





Brighton & Hove
City Council

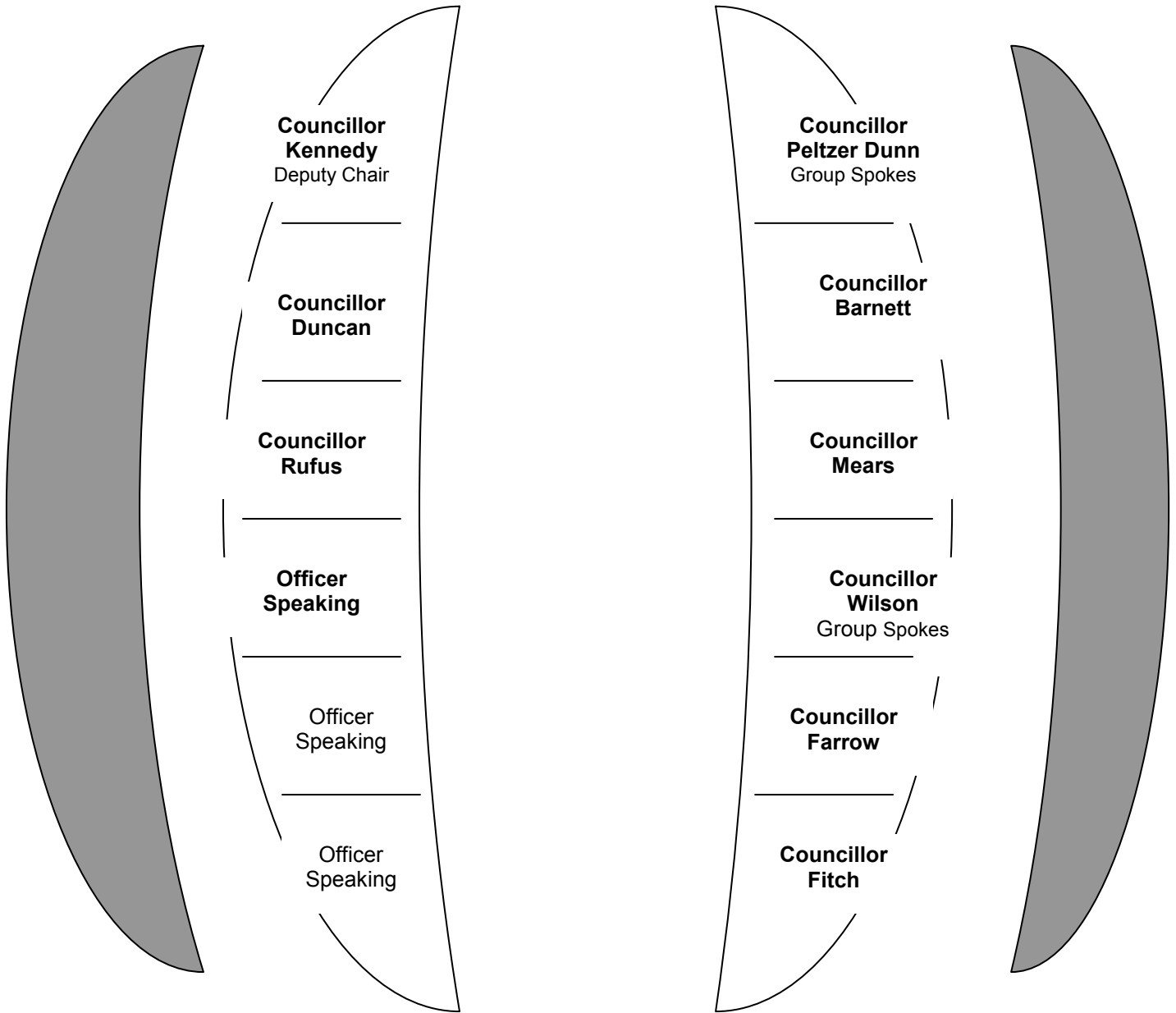
Housing Committee

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| Title: | Housing Committee |
| Date: | 13 November 2013 |
| Time: | 4.00pm |
| Venue | Council Chamber, Hove Town Hall |
| Councillors: | Randall (Chair), Kennedy (Deputy Chair), Peltzer Dunn (Opposition Spokesperson), Wilson (Group Spokesperson), Barnett, Duncan, Farrow, Fitch, Mears and Rufus |
| Contact: | Lisa Johnson Senior Democratic Services Officer 01273 291228 lisa.johnson@brighton-hove.gcsx.gov.uk |

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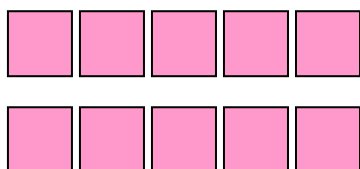
Democratic Services: Housing Committee

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|-----------------|------------------------------------|--|--------|-----------------------------|
| Head of Housing | Councillor Randall Chair | Executive Director of Environment, Development and Housing | Lawyer | Democratic Services Officer |
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|----------------|----------------|
| Public Speaker | Public Speaker |
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Public Seating



Press

AGENDA

PART ONE

Page

27. PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest:

- (a) Disclosable pecuniary interests not registered on the register of interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) 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 Two of the Agenda states in its heading 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 exempt categories is available for public inspection at Brighton and Hove Town Halls.

28. MINUTES

1 - 12

To consider the minutes of the meeting held on 25 September 2013 (copy attached).

Contact Officer: Lisa Johnson

Tel: 01273 291228

29. CHAIR'S COMMUNICATIONS

HOUSING COMMITTEE

30. CALL OVER

31. PUBLIC INVOLVEMENT

To consider the following matters raised by members of the public:

- (a) **Petitions:** to receive any petitions presented to the full council or at the meeting itself;
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the 6 November 2013;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 6 November 2013.

32. ISSUES RAISED BY COUNCILLORS

To consider the following matters raised by councillors:

- (a) **Petitions:** to receive any petitions submitted to the full Council or at the meeting itself;
- (b) **Written Questions:** to consider any written questions;
- (c) **Letters:** to consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Council or submitted directly to the Committee.

33. PET POLICY

13 - 44

Contact Officer: *Eve Hitchens*
Ward Affected: *All Wards*

Tel: 01273 293262

34. NOMINATION AGREEMENTS

45 - 52

Contact Officer: *Martin McCurdy*
Ward Affected: *All Wards*

Tel: 01273 293786

35. EXTRA CARE HOUSING - BROOKE MEAD UPDATE

53 - 64

Contact Officer: *Martin Reid*
Ward Affected: *All Wards*

Tel: 293321

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

65 - 88

Contact Officer: *Sam Smith*
Ward Affected: *All Wards*

Tel: 01273 291383

37. ACCESS TO HOUSING SERVICES - HOUSING OFFICE ACCOMMODATION STRATEGY

89 - 106

HOUSING COMMITTEE

Contact Officer: Hilary Edgar, Rachel
Chasseaud
Ward Affected: All Wards

Tel: 29-3354, Tel: 01273
290753

38. ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to the 12 December 2013 Council meeting for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting.

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.

For further details and general enquiries about this meeting contact Lisa Johnson, (01273 291228, email lisa.johnson@brighton-hove.gcsx.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Tuesday, 5 November 2013

BRIGHTON & HOVE CITY COUNCIL

HOUSING COMMITTEE

4.00pm 25 SEPTEMBER 2013

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Randall (Chair), Councillor Peltzer Dunn (Opposition Spokesperson), Wilson (Group Spokesperson), Duncan, Farrow, Kennedy, Mears, Robins, Rufus, and Wells

PART ONE

14. PROCEDURAL BUSINESS

14A Declarations of Substitute Members

14.1 Councillor Robins declared they were substituting for Councillor Fitch
Councillor Wells declared they were substituting for Councillor Barnett

14B Declarations of Interests

14.2 There were no Declarations of Interest

14C Exclusion of the Press and Public

14.3 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.

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

15. MINUTES

15.1 Councillor Farrow referred to paragraph 2.1, and said that he had not yet received a copy of the letter being sent to tenants. The Head of Housing said that copies of the letter had been sent to members of the Housing Committee, but they would be sent

again if some councillors hadn't received them. Councillor Farrow asked if an update could be provided on those affected by the reduction in Housing Benefit. The Head of Housing gave a brief overview, and advised members that there were around 800 people who were affected by the changes to Housing Benefit, but that number continued to change as people's circumstances changed. The Authority was working with those people, and housing officers had visited them to discuss the options available. The Chair said that a report would come to a future meeting of the Committee.

