had been made to those affected by the changes to Housing Benefit, and of those spoken to

around half had said that they wanted to move to smaller accommodation. In 2012/2013 there had been 212 applications to move, and that figure was expected to increase significantly in 2013/2014; in the first two months there had been an increase of 39%. There were incentive schemes to move, and for those that did the Council would assist with all aspects of the move.

2.2 Councillor Mears referred to paragraph 64.2 and said that an update on the financial shortfall had not yet been provided. Mr Raw, Executive Director Environment, Development and Housing, said that officers were still undertaking the financial viability, and the information would be provided as soon as it was available. Councillor Mears asked if information on the garage sites could also be provided.

2.3 **RESOLVED:** That the Minutes be agreed as a correct record.

### 3. CHAIR'S COMMUNICATIONS

3.1 The Chair advised the Committee of a new policy for Care leavers which was being considered by the Children and Young People Team. It was a policy was set up by NACRO to assist Care leavers. Young people who had left care and needed accommodation would be matched with a sympathetic landlord/landlady who would be able to offer them a room and support. This policy could assist those who had a spare room and would be affected by the change in housing benefit.

#### 3.2 New Homes

On the New Homes for Neighbourhoods programme to build more new homes on housing land, soft market testing has revealed that larger companies on various procurement frameworks had little interest in developing the nine garage sites. That was mainly due to the complex nature of the project, as well as its relative size and value. However, there was interest from local Registered Providers to manage development of the sites as the council's Development Agent. That would enable us to make the most of their development expertise while retaining ownership and management of the new homes. Officers were moving forward with this option quickly and papers would be released in the next few weeks. The project was therefore still on target to deliver new homes in 2015.

Officers also gave a presentation to residents at the City Assembly on 18 May 2013 about the New Homes for Neighbourhoods programme, which had been well received, and about 20 residents had spoken to the team on the day some suggesting other potential sites for new housing. The Estate Regeneration team welcomed all suggestions and were working their way through all suggested sites, identifying those most likely to be developable. They would be procuring some initial viability reports very shortly and would come back to Housing Committee to recommend procurement of development partners for more sites in the autumn.

3.2 Councillor Mears noted that Councillor Randall was Chair of the Housing Committee and a director of Seaside Home, and asked for confirmation of the legality of the same person holding both positions. The Chair said that the Head of Legal and Democratic Services had provided written advice on that issue, and had agreed it was appropriate for the Chair of Housing Committee to also be a director of Seaside Homes.

- 3.3 Councillor Mears asked if information could be provided on the number of homes being transferred to Seaside Homes. The Chair said that a report would be provided at the next meeting, and regular updates would be provided at future meetings.

#### 4. CALL OVER

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

#### 5. PUBLIC INVOLVEMENT

- 5(a).1 An e-petition was presented to the Committee. The petitioner was not able to attend the meeting to present the petition. The petition, Bringing Empty Properties Back In to Use had the following wording:

*"We the undersigned petition the council to bring the 867 long term empty properties in B&H shown in the 2012 Homes from Empty Properties report back into use. We call on the council to publish a list of these properties complete with a funded plan to bring them back in use.*

**Justification:** *867 empty properties could be brought back in use for those in need under the powers that the council already holds. This should be funded by stopping all non essential projects (such as new signage, cycle paths, redevelopment vanity projects, the eye) until 90% of these properties are in use. Homes are far more important than many of the council's other expenditure. Any list of these properties should avoid giving exact addresses to reduce the risk of squatting. Empty Property Report at <http://www.emptyhomes.com/statistics-2/empty-homes-statistic-2011/12>."*

The petition had 34 signatures.

- 5(a).2 A written response to the petition was circulated at the meeting which stated:

The Council is committed to making best use of housing resources in the City and to ending the blight of long term empty homes on our neighbourhoods. Details of our strong track record in returning empty private sector and council homes back into use are outlined below. Brighton & Hove has a successful Empty Property Strategy. During 12/13 the Empty Property Team worked with owners to return 157 long term empty private sector homes back into use. The Empty Property Team have a strong track record as a sub-regional lead in delivering empty property services and investment across borough boundaries including Lewes DC & Horsham DC Brighton & Hove were sub-regional lead on a recent successful funding bid under the HCA Empty Homes Programme 2012–15 (Round 1) receiving an allocation of £900k to bring 60 long term empty homes back in use across Brighton & Hove and Lewes District. We have made an additional funding bid under Round 2 of the HCA Empty Homes programme consists of £620k to bring an additional 31 long term empty private sector homes back into use before 31 March 2015. We work with owners to long term empty homes back into use but where advice and assistance fail we have a range of enforcements actions up to and including Compulsory Purchase Order reflected in revised Empty Property Strategy currently being finalised. Two of four CPOs approved remain outstanding, one expected back into use, one remains subject to legal action in conjunction with Planning . Our average re-let time of 17 calendar days places us as the top performer within our Benchmarking group, we are also significantly above the median average for the group