- 15.2 Councillor Mears said that members had received a letter from Seaside Homes, the contents of which needed to be discussed by the Committee, and asked if there was a conflict of interest with those who sat on the Housing Committee and were also board members of Seaside Homes. The solicitor to the Committee said that the letter wouldn't be discussed at the meeting today but if it was, any board members would need to leave the room whilst the matter was considered.
- 15.3 Councillor Mears asked how many homes had been transferred to Seaside Homes, and what criteria would be used to decide which properties would be moved. The Chair said that around 350 homes had been transferred so far, and confirmed that a report would be provided for a future meeting which would give further information on this matter.
- 15.4 Councillor Peltzer Dunn referred to paragraph 8.3 of the Minutes and asked if someone from the Planning Department would be able to provide an update for the Committee. The Chair said that a presentation would be arranged. Councillor Peltzer Dunn referred to paragraph 11.3 and thanked officers for providing the information requested.
- 15.5 RESOLVED:** That the Minutes be agreed as a correct record.

16. CHAIR'S COMMUNICATIONS

- 16.1 The Chair provided the following communication.

He had attended the High Rise Action Group AGM the previous week. Repairs were being made to the main door at Essex Place and to ensure the residents felt safe, security staff had been employed whilst the work was being carried out. There had been a complaint from a tenant about re-wiring at Essex Place which was being looked into.

The first meeting of the Strategic Housing Partnership had recently been held, and a number of issues were discussed including the future of Sheltered Housing, and housing for vulnerable 16-25 year olds at a property in Preston Road.

Following the Church of England's comments about money lending, the Chair had written to the Bishop of Chichester to look at ways the Diocese could help with the Credit Union.

The Chair had attended the opening on Balchin Court, which were the first council houses to have been built in Brighton for 30 years. The project had been made possible from joint working with the voluntary sector and Adult Care.

17. **CALL OVER**

17.1 It was agreed that all items would be reserved for discussion

18. **PUBLIC INVOLVEMENT**

18(a).1 Petitions:

A petition was received by the Committee regarding Storage at the Poplars. The petition which was signed by four people stated:

'We the undersigned petition the Council to: Form an understanding with the tenants and leaseholders that occupy the poplars the block washroom on the second floor of the poplars block of flats to be used for storage of personal items. Whilst we the leaseholders and tenants agree to keep the space tidy and accessible. I also note reference to the lease held by three of the flats that states the leaseholder has the right to use any part of the building so designated by the council for purpose of storage of articles or things.'

18(a).2 The following written response had been provided to the petitioner:

'Our Neighbourhoods Team became aware that many of the drying rooms in the area were full of bulk items and personal belongings, some of which had been stored in the rooms for a very long time. They have been working closely with the Residents Association to restore the drying rooms to their original purpose – the drying of washing. They have agreed an exception, which is that bicycles and buggies may be stored there.'

18(a).3 **RESOLVED** -That the petition and response be noted.

18(b).4 Written Questions:

There were no Written Questions.

18(c).5 Deputations:

A Deputation which had been presented at the Council meeting held on 18 July 2013 was referred to the Housing Committee for information. A response to the Deputation had been given by the Chair of the Housing Committee at the Council meeting. The wording of the Deputation and response was as follows:

DEPUTATION FROM MR M BARRADELL AND MS G AHMADI

'As students of Brighton University and residents of private sector Houses of Multiple Occupancy, we are subject to any rent changes of HMOs in the city. We are bringing this deputation to clarify with the council the possible effects of Additional HMO Licensing on the following five wards; Hanover and Elm Grove, Moulsecoomb and Bevendean, St Peters and North Laine, Hollingdean & Stanmer and Queen's Park.

In the Student Housing Strategy maps of student distribution in the city, it is shown that these 5 wards are home to the majority of students studying at Brighton or Sussex Universities and living in the city. Moulsecoomb and Bevendean are regarded as the most noticeable student areas in the city, along with Hanover and Elm Grove, which houses 4% of University students. St Peters and North Laine, Hollingdean and Stanmer and Queens Park wards also have high levels of student residence. Because

of these high concentrations of students in the 5 wards affected by Additional HMO Licensing, it will greatly affect the student population of Brighton and Hove.

We appreciate that the decision to implement additional licensing onto smaller HMOs in the city was not a decision made lightly by the council, with an extensive consultation process preceding its implementation which included all relevant parties. Furthermore the student community recognises that such additional licensing can be justified. In the 5 wards affected there are between 1500 and 3000 small HMOs and 70% of the large HMOs in the city. Your own figures have shown that HMOs in these wards are subject to disproportionate complaints, interventions and substandard accommodation including lack of smoke detectors and gas/electricity certificates. The aim of the additional HMO licensing and standards is admirable and well-intentioned in its attempts to tackle these problems and is in the interest of many groupings in Brighton, as well as families and businesses and HMO residents like us.

However, as students, our main concern regarding the additional licensing scheme is the lack of consideration for the effect of the scheme on rents in the HMO sector. Although the average license fee amount for a property is £641 over 5 years, averaging at £2.46 per week, it is still not beyond the realms of possibility that landlords will use this fee as justification for raising rents on properties. In addition the majority of properties licensed under the new scheme, 1451 as of June this year, have been required to carry out maintenance and often improvement works as a condition to receiving their license. There is a real danger that these landlord costs, which for many houses will run into thousands of pounds, will be passed onto tenants. Furthermore, there is no restriction against landlords raising rents by an amount above the cost of work done, effectively profiting from the licensing programme at the expense of tenants.

Brighton already has amongst the highest house prices and rents in the country. Our concern is that if HMO rents in the city artificially increase as a result of the additional licensing of small HMOs it will hit the pockets of students like us. This will affect our quality of life, reduce our disposable income and possibly impact on student spending in the city. In turn this would have a massive effect on Brighton and the Brighton economy as, according to a study by Sussex University, spending by Brighton and Sussex University students generates £151 million of output in the city and

surrounding area. In particular students spend more money on entertainment and nightlife than other sections of the population, industries that contribute to the identity of Brighton and its appeal to tourists. These sections of the Brighton economy would be hard hit by a reduction in Student spending.

Such possible and unintended consequences of the Additional Licensing Program for small HMOs would be regrettable and not in the interests of anyone in Brighton, especially for something which is intended to improve quality of life for HMO tenants and the communities of these 5 wards. To this end, can we request that the council monitor rents for HMOs in the 5 wards as part of its assessment of the scheme? And that if this monitoring finds evidence that average rents in these wards have increased

as a result of additional licensing that this is considered in the 2 year review of the scheme with the potential for council action to combat it.'

RESPONSE FROM COUNCILLOR BILL RANDALL

'Brighton and Hove has about 30% of it's housing in the private rented sector, it has the 6th highest number of HMOs of any local authority in Britain and of course we should at this point say that not all are lived in by students. This is a problem for all tenants in HMOs not all students.

We felt it was necessary to have additional licensing to deal with the smaller houses that were moving into HMOs at some rapid pace. I think all of the Councillors in this room who represent those 5 wards and perhaps some of those in other wards have had complaints about the quality of standards and living in HMOs and as you rightly said, we've had 1525 applications for smaller HMO registration of which 1203 have been dealt with.

There is so far no evidence that this has put the rents up. I have to say rents are going up in this City in the private rented sector at an astonishing rate. I'm told by our Housing Department that already this year, they have gone up by 27% and the problem is every time a flat or a house changes hands, letting agents and landlords take the opportunity to put the rents up.

I'm glad to see that the government is apparently looking at a report produced by shelter recently which call for rent controls in the private rented sector and 5 year tenancies which I certainly support. We've had it in the social housing sector we should have it in the private rented sector as well.

I did meet the president of Brighton Students' Union last week and the previous resident plus 2 other representatives and we did talk about this whole issue. Their main concern was not so much about the issue of the registration of smaller HMOs but about the article for declaration that we have which restricts the number of HMOs in some areas and although you've not mentioned it I will touch on that briefly because that too is an important subject.

There are streets in my ward which have been changed radically because of the increase in the number of HMOs. Small domestic house where conservatories built in the garden; the roof has turned into bedrooms and you end up with conservatories being a sitting room inside the house, only a kitchen and a bathroom plus all the rest are bedrooms in fact I had some advice from a resident recently who pointed out that on Gumtree a small house of this nature is being advertised as space for 7 people.

We will take away what you say about the rents. We will monitor them but we do feel that we have a responsibility to maintain standards in the private rented sector after all landlords are making a great deal out of their tenants they should in turn provide a good standard of service.'

18(c).6 Councillor Summers, who attended the meeting with the Deputies, said that there was concern about rents being raised and asked whether the level of rents within the five wards in question could be monitored but the Chair said that it wouldn't be possible to

do. However, the Committee were advised that when the larger HMOs were licensed in 2004 there hadn't been any signs that the rents had increased.

18(c).7 RESOLVED – That the Deputation and response be noted.

19. ISSUES RAISED BY COUNCILLORS

19(a).1 Petitions:

There were no Petitions

19(b).2 Written Questions:

There were no Written Questions

19 (c).3 Letters:

There were no Letters

19(d).4 Notices of Motion:

The Chair noted that the following Notice of Motion had been referred to the Committee from the Council meeting held on 18 July 2013.

STIMULATING NEW HOUSE BUILDING IN BRIGHTON & HOVE

'This Council welcomes progress with the regeneration of sites on council land and notes that an extra care scheme of 44 homes on the Brookmead site has been submitted for planning permission as the next stage of this work, which delivered 15 new council homes under the last administration.

This council recognizes it has been necessary to revisit the previous administration's Estates Masterplan, which was optimistic in identifying land for a potential 800 new

homes in the city. The revised figure is 500 homes, a substantial number, and a new house building programme of this scale would not only help to reduce the growing waiting list but would also benefit the local economy by creating local jobs and apprenticeships.

This Council notes the proactive and innovative approaches to financing new affordable housing being taken by other local authorities in recent years in response to the climate of reduced public funding. For example, The London Borough of Southwark, which has ambitious plans to build new council homes, Wealden District Council, directly funding new council housing; a growing number of councils – e.g. Thurrock and South Holland setting up stand alone housing companies; councils such as Hammersmith & Fulham who have made use of the value in their housing stock to lever in new funding; and councils such as Hastings and Warrington who have loaned money to Housing Associations to develop housing.

Furthermore, this Council notes:

(a) The administration's plans to continue to build new council homes and involve

housing co-ops and self-build groups in the provision of new homes on the council's own sites and on other sites across the city.

(b) The Government's Affordable Rent model, which significantly reduces the amount of public subsidy required for new affordable housing. If adopted in Brighton & Hove, this could potentially increase the amount of affordable housing built by five and a half times.

(c) The Government's Affordable Housing Guarantee Scheme, which will help to reduce borrowing costs thereby increasing the number of new affordable homes that can be built.

However, it expresses its deep concern on the question of affordability and believes that homes built under (b) and (c) will be beyond the pocket of many of those in the most critical housing need in the city.

Therefore, this council requests that a report be brought to the next Housing Committee to

- (a) Look at how best practice from other councils could be applied in Brighton and Hove;
- (b) Explore every housing avenue available to deal with the city's housing crisis; and
- (c) Ask for a report to be brought to the next Housing Committee looking at all the options for speeding up the Estate Regeneration programme to provide more homes.

19(d).5 The Chair advised that a report in response to the Notice of Motion had prepared and was item 23 on the agenda.

19(d).6 **RESOLVED** That item 23 be noted in response to the Notice of Motion.

20. COST BENEFIT ANALYSIS FOR HOUSING RELATED SUPPORT

20.1 The Committee considered the report of the Executive Director Environment Development and Housing on the cost benefit analysis for housing related support services. The report was presented by Mr D Parsonage, Commissioning Officer.

20.2 The report provided an overview of the updated Cost Benefit Analysis for housing related support services in 2013. The full document was provided in appendix 1 to the report.

- 20.3 Councillor Peltzer Dunn thanked the officer for the report and for the detailed information provided. Council Wilson also thanked officers for the report and said that the on going benefits of the services provided were enormous.
- 20.4 Councillor Mears thanked the officer for the report, and suggested that a representative from Housing be on the newly formed Health and Wellbeing Board. The Chair and Deputy Chair agreed that there should be someone from Housing on the Board, and the Chair confirmed that the matter was already in hand. The Chair thanked the officer for the report and said it was a good example of the benefits of working jointly with other organisations and departments.
- 20.5 **RESOLVED** That the Housing Committee noted the report and the Cost Benefit Analysis 2013.

21. **HOUSING AND SUPPORT FOR YOUNG PEOPLE AGED 16-25 JOINT COMMISSIONING STRATEGY**

- 21.1 The Committee considered the report of the Executive Director Environment Development and Housing regarding a joint strategy on housing and support for young people aged 16-25. The report was presented by Ms J Sharp, Commissioning Officer.
- 21.2 The report set out the Housing and Support Joint Commissioning Strategy, which was a joint strategy being undertaken with Children's Services. A Housing and Support for Young People Needs Assessment was undertaken in October 2012 which identified the local housing and support needs for young people in the city. The Strategy for young people aged 16-25 had three main aims; the first was to increase the numbers of young people who were prevented from homelessness; the second was to ensure the young people had a more positive transition to adulthood through the provision of a Young Peoples' accommodation and support pathway, and the third aim was to ensure the better use of resources through a joint commissioning approach to accommodation and support for young people. Ms Sharp informed the Committee that the Department of Communities and Local Government had been in touch to discuss whether Brighton and Hove Council would like to be part of a future working group looking at how to develop positive accommodation and support pathways for young people.
- 21.3 The Chair thanked the officer for the report and said that the Joint Strategy was great news and was a good example of working with other departments and a better way to manage budgets. The Chair added that he was very pleased that the government had asked the Council to be involved in a working group which reflected the great work the officers had undertaken.
- 21.4 Councillor Mears noted that last year it had been agreed that young people leaving care would get priority for housing, and asked if those who were giving housing were provided with appropriate support. Councillor Mears said an update on those leaving care who were given housing would be useful. The Head of Housing confirmed that support was given, and a report on care leavers would come to a future Housing Committee meeting.

- 21.5 Councillor Wilson referred to Appendix A of the strategy and asked if that could be extended to include families. The Chair confirmed that work was done with families, and that was undertaken by Sussex Central YMCA.
- 21.6 Councillor Mears asked what savings would be made through the implementation of the strategy. Officers advised that there wouldn't be savings as such, but there were important financial implications which would enable the care leavers team to better manage their budget and improve the service provided.
- 21.7 Councillor Robins was aware that some young people who were under the care of other local authorities had been given housing within the city, and asked whether this authority were aware of them and what support was given to them. Officers confirmed that young people were given housing outside of their area, and where that happened the new local authority would be informed. The solicitor confirmed that the Community Safety Team were currently devising a protocol to address the matter.
- 21.8 **RESOLVED** That the Housing Committee approved the strategy.

22. HOMELESS STRATEGY REVIEW

- 22.1 Ms N Sundar, Supporting People Manager, provided an update on the Homelessness Strategy. The Committee were advised that a review of homelessness in the city was currently being undertaken. Consultation with local stakeholders would begin in October 2013, and a local consultation event would be held on 2 December 2013. Following the consultation a new draft strategy would be presented to the Housing Committee in April 2014. The Commissioning Strategy for housing related support was also being reviewed and was currently under consultation. The consultation was being coordinated with the homelessness review process. A Rough Sleeper count would be held in November, and severe weather provision for rough sleepers was currently being prepared.
- 22.2 Councillor Farrow was concerned that the draft strategy would not be provided until April 2014. Ms Sundar said that it was important to consult with partners and that would take time, but if it was helpful an update could be provided for the meeting in January. The Chair agreed that an update would be provided to the Housing Committee in January 2014.