of 28.52 days. The further improvement we have seen in 2012/13 makes it likely that we shall retain this position next time round. (excludes properties whilst they are undergoing major works as well as mutual exchanges and properties that the council intends to sell or demolish). Year end performance on average re-let times has improved significantly, at 32 days for 2012/13 compared to 45 days for 2011/12. Long term empty council homes awaiting expensive works to bring them back into use have been leased to Brighton & Hove Seaside Community Homes. Up to 499 homes are to be leased to BHSCCH enabling them to be refurbished and re-let while also providing £28m capital receipt to enable the council to bring other homes up to decent homes standard. To date 351 properties have been leased which comprise a mix of long term major voids, other void properties and some properties which had shared facilities and were no longer fit for purpose. 252 of these have been refurbished and re-let.

5(b).3 There were no written questions.

5©.4 There were no deputations.

## **6. ISSUES RAISED BY COUNCILLORS**

6(a).1 There were no petitions

6(b).2 There were no written questions

6(c).3 A Letter had been submitted by Councillor Farrow (copy of letter in agenda).

6 (c).4 The Chair gave the following response:

Here is an update from Mears on the current situation regarding the pay offer they are discussing with UNITE, UCATT & GMB.

Mears staff had given consideration to their suggestions, making one initial improvement and one further final improvement on 23 May 2013. The main emphasis had been on equalising pay differences created by TUPE transfers. In the offer Mears kept to three collective objectives. Everybody gained something. Mears worked towards equalising pay by giving more to lower paid staff. Mears made sure all operative rates exceeded the Union, JIB & CIJC rates by at least 5%. The union officials rejected the offer and informed Mears they would be balloting their members on it, with a view to industrial action. This ballot took place on Friday 7 June 2013 but there has been no update on the result yet. Mears presently have 157 directly employed staff, 27 are Senior Managers, Support Staff or BHCC Tupe transfers who are not related to this negotiation, 24 are apprentices covered by contractual rises or UK minimum wage. 67 have already accepted the new offer. This leaves 39 who have not yet accepted. Mears are confident that there will be minimal effect to the service they provide to BHCC. Within the gas contract, 20 staff (100%) have already accepted. Within the response & maintenance Mears have sufficient office and operational resources to maintain normal operations. While Mears are mindful that this may attract some adverse publicity, they are resolute in promoting equality and providing best value to the Housing Revenue Account as prime objectives for the partnership.

6(c).5 A representative from Mears attended the hearing. He said the situation was changing daily, and there were now 38 people who had not yet accepted the offer. Mears were confident that they would be able to maintain the service. Mr J Sharma, Head of Housing, said that a risk assessment had been carried out and the Authority was happy that there would be no impact on the service. Councillor Farrow thanked officers for the response, and asked if a copy of the risk assessment could be provided. Mr Sharma agreed to provide it.

6(d).6 There were no Notices of Motion

## **7. ANNUAL REPORT TO COUNCIL TENANTS AND LEASEHOLDERS 2013**

7.1 The Committee considered the report of the Executive Director Environment Development and Housing regarding the Annual Report to council tenants and leaseholders. Ms Dafe, Head of Income Involvement & Improvement, presented the report. A colour copy of the draft Annual Report was provided at the meeting.

7.2 Councillor Farrow noted that under the heading 'What we have done', it said that there had been an increased use of social media to reply to enquiries, and he thought that that was a good way to interact with tenants and leaseholders. The Chair agreed and said that recently young people, who were being consulted about matters in the Whitehawk estate, had been asked to vote on issues via both Facebook and text message and it had proved very popular.

7.3 Councillor Peltzer Dunn said that there was an assumption that all leaseholders were council tenants, and asked if the next report could have a paragraph on the Authority's duty to leaseholders who weren't council tenants.

7.4 Councillor Kennedy thanked officers for the report and said that it was clear and easy to understand.

7.5 Councillor Barnett noted that the Authority were developing a pet policy in line with RSPCA advice on promoting responsible pet ownership in council properties, and asked if the policy would be rolled out across the city. Ms Dafe said that the policy was currently being consulted on, and an update would be provided to the committee in due course.

7.6 Councillor Mears referred to Mutual Exchange Criteria and asked if the Committee could have a briefing on the current criteria. The Chair agreed that would be provided.