23. STIMULATING NEW HOUSE BUILDING IN BRIGHTON & HOVE

- 23.1 The Committee considered the report of the Executive Director Environment Development and Housing on Stimulating News House Building in Brighton and Hove. The report was presented by Mr M Reid, Head of Housing Strategy. The report was written in response to the Notice of Motion which was referred from the Council meeting held on 18 July 2013.
- 23.2 Councillor Farrow said he was concerned at the high level of rents and the comparatively low wages in the city, and whilst he accepted there was no answer to that he did want to register his concern. The Chair said that he agreed that the level of rents

were too high in the city, and was concerned that the level of rents had increased so much over the last few years.

- 23.3 Councillor Farrow referred to the reduction in the level of affordable housing which developers now had to provide, and was concerned at how that would impact on new house builds. Councillor Kennedy agreed, and said that due to changes in national legislation developers could now argue that it wasn't viable to have a 40% element of affordable housing in new builds.
- 23.4 Councillor Mears was concerned that a lot of money had been spent on the process of building new homes, but few properties built and only 534 new homes projected to be constructed under the Affordable Housing Programme in the next two years.
- 23.5 Councillor Peltzer Dunn thanked officers for the response to the Notice of Motion, and for the information on the work being undertaken. He accepted that things took time, but was concerned on the lack of progress on the development of the old Gala Bingo site in Portland Road and the various garage sites.

23.6 **RESOLVED:**

That Housing Committee:

- (1) Note the response to Notice of Motion, Stimulating New House Building in Brighton & Hove;
(2) Note the progress made in the Estate Regeneration programme.

24. **BROOKE MEAD**

- 24.1 This item was deferred to a future meeting of the Housing Committee.

25. **GARAGE SITES**

- 25.1 Mr N Hibberd, Head of City Regeneration, gave a presentation on New Homes for Neighbourhoods with an update on the Estate Regeneration Programme. The Committee were advised that the Programme would: build much needed homes on council housing land; work with ward councillors and local residents to improve neighbourhoods; make best use of council housing assets; build sustainable housing and communities; meet City Plan target of 500 new homes on HRA land by 2030. There were three phases to the programme. The first phase took forward the development of the former garage and parking sites as approved by the Housing Committee in September 2012, the second phase concerned the infill development of vacant land buildings and the third phase looked at wider estate regeneration.
- 25.2 Ms R Sayers, Architect, provided an update on the development in Preston Road.
- 25.3 Councillors thanked officers for the information, and suggested that a workshop be held to discuss the various potential developments within the city. The Committee agreed that a workshop would be useful and asked that one be arranged as soon as possible.

26. ITEMS REFERRED FOR COUNCIL

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

The meeting concluded at 6.40pm

Signed

Chair

Dated this

day of

| | | | |
|--------------------------|--|--|--------------------|
| Subject: | Housing Management Pet Policy | | |
| Date of Meeting: | Housing Committee 13 November 2013 | | |
| Report of: | Executive Director , Environment, Development and Housing | | |
| Contact Officer: | Name: | Eve Hitchens | Tel: 293262 |
| | Email: | Eve.hitchens@brighton-hove.gov.uk | |
| Ward(s) affected: | All | | |

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This policy proposal updates how the Housing Management team deals with pets in council homes.
- 1.2 What the tenancy agreement currently says:
You (or members of your household) must not keep a dog, cat, bird or other animal in your home without our written permission-the tenant handbook gives details of when we will give permission. Your pet(s) must not annoy or frighten other people, nor must you allow your pet to foul shared areas. If nuisance occurs, we can withdraw our permission. It is a breach of your tenancy agreement if you are convicted of causing cruelty and suffering towards an animal (see Appendix 1 for Tenancy handbook guidance)
- 1.3 The policy has been formulated in consideration of guidance provided by the RSPCA (see appendix 1)
- 1.4 The policy has been formulated by Officers within the Neighbourhoods Team and tenant representatives through Area Panels

2. RECOMMENDATION:

- 2.1 That the Housing Committee agrees to the adoption of the Pet Policy.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

Pets are good for people: they enhance a person's mood, reduce stress, encourage exercise, bring blood pressure down, make social interaction easier and stave off loneliness and isolation (Elizabeth Scott M.S. "How owning a dog or cat can reduce stress" 14 January 2012)

- 3.1 The issue of pet ownership gives a number of issues for housing management staff. These include but are not exclusive to
- dangerous dogs
 - stray dogs
 - dog fouling
 - barking
 - smells
 - indiscriminate breeding

There tend to be more complaints about dogs because their owners have a legal onus to control them in a way that other pet owners do not. For example, while cat owners can allow their cats to roam the neighbourhood unrestrained, and do not have to pick up their fouling, dog owners cannot. These complaints are managed by the council's Neighbourhood Team.

Because dog owners have a legal obligation to control their dogs, there is accordingly a plethora of laws and by laws which dog owners must adhere to with set processes and penalties. The council's Animal Welfare Officers have a statutory obligation to investigate and take action on dog fouling, dogs being out of control, and to collect and deal with stray dogs, so Neighbourhood Officers will often work with them, to enforce nuisance problems in council properties. The police may also become involved in cases where dogs have bitten people.

Similarly, complaints of cruelty will usually be referred to the Animal Welfare Officers or the RSPCA.

(Full summary of pet related legislation Appendix 2)

- 3.2 There is not legislation to cover minor pet nuisance (ie., pet smells, cats being allowed to roam in common ways of flats) so there needs to be clear procedures for Neighbourhood Officers on how to resolve these problems in a sensitive and effective way.
- 3.3 The number of stray dogs being collected each year in Brighton and Hove has doubled since 2008 to around 360 dogs a year.
- The law requires that these dogs are held for a minimum of seven days and the kennelling fees become very costly. Most of these dogs are not neutered, and cannot be identified as they are not micro chipped, and do not have ID tags on. Only half are reclaimed by their owners, so Animal Welfare Offices have to try and find rescue organisations to take the rest.
- 3.4 Research has shown that the greatest reason for persons abandoning their dogs is that they did not realise how difficult it would be to own a dog.

3.5 Cats are largely much more independent, and therefore easier to keep. However, because they are usually allowed to wander outside, they often mate without their owners intending it to happen. This results in the owner having to deal with unwanted kittens, and adds to the problem of there already being too many cats and too few homes for them.

3.6 A three stage approach is hereby recommended for Housing Management Staff

Firstly, Ensure tenants know what their obligations will be when given permission for a pet to ensure that they take responsibility for the welfare and behaviour of their pet. This process of education will begin before the resident decides to get a pet with the inclusion of pet owning information in Lettings Packs.

Secondly, to provide support when appropriate to help residents to solve pet related nuisance.

Thirdly, to provide enforcement action, as with other anti-social behaviour, which should be taken when stage 2 fails and the resident won't or can't take responsibility to solve the problem. In some cases, the answer may be for that person to relinquish their pet but this would be our end point rather than our start point in most cases.

The main things on which the Pet Policy will concentrate are:

3.7 Comprehensive management when taking applications to keep a pet.

3.7.1 The permission process will outline the obligations we place on residents to ensure that the pet is kept responsibly, and will not cause a nuisance to others in the vicinity. Part of the application process will require the tenant to give details of who will look after their pet if they are unable to do so.

3.8 Requiring all owners of dogs in our properties to micro chip their dogs.

3.8.1 This can be done free of charge by The Dogs Trust and should reduce the number of unidentified stray dogs being collected by Animal Welfare Officers. It will also identify owners in the rare cases where stray dogs attack people or other animals.

3.9 Prohibition of the breeding of pets

3.9.1 Council homes are not suitable for pet breeding, which requires space and can cause noise and smells. Pet breeding in private homes often leads to "accidental ownership" which is when friends or neighbours see the newly born puppies or kittens and can't resist taking one because they are so cute, without really thinking about the responsibility or work involved.

3.9.2 We are not making neutering compulsory, as this is surgery and therefore has risks attached. Some people also believe that neutering leads to unintended and unwanted health and behaviour problems. We will publicise neutering, and the health benefits and convenience this has, and the low cost availability, but if someone chooses to manage their pet's fertility differently, this will be their choice.

- 3.9.3 We will require pet owners to think about this, and to state how they will prevent their pet breeding on the application form.
- 3.9.4 If breeding does occur, the approach we take will depend on the circumstances under which this happens. A person whose pet escapes and becomes pregnant, is very different from someone who purposely breeds pets in order to make money. The former will probably require no action/advice on neutering, while the latter may be subject to tenancy action

3.10 A database established so that all dogs in our properties are recorded.

This will enable the Neighbourhoods Team to gain data on how many dogs there are in certain areas, to more easily identify a dog that may be running loose, or fouling, and to enable us to include pets in emergency contingency plans.

3.11 Other landlords

Some landlords use a simplistic approach to solve animal ASB.

It is often written as standard into letters (even initial ones) *"if you do not solve this problem we may withdraw permission for you to keep a pet"*. This can be very frightening to pet owners, most of who love their pets and do not want them to cause a nuisance or inconvenience to those around them. With a bit of support and guidance most problems can be solved

Other registered social landlords who the RSPCA feel demonstrate good practice were researched and a summary is attached in Appendix 3.

- 3.12 Due to the number of unwanted pets currently in shelters, **we will be promoting adoption from rescue societies**, rather than persons obtaining pets from newspaper ads or from breeders. Shelter staff have the expertise to be able to identify suitable owners, and pets from rescue societies will usually already be neutered, micro chipped and inoculated. Shelters also usually provide lifelong support to pet owners on behaviour issues, and will take the pet back if the person is unable to care for it.
- 3.13 The revision of the Housing Management policy will streamline the way we deal with pet ownership, so we will be more effective in solving problems. As much of the policy is preventative (ie., getting people to think about what getting a pet involves before they obtain one, and ensuring owners know their obligations) this should reduce the amount of nuisance which occurs
- 3.14 In order to promote responsible adoption and ownership, we will be featuring articles in Homing In, producing leaflets, and doing poster campaigns around our Estates.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

The proposals in this report to change and clarify our own pet policy was presented to Area Panels in January 2013. All of the proposals were well received and there were no objections to any of the proposals.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The costs associated with the introduction of policy relate to the production of information sheets, posters and leaflets in order to publicise the policy. These costs should be minimal and it is anticipated that they can be met out of existing publicity and marketing budgets for 2013/14.

Finance Officer Consulted: Monica Brooks

Date: 19/08/2013

Legal Implications:

- 5.2 The legal framework around the keeping of animals is outlined in the report and Appendices. The council's standard secure tenancy agreement provides that a tenant must not keep a dog, cat, bird or other animal without written permission. The council therefore has a discretion as to whether it allows a tenant to keep a pet. The law requires a discretion to be exercised reasonably, and the proposed Housing Management Pet Policy will assist in the exercise of that discretion.

Lawyer Consulted: Liz Woodley

Date: 15/10/2013

Equalities Implications:

An Equalities Impact Assessment is attached as Appendix 5.

- 5.3 The RSPCA have stated that restrictions on pet ownership in tenancy agreements and pet policies are appropriate and will not infringe tenants' rights, where they are needed to ensure good animal welfare, avoid nuisance to other residents, and protect the landlord's premises from damage.
- 5.4 The policy would be non discriminatory and proportionate. We will not unreasonably withhold permission for people to keep pets, and will offer advice and assistance to people to ensure they are able to keep to our conditions for keeping pets.
- 5.5 Some Local Authorities restrict which pets are allowed in particular properties; for example, some will not allow dogs in high rise blocks, or cats where there is no direct access to an outside space.
- 5.6 We are not proposing at this stage to restrict cats and dogs to particular types of properties (as these pets can be kept responsibly within any type of housing with the right care). However, other species, such as chickens, can only reasonably live outside, so permission will be restricted to residents who have gardens.
- 5.7 A small number of our sheltered blocks do not permit pets, but many others do, so home seekers should not be disadvantaged when seeking a property.

Sustainability Implications:

There are no sustainability implications

Crime & Disorder Implications:

The revised Pet Policy will help to prevent pet owners breaking the law i.e. The Dangerous Dogs Act 1991

Risk and Opportunity Management Implications:

The risks to persons staff and residents will be reduced through more careful education and monitoring of pets and owners.

Public Health Implications:

The risks to health and safety residents and staff will be reduced through more careful education and monitoring of pets and owners.

Corporate / Citywide Implications:

None.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 If there were no pets in council properties there would be no pet nuisance. However given how enormously important pets are to people and the joy they bring, to introduce a blanket “no pets” policy would greatly impede on the wellbeing of many of our residents. For some people it is literally their pets who keep them alive, and some people would choose to be homeless rather than live in a home without them.
- 6.2 It would not be proportionate to impose a compulsory neutering policy in order to stop the nuisance of pet breeding; this is not the only way to stop breeding, and people need to be able to make their own decisions about how to manage their animal’s health and fertility.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To consult and seek comments from members of the Housing Management Consultative Sub-Committee on the proposal. To endorse the policy and recommend its adoption to the Housing Committee. .

SUPPORTING DOCUMENTATION

Appendices:

1. RSPCA guidance leaflet
2. Summary of pet related legislation
3. Examples of pet policies from other social housing landlords
4. Revised pet policy
5. EIA

Documents in Members' Rooms

None

Background Documents

None

Appendix 1

RSPCA Publication "Housing, a Guide to Good Practice" Summary of Recommendations

1. The Basics

- i. "Housing providers should not discourage pets where facilities exist for their proper care. Controls are necessary, however, to prevent irresponsible pet ownership"
- ii. "In all written policies, the key questions to address are whether the policies are enforceable and whether they will be enforced by housing officers"
- iii. "It is also important to ensure that pet owners generally, or owners of specific pets, such as dogs are not vilified through policy. While there may be a need for greater conditions on some pets, they need to be proportionate to the problem and clearly explained to the residents"

2. The RSPCA state that the following should be included in a basic pet policy, and included in the tenancy agreement where possible

- i. **"A clear statement that the owner is responsible for their pets' welfare, as defined under the Animal Welfare Act 2006"**

This should be based on the "duty of care in Section 9" (see Appendix 2). There should be a clear process for dealing with any animal welfare/cruelty complaints

- ii. **"A clear statement that the owner must ensure that the pet does not cause a nuisance and is not to be used in an anti social manner"** This needs to "include clear details of what is expected from a responsible owner" A clear process for dealing with nuisance should be established which includes, "where applicable, working with other agencies such as the police and the RSPCA"

iii. "The RSPCA advises that - as with the majority of low-level complaints - positive action towards an improvement is sought in the first instance, and that the pet owner is directed to sources of information and advice"

iv. **"Clear guidance on which pets are allowed, where they are allowed, where they are not, and how many pets a tenant can have"**

"We recommend that this guidance should have the flexibility to assess individuals' requests on a case-by-case basis"

v. **"Conditions that tackle indiscriminate breeding and accidental ownership"**

"The breeding and sale of animals should be prohibited on premises that housing providers manage". This will:

- help encourage responsible pet ownership
- reduce the number of "accidental owners" (obtaining pets from friends/neighbours without really thinking about the animals' welfare needs)
- avoid environmental nuisance

vi. **"A clear policy on pets left behind in properties"**

This is when a resident goes into hospital, or leaves the property without taking their pet.

vii. **"Clear procedures on common pet-related problems"**

Allowing animals to stray repeatedly, fouling, excessive noise, animal neglect/hoarding

2. **Going beyond the basic standard**

"The provision of a basic pets policy, which is both enforceable and enforced, is essential if there is to be a consistent and effective approach to the issues arising from pets in housing. In order to tackle the root of the problem before it takes hold, however, a more

proactive approach must be taken and preventative measures put in place”

i) Microchipping and neutering

“housing providers should promote both (micro chipping and neutering) to residents. Micro chipping “makes traceability easier, and in turn helps tackle straying, fouling and nuisance and ASB issues”. Neutering is “an effective way of preventing unwanted litters..(and) may also prevent illnesses and some unwanted behaviours”

ii) Education

“Educating residents and staff can play an important part in tackling some key pet ownership problems. It can take many forms, from printed and online information to holding events that include a vet consultation or discounted micro chipping”

iii) Multi-agency working

“At a time of shrinking budgets and increasing workloads, working with other organizations is essential when tackling some of the issues surrounding pets in housing”

“Partnership working can also provide training and advice, particularly in the area of animal welfare”

iv) Pets of vulnerable tenants placed in self-contained accommodation

“In the majority of situations it is hoped that pet ownership.. doesn’t form a barrier to an individual being offered an overnight hostel or temporary accommodation”

This applies to homeless persons seeking hostel accommodation. Other residents may require emergency housing due to a crisis situation, such as fire, major works, harassment, or domestic violence.