7.7 Councillor Mears noted that the draft Annual Report was being considered by the Housing Management Consultative Sub Committee (HMCSC) and the Housing Committee before being looked at by tenants, and said that that was wrong and tenants should see the draft report first. Councillor Kennedy said that the draft report had been thoroughly discussed at the HMCSC meeting and all the tenants' views had been incorporated. Ms Dafe added that tenants were on the editorial board and had assisted in preparing the draft report.

**7.8 RESOLVED** – That the Housing Committee approved the Annual Report to council tenants and leaseholders 2013 for publication and distribution to all council tenants and leaseholders in the summer edition of Homing In.

**8. SELF BUILD HOUSING - RESPONSE TO LETTER FROM COUNCILLOR FARROW**

- 8.1 The Committee considered the report of the Executive Director Environment Development and Housing regarding Self Build Housing. Mr Reid, Head of Housing Strategy, presented the report.
- 8.2 Councillor Farrow noted that one area which hadn't been addressed in the report was marginal land, and suggested that possible sites be identified. Councillor Farrow said he was a great supporter of co-operative groups and proposed that a joint meeting be held with them to discuss self builds. The Chair said that marginal land would be looked at as part of the City Plan, and confirmed that the Authority was already engaged in dialogue with co-operative groups.
- 8.3 Councillor Kennedy referred to marginal land and was concerned that a lot of work was being undertaken by the Planning Department which the committee weren't aware of, and asked that a presentation by planners be made to Housing Committee. The Chair agreed.
- 8.4 Councillor Mears suggested that the 29 garages identified for possible development could be used for self build and which could also provide an opportunity for young people to be involved and learn new skills. The Chair agreed and said that a report would be provided on all of the potential sites.

**8.5 RESOLVED:**

- (1) That Housing Committee note the housing strategy context, aspiration and potential funding to support the work of housing co-ops and development of self build housing.
- (2) That Housing Committee note proposals to work with partners to report back to Housing Committee on any opportunities available for community groups with plans for self build schemes in the City.

**9. HMO LICENSING UPDATE: RESPONSE TO LETTER FROM COUNCILLOR FARROW**

- 9.1 The Committee considered the report of the Executive Director Environment Development and Housing which provided an update on Houses in Multiple Occupation (HMO). Mr Reid, Head of Housing Strategy, presented the report.
- 9.2 Councillors Fitch, Peltzer Dunn and Rufus declared a Disclosable Pecuniary Interest in the matter and left the room whilst the report was discussed.
- 9.3 Councillor Farrow thanked officers for the report but felt that the proposals weren't robust enough and proposed an amendment to recommendation 2.2. Councillor Wilson seconded the amendment. The amendment read:  
'That Housing Committee note the information on the Newham scheme and the legal parameters framing Additional Licensing and Selective Licensing schemes outlined in the report *and instruct officers to further investigate and report back on advantageous use of the schemes in other areas of the city*'.

- 9.4 Councillor Mears said that any amendment should be provided in writing prior to the meeting in order to allow members to consider it. Councillor Farrow apologised for not providing it prior to the meeting, but felt that it was important that officers investigate the matter further.
- 9.5 Councillor Wilson referred to paragraph 3.8 of the report and the Additional Licensing Scheme which was previously agreed by the Committee, and asked what the cost was to landlords and what was involved. Mr Reid said the cost was £640 per property for a five year licence. Once an application had been received the property was visited, and issues discussed with the landlord and a timetable set for those issues to be addressed.
- 9.6 Councillor Kennedy felt that there could be a case to implement the scheme across the city, but similar schemes in other parts of the country should be monitored first.
- 9.7 The Committee voted on the proposed amendment, but it was not agreed.

9.8 **RESOLVED:**

- (1) That Housing Committee note progress with implementation of the Additional Licensing scheme in the five Lewes Road wards since the commencement of designation on 5 November 2012.
- (2) That Housing Committee note the information on the Newham scheme and the legal parameters framing Additional Licensing and Selective Licensing schemes outlined in the report.

**10. HCA EMPTY PROPERTY FUNDING ROUND 2 BID**

- 10.1 The Committee considered the report of the Executive Director Environment Development and Housing which provided an update on HCA empty property funding. Mr Reid, Head of Housing Strategy, and Emma Kumar (Empty Property Officer) presented the report.
- 10.2 Councillor Mears thanked officers for the report, and asked for a report on how the New Homes Bonus funding was being spent. The Chair agreed that a report would come to a future meeting of the committee.
- 10.3 Councillor Wilson asked why the amount awarded in Round 1 per property was a different ratio to the bid per property in Round 2. Ms Kumar said that Round 2 was for a loan scheme and so it was possible to bid for a higher amount. It was possible that the amount awarded would be less. Councillor Peltzer Dunn asked whether a reduction in funding would lead to a reduction in the number of properties brought back into use. Ms Kumar confirmed it would, but added that funding was only one method used to bring properties back into use.