Appendix 2

Animals and the Law; Summary of Relevant Legislation

1. Animal Welfare Act 2006

The Animal Welfare Act increases penalties for those who inflict serious cruelty on animals and also introduces a welfare offence. This places a "duty of care" on pet owners to provide for their pet's basic needs, such as adequate food, water veterinary treatment and a suitable living environment.

The new offence means that animals do not have to suffer for owners to be prosecuted.

2. Dangerous Wild Animals Act 1976

This Act promotes public safety by regulating how dangerous wild animals are kept by individuals. The Act contains a schedule of animals such as monkeys, venomous snakes and crocodiles that are considered dangerous and so require a license from the local authority.

3. The Breeding of Dogs Act 1973, The Breeding of Dogs Act 1991 and the Breeding and Sale of Dogs (Welfare) Act 1999

Under the 1973 Act (as amended by the 1999 Act), anyone who breeds and sells dogs as a business (more than four litters a year) requires a license from the local authority. Local authorities have extensive powers to check on the standards of health, welfare and accommodation of the animals and are responsible for enforcing the requirements of the Act. The Breeding of Dogs Act 1991 extends their powers to obtain a warrant to enter any premises where dog breeding is believed to be happening. Private homes are excluded from the Act but outbuildings are not.

4. Control of Dogs Order 1992

This requires every dog in public to wear a collar bearing the name and address of its owner. If a dog is not, it can be seized by the local authority and treated as a stray. In addition, the person

responsible will be guilty of an offence and may be prosecuted by a fine.

5. Road Traffic Act 1988

Under the Act, it is an offence to have a dog on a designated road without it being held on a lead

6. Guard Dogs Act 1975

It is an offence to use or permit the use of a guard dog on any premises unless the handler has control of it, and there must be warning that a guard dog is present

7. Dogs Act 1871

Under this Act, if a court has received a complaint, it may decide that a dog is dangerous and not kept under proper control and will then order the owner to resolve the situation or have it destroyed.

8. Dangerous Dogs Act 1991:

This Act has two main sections:

Section 1

It is an offence to keep specific breeds of dogs without registration. These include Pit Bulls. Owners have to comply with certain legal requirements, including having their dog registered, neutered, micro chipped and tattooed. One of the main problems with this law is that the pit bull terrier is not a recognised breed in the UK. Consequently, many owners of cross breeds which are a "pit bull type" have been charged under the Act.

Section 3

This applies to all dogs and makes it a criminal offence to allow a dog to be dangerously out of control in a public place. This includes instances where there is simply fear that an injury may occur. Owners found guilty under either section of the Act face up to six months in prison, destruction of their dog and/or a fine of up to five thousand pounds.

9. Environmental Protection Act 1990

Section 149: seizure of stray dogs

This gives authorized council officers the power to seize and detain any dog it believes to be a stray. If the dog is not collected by the owner within seven days, the ownership transfers to the local authority, who may rehome, sell, or humanely destroy it. The owner is liable to pay for all expenses incurred because of the dog's detention.

Section 150: delivery of stray dog to the local authority

A member of the public who finds a stray dog must return it to its owner or take it to the local authority. No other stray animal has the equivalent legal status to dogs. If any other animal is picked up, a relevant animal welfare agency should be contacted.

Section 70: offence to keep any animal in a manner that is prejudicial to health, causes a nuisance or emits noise from a building that causes a nuisance

The civil law of nuisance covers animals causing noise to the general public or a particular person

10. Animals Act 1971

Under this Act, owners of animals and those in control of them have a duty to take reasonable care to ensure that their animals do not cause injury or damage

11. Clean Neighbourhoods and Environment Act 2005

This allows local authorities to tackle dog fouling, ban dogs from designated areas, require them to be kept on a lead and restrict the number that can be walked by one person. This Act also gives local authorities sole responsibility for strays (this was previously shared with the police)

12. Litter (Animal Droppings) Order 1991 made under the Environmental Protection Act (1990)

This places a duty on local authorities to keep designated areas clear of dog faeces.

13. Bye-laws

Certain Acts of Parliament give local authorities the power to make by-laws, which create criminal offences for certain acts carried out locally. For example, local authorities can restrict dogs in certain areas.

Appendix 3

I looked at the policies of about eight other social landlords which were recommended by the RSPCA as exhibiting good practice: there was some common ground in all the policies looked at; all obliged residents to apply for permission before they get a pet (with the exception sometimes of very small ones like fish, or insects).

Most of their pet policies state that they are supportive of pet ownership. They all prohibit the keeping of animals banned in law; i.e., breeds of dogs specified in the Dangerous Dogs Act 1991, the Dangerous Wild Animals Act 1976.

Some prohibit the keeping of farm animals; others prohibit "exotic pets". And some prohibit certain types of pet depending on the type of dwelling that someone lives in.

Places for People Housing Association state that "in flats with communal entrance and passage ways, pets such as cats and dogs are not usually allowed".

Tendring District Council say they will "usually grant permission to keep dogs and cats in flats only if they have direct access to an outdoor space".

Eastland Homes Housing Association will "not permit dogs in high rise flats". They also will not permit any pets to be kept in sheltered blocks other than birds and other small caged animals.

Sometimes, policies state maximum permitted numbers: Tendring say they "nearly always" limit the number of dogs to one, and the number of cats to two.

Wolverhampton Homes state that "the keeping of animals should be restricted to one cat and one dog or two cats or two small dogs"

Some social landlords prohibit pet breeding.

Wolverhampton Homes state that they do not allow "commercial or non-commercial breeding and/or the selling of animals from the property"

Blackpool Coastal Housing state that tenants "must not breed animals in your home". They state that they "may request that dogs are neutered" if they are causing a nuisance. They also oblige dog owners to micro chip their dogs before permission will be given.

Wandsworth also state that residents are “not permitted to cause nuisance by breeding their animals”

Wandsworth introduced compulsory dog micro chipping in 2006 to address irresponsible dog ownership, straying and fouling. The number of stray dogs being reunited with their owners has risen from 43% in 2007/8 to 65% in 2010/11, which has saved the local authority kennelling costs.

Housing Tenancy and Leasehold Management Policy

THE KEEPING OF PETS IN COUNCIL ACCOMMODATION

1. Introduction

- 1.1 Keeping pets in social housing can provide many challenges for landlords. Yet research has shown that animals that are well cared for and responsibly kept can be a positive attribute to any community. For individual owners, pet ownership can enhance a person's mood, reduce stress, encourage exercise and stave off loneliness and isolation.¹ (RSPCA Housing: A Guide to Good Practice)

It is important therefore that our policy on keeping pets is supportive of pet ownership, while at the same time emphasizing individual responsibility, provides clear guidelines on what we expect from pet owners, and contains robust procedures to deal with any problems which may occur.

2. Aims and Objectives

- 2.1 This policy is to provide guidance to all staff and residents, on our approach to pet ownership in council owned properties.

3. The Tenancy Agreement, Lease Conditions, Tenants Handbook

- 3.1 It states in the **Tenancy Agreement** that:

You or they (members of the household) must not keep a dog, cat, bird or other animal in your home without our written permission- the Tenants Handbook gives details of when we will give permission. Your pet(s) must not annoy or frighten other people, nor must you allow your pet to foul shared areas. If nuisance occurs, we can withdraw our permission. It is a breach of your Tenancy Agreement if you are convicted of causing cruelty or suffering to an animal.

- 3.2 It states in The **Tenants Handbook** that:

How many pets can I have?

If you want to keep pets, you must get our written permission through your housing office. The number of pets we will allow depends upon the type of pet, and the size and type of home

you live in. If you live in sheltered housing, please check with your Scheme Manager to see whether your scheme allows pets. We will not unreasonably withhold permission but will not give permission for residents to keep the following animals:

- § any dangerous wild animal as detailed in the Dangerous Wild Animals Act 1976*
- § the specific breed of dog restricted by law and detailed in the Dangerous Dogs Act 1991 such as the pitbull terrier, and Japanese tosas*
- § a species prohibited by trade, import or export as detailed by the Endangered Species (Import and Export) Act 1976*
- § all venomous (poisonous) insect and spiders*
- § all large, poisonous or constricting snakes or lizards*

The Animal Welfare Team gives advice and practical help for keeping pets and animals in the city. They investigate complaints about stray animals, dangerous dogs, dog fouling and cases of animal cruelty. You can get further information and advice on 01273 292929 or 292446.

Is there anything I need to know about keeping pets?

If you have a pet or would like to get one, we expect you to look after your pets in a responsible way. You must make sure that:

- § they do not cause a nuisance to your neighbours by creating lots of noise or excessive smells*
- § you clean up after your pets*
- § you look after your pet responsibly*

If you keep an animal that we believe is being mistreated, we will report it to the Council's Animal Welfare Team.

If your pets are causing a nuisance or disturbance to your neighbours we may ask you to rehome them.

If these conditions are not kept, permission can be withdrawn and action may be taken against your tenancy

3.3 Leases.

We currently use two leases; a Brighton lease and a Hove lease. These both state the same thing about keeping pets, which states:

Not to keep any bird, reptile, dog or other animal in the demised premises without the previous consent in writing of the Council which may be given by the Council's Director of Housing for the time being or their Managing Agents for the time being such consent to be revocable by notice in writing at any time on complaint of any nuisance or annoyance being caused to any owner tenant or occupiers of any other flat in the building

4.0 Applying for Permission to keep a pet

- 4.1 Permission should be sought by contacting Housing Customer Services who will arrange for the form "Application to keep a Pet in a Council Owned Property" to be completed.
- 4.2 Each application is assessed on its own merits. There are some sheltered schemes which do not permit pets, or which restrict which pets may be kept. Pets may be kept in all other properties. However officers have the discretion to determine that certain pets (ie., livestock) cannot be practically kept without the use of a private outside space, or that the size or type of property may restrict the number or pets which are allowed.
- 4.3 We will not refuse the keeping of cats or dogs if the property does not have a private garden, but we will need to ensure that residents have thought about how they will exercise their pet.
- 4.4 Where appropriate, officers will ask the advice of the Animal Welfare Team or other agencies before giving permission. This may especially be the case where permission is being sought for a large number of animals, for exotic or farm animals, or where there have been some concerns previously about the owner's ability to give adequate care to an animal.
- 4.5 Permission will be given on the strict understanding that residents are responsible for their pet, and that they care for it in accordance with the Animal Welfare Act 2006.

- 4.6 Applications to adopt pets from rescue societies will be prioritized, and will be processed within three working days from the date of application in order to facilitate the rehoming process.
- 4.7 Pet owners will be required to give details of a person who can care for their pet in an emergency, or if they become unable to do so
- 4.8 The breeding of all pets is prohibited in council homes.
- Owners will be encouraged to neuter their pets. If they choose not to, or neutering is not practical or safe (ie., as may be the case with very small animals such as hamsters or mice) owners will be required to take practical steps to stop them from breeding, such as separating pets of opposite sexes.
- 4.9 We will never give permission for residents to operate a pet breeding business from their home
- 4.10 All pets must be properly controlled, and must not be permitted to roam free in shared hallways or gardens.
- 4.11 Owners are responsible for the making good of any damage that is caused in their own property or in shared areas by their pet

Special Conditions

5.0 Dogs

Owners of dogs have a legal responsibility to control and care for them in a way that the owners of other pets do not. Dogs are also the cause of most complaints of anti social behaviour. Dog owners are accordingly obliged to adhere to the *law*. These are the main ones:

5.1 The Dangerous Dogs Act 1991

Part 1 of this makes it an offence to own the following breeds, unless a Certificate of Exemption has been obtained.

- § The pitbull terrier
- § The Japanese Tosa
- § The Dogo Argentino
- § The Fila Brasileiro

Section 3 of this Act makes it an offence to allow any dog to be “dangerously out of control in a **public place**”. A dog may be regarded as being “dangerously out of control” if there are good grounds for suspecting that it will injure a person whether or not it actually does so

5.2 The Dogs Act 1871

This Act allows a Magistrate Court, on being satisfied that a dog is dangerous and not being kept under proper control in either a public or a private place, to make an order that the dog be kept under proper control or destroyed. A fine can be imposed for breach of such an order.

5.3 Control of Dogs Order 1992

- § Every dog, while in a public place, must wear a collar displaying its owner’s name and address.

5.4 Clean Neighbourhoods and Environment Act 2005

The Dog Control Orders below are made by the Council using powers in the Act. They may not have effect outside Brighton & Hove.

- § Dogs must be kept on a lead on all roads and pavements (Dog control Order 2 Keeping on a Lead).
- § Dog fouling is prohibited in all public areas. Dog owners are expected to pick up after their dogs and dispose of it appropriately (Dog Control Order 1 Fouling of Land)
- § Dogs are not permitted in children’s play areas, cemeteries, certain inner city parks and squares, and certain memorial gardens (Dog Control Order 4 Exclusion from Land)

5.5 In addition to this, **Housing** stipulates the following:

- § All dogs living in Council owned properties must be micro chipped
- § Dogs must be kept on a lead on all Housing land, including the shared areas of blocks of flats, the surrounding land, and shared gardens

- § Dogs must not be left unsupervised on balconies or in any communal areas
- § Residents must not leave their dog unattended overnight, or for periods exceeding five hours
- § Where a resident has a private garden, they are responsible for ensuring that their dog is safely contained within it by providing hedging, fencing or some other form of restriction.
- § Dog fouling in private gardens and on balconies must be cleared up promptly

6.0 Cats

- 6.1 Under the Animals Act 1971 and the Common Law Duty of Care, it is a commonly-held view that cats have the “right to roam” wherever they wish. However, cat owners do have a general duty at law to take reasonable care to ensure that their cats do not cause injury to people or damage to property
- 6.2 A complaint commonly received about cats is that they are fouling in other people’s gardens, or digging up their flower beds. It is not realistic to expect cat owners to train their cats not to go into certain areas. Where this becomes a problem, we will advise the person affected on humane measures they can take to deter cats.
- 6.3 Cats can breed very frequently (up to three litters a year), and because they usually roam the neighbourhood, it is very difficult for owners to stop un-neutered cats from breeding. We strongly recommend that cat owners neuter their cats as early as possible.
- 6.4 Where a litter tray is used, it is important that it is emptied and cleaned regularly in order to avoid smells. Litter must be disposed of by sealing it in a plastic bag and disposing of it in the normal household refuse.
- 6.5 It is not permitted for cats to be left unsupervised on balconies or in shared hallways.
- 6.6 Cat owners can apply for permission to install a cat flap in their property by completing the necessary form and submitting it to the Clerk of Works. Each case will be assessed individually. We

will give permission where possible, but this may not always be the case.

6.7 We strongly recommend that cats are micro chipped, so that they can be identified if they become lost, stolen, or are involved in accidents

7.0 Keeping small mammals

7.1 In the case of very small animals such as rats, mice, gerbils and hamsters, residents must limit them to manageable numbers, and make sure they are suitable for the living conditions

7.2 Rabbits and guinea pigs should normally be kept outside the home, with a secure exercise run which is safe from predators

7.3 Residents must ensure that their housing is free from excess droppings

8.0 Keeping birds

8.1 Small caged pets are allowed provided that the cage is large enough to allow them to stretch their wings in any direction and gives them enough space to perch

8.2 Birds should be permitted to exercise out of their cage, provided they can't escape

8.3 Where birds are kept outside (aviary birds or fowl), residents will need to show that they know how to meet the welfare needs of the animal, including providing a suitable environment which is safe from predators

8.4 Residents are not permitted to keep cockerels

9.0 Keeping reptiles, amphibians and spiders

9.1 We do not recommend that residents keep these types of pets, as they require specialized living conditions and care. Most reptiles kept as pets die very quickly; 75% within one year (E. Totland et al 2012) There is also a significant risk of zoonotic (animal to human) disease.

9.2 If a resident wants to keep reptiles, amphibians or spiders they will be required to prove that they can provide the required care, and agree to a visit by an animal welfare professional to assess their suitability.

10.0 Farm animals

10.1 We will not usually permit the keeping of farm animals, such as pigs, goats and sheep in council properties. These animals need to be in a rural environment and may cause damage and noise in a residential setting. Exceptions will only be granted following advice from Animal Welfare Officers.