**10.4 RESOLVED:**

That the Housing Committee:

- (1) Note the bid to the Homes & Communities Agency for funding under the Empty Homes Programme Round 2 2013-15 (currently subject to contract).

- (2) [Subject to bid outcome] Delegate authority to Executive Director Environment Development & Housing to enter into the Empty Homes (Round 2) Agreement (2013-15 allocation (local authority)) with the HCA (Homes & Communities Agency) ,the key elements of which are set out in paragraphs 3.14 & 3.22 of the report.

## **11. HOME ENERGY EFFICIENCY UPDATE: PROCUREMENT OF SOLAR PHOTOVOLTAIC ARRAYS FOR HOUSING REVENUE ACCOUNT PROPERTY**

- 11.1 The Committee considered the report of the Executive Director Environment Development and Housing which provided an update on home energy efficiency, and the procurement of solar photovoltaic arrays for Housing Revenue Account properties. Mr Reid, Head of Housing Strategy, presented the report.
- 11.2 The Chair thanked officers for the report, and noted that the cost of the installation seemed high. The Chair hoped that where possible local companies would be used.
- 11.3 Councillor Peltzer Dunn referred to the recommendations and asked whether the intention was to be a one year contract with an extension thereafter. Mr Reid confirmed that there would be a one year contract with a view to extending it for up to three years. Councillor Peltzer Dunn asked whether after the contract was awarded if any notice had to be given if the intention was to extend. The Chair said the officer who would be able to answer that was not at the meeting, and so a written response would be provided.
- 11.4 Councillor Mears referred to recommendation 2.3 and asked for confirmation that the Executive Director Environment Development and Housing had the authority to award the contract. The Chair confirmed he did.
- 11.5 Councillor Duncan referred to paragraph 4.2 of the report, and asked that leaseholders were consulted even though there was no requirement to.

### **11.6 RESOLVED:**

That Housing Committee –

(1) Notes an update of the option appraisal for a large scale installation of Solar PV's to housing stock.

(2) Approves the procurement of a contract for the supply and installation of Solar Photovoltaic Arrays to HRA owned dwellings for up to 12 months with two extensions of up to 12 months each if required, subject to satisfactory performance of the contractor.

(3) Grants delegated authority to the Executive Director Environment, Development & Housing, in consultation with Director of Finance & Resources, to award the contract for up to 12 months following the recommendations of the evaluation panel, and approve two extensions to the contract of up to 12 months each if required, subject to satisfactory performance of the contractor.

## **12. FIRE SAFETY**



- 12.1 A presentation on Fire Safety was made to the Committee by Mr M Meik, Health and Safety Business Partner (Fire), Corporate Health and Safety Team. The presentations provide an overview of Councillor's responsibilities for fire safety in social housing. A copy of the slides was provided with the agenda.
- 12.2 Councillor Barnett that the council run properties had regular inspections to ensure there were no hazards in communal areas, but properties run by other organisations such as the Guinness Trust didn't. Mr Meik said that the authority was not involved with that Trust and any risk assessment would be their responsibility.
- 12.3 Councillor Rufus asked if a report could be brought on the feasibility of installing sprinklers; they were effective, the cost would be relatively low and potential savings could be huge. Councillor Mears agreed and said that the authority should insist on developers installing sprinklers in new properties.
- 12.4 Councillor Peltzer Dunn asked what the outcome of the fire assessments had been. Mr Meik said the assessments were still being reviewed, but it had been noted that not all flat entrances had the correct standard front door, and there were often obstructions or combustible materials in communal ways. An action plan would be drawn up and passed to Mears.
- 12.5 Councillor Rufus noted that the Authority had a greater right of access to tenant's properties than leaseholder properties and so were able to carry out better risk assessments, and asked if that meant leaseholder's properties were more dangerous. Mr Meik said it could, and gave an example of front doors. There were different leases in operation, which put a different onus on who was responsible for replacing or updating doors. Where leaseholders themselves were responsible, the doors were sometimes replaced with cheaper plastic doors which weren't always up to the required standard.
- 12.6 The Chair thanked Mr Meik for the presentation.

### **13. ITEMS REFERRED FOR COUNCIL**

- 13.1 It was agreed that the report, Home Energy Efficiency Update: Procurement of Solar Photovoltaic Arrays for Housing Revenue Account Properties be submitted to the Council meeting on 18 July 2013 for information.

The meeting concluded at 6.30pm

Signed

Chair