11.0 Nuisance Animals

11.1 Where nuisance occurs, we will seek to resolve the situation informally and by agreement.

11.2 Where appropriate, cases will be referred to the Animal Welfare Team, the police, the RSPCA, or other animal welfare agencies for advice, or enforcement action.

11.3 Where there is a complaint of excessive noise being caused by an animal, Housing staff will seek to determine the extent and cause of the problem before deciding upon further action. Many noise problems can be solved by appropriate advice on care or training issues.

11.4 If problems persist, and the owner is not taking responsibility for solving problems, a more formal approach will be used: this may include:

- § Enforcement Action by the Animal Welfare Team, when laws or by laws are being breached. This is especially the case with dog fouling, dogs not wearing identification, or dogs being out of control
- § Enforcement action by the Environmental Health Team where noise amounts to a statutory nuisance, and the owner is not taking steps to solve it
- § Intervention or prosecution by the RSPCA

- § Making responsible pet ownership part of an Acceptable Behaviour Contract- this is a contract signed by the owner in which they agree to adhere to certain behaviours
- § Serving an injunction which will legally oblige the owner to start or stop doing certain actions
- § Taking action against a person's tenancy or lease for a breach of tenancy conditions. This may include serving a Notice of Seeking Possession, or seeking to demote a secure tenancy.

12.0 Cruelty and Neglect

12.1 Any reports of animal cruelty or neglect will immediately be referred to the Animal Welfare Team or to the RSPCA. If a resident is successfully prosecuted for failing to look after an animal properly, we have the discretion to refuse permission for any further pets to be kept.

12.2 If a resident is found to be guilty of causing cruelty or suffering to an animal we will normally take action against their tenancy.

13.0 Monitoring and Review

13.1 We will monitor and review this policy annually, and amend in line with any future changes to national or local policy or legislative changes.

13.2 The Head of Housing has overall responsibility for the on-going monitoring of the policy through the work of frontline teams. The policy will be reviewed annually by the Housing Leadership Team.

14.0 Equalities

An equalities impact assessment has been completed, (Appendix 4) created along side the policy document, to ensure that we are complying with our duties set out in the Equality Act 2010 and that no groups of people are being adversely and cumulatively impacted upon by our decision making processes.

Residents who require assistance animals will not need to ask permission to keep them, and may be exempt from certain laws or conditions (ie., blind persons are obliged under the law to pick up fouling from their guide dog)

References:

Animals Act 1971
 Animal Welfare Act 2006
 Dangerous Wild Animals Act 1976

Dangerous Dogs Act 1991
The Dogs Act 1871

Brighton and Hove City Council Tenancy Agreement
Brighton Lease
Hove Lease

Housing; A Guide to Good Practice RSPCA
Guidelines on Pet Management for Housing Providers, Pet Advisory
Committee

Wild Pets in the European Union ENDCAP

The Exotic Pet Trade: Pet Hates (2012) E Totland et al

Contact: Eve Hitchens for comments Eve.hitchens@brighton-hove.gov.uk or via 293030

Equalities Impact Assessment

| | |
|-----------------------------|---|
| Name of review: | Pet Policy |
| Period of review: | 2012-2013 |
| Scope of the review: | <p>Residents who live in Council owned stock are permitted to keep pets, subject to the conditions we determine as a landlord. We have a total of over 14,500 tenants and leaseholders living in the Brighton and Hove area. The Council employs five Animal Welfare Officers (two full time, and three part time) who have a statutory obligation to collect stray dogs, to investigate breaches of the law such as dog fouling, and to investigate welfare concerns. These welfare officers deal with both council tenants and residents who privately rent or who own their properties. The conditions which residents must abide to when keeping pets are determined by law, or by their landlords. The Council's pet policy is written for its own tenants and leaseholders, although many of the conditions are underpinned by existing legislature.</p> <p>The purpose of reviewing the pet policy is:</p> <ol style="list-style-type: none"> 1. To produce a comprehensive policy detailing which pets we allow and under what circumstances, and to clearly outline the responsibilities of pet owners, especially in promoting animal welfare and preventing their pets from causing anti social behaviour. 2. To be supportive of responsible pet ownership, and to be as inclusive as possible, whilst maintaining sensible restrictions where conditions would be clearly unsuitable (ie., no farm animals). 3. Through clearly defined obligations, and procedures for addressing anti social behaviour caused by pets, to reduce the most common problems, such as dog fouling, noise, and dogs being poorly controlled. 4. To introduce compulsory micro chipping of dogs to increase the number of stray dogs being reunited with their owners, and thereby to save the council money in kennelling costs, and reduce the number of dogs needing to go to rescue societies, or being euthanized. |

| | |
|--|--|
| | <p>5. To introduce a No Breeding of Pets clause in order to reduce nuisance caused by breeding, prevent “accidental ownership” of pets, and to help to stem the number of unwanted pets.</p> <p>6. To adhere to guidelines on how to manage pets in social housing provided by the major animal welfare agencies; in particular the RSPCA has published comprehensive guidelines and awards “Footprint” awards each year to Local Authorities. We are currently a “bronze level” performing authority and aim to be awarded a “gold” level.</p> <p>7. Where problems occur, especially anti social behaviour, to produce clear guidelines for staff and residents on how to deal with these.</p> |
| <p>Review team:</p> | <p>Eve Hitchens, Senior Neighbourhood Officer</p> |
| <p>Relevant data and research:</p> | <p>Guidelines produced by the RSPCA, and the Pet Advisory Committee. Legislation relating to Animal Welfare/Control. Demographic data from OHMS, the main housing database.</p> |
| <p>Consultation: indicate who was consulted and how they were consulted</p> | <p>The policy was approved by Environmental Services, including the Animal Welfare Officers. A presentation was made to the four Area Panels in January 2013 (to talk generally about pet problems/suggested solutions), and in September 2013 when the draft policy was presented to them. Also presented to Estate Services Monitoring Group and to the Housing Management Consultative Panel (HMCC) in late 2013.</p> |
| <p>Assessment of impact, outcomes and key follow-up actions:</p> | <p>The success of the new policy will be determined by:</p> <ul style="list-style-type: none"> * a reduction in the number of pet related complaints * a reduction in the number of stray dogs * greater efficiency with which pet related issues are dealt with * better joint working between council departments (especially Environmental Health, and Housing) and between the council and animal welfare agencies |

| | |
|---|--|
| Name and contact details of lead officer responsible for follow-up action: | Eve Hitchens, Senior Neighbourhood Officer Eve.hitchens@brighton-hove.gov.uk Tel (01273) 293262 |
| For further information on the assessment contact: | Eve Hitchens Senior Neighbourhood Officer Eve.hitchens@brighton-hove.gov.uk Tel (01273) 293262 |

| | | | |
|-------------------------|--|-------------------------------------|--------------------|
| Subject: | Nomination Agreements | | |
| Date of Meeting: | 13th November 2013 | | |
| Report of: | Executive Director – Environment, Development & Housing | | |
| Contact Officer: | Name: | Martin McCurdy | Tel: 293786 |
| | E-mail: | martin.mccurdy@brighton-hove.gov.uk | |
| Key Decision: | No | Forward Plan No. | |
| Wards Affected: | All | | |

FOR GENERAL RELEASE/ EXEMPTIONS.

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The purpose of this report is to seek a general delegated authority for the Executive Director – Environment, Development & Housing to enter into Nomination Agreements with Registered Providers (RP) for the purposes of providing accommodation for service users who may also need support.
- 1.2 Temporary Accommodation (TA) has a large leasing programme, which is a mix of general needs accommodation and a number of supported housing projects. Some of the existing accommodation provides homes for clients nominated through the Community Mental Health Team and other service users who have high care and support needs.
- 1.3 On-going demand for accommodation with or without support has implications for the council's budgets in terms of the liability for the lease, rent costs and where applicable for the management and support costs. It is unclear how the Government will treat TA following the implementation of the Welfare Reform programme through universal credit. However, Housing Benefit (HB) rates have been frozen since 2010 and funding which covers support is under pressure as part of the budget cuts to local authorities.
- 1.4 RPs have developed an alternative model. Under this model the RP provides and manages accommodation whilst the Local Authority (LA) nominates the tenant to the RP. This is an alternative to the LA leasing the accommodation directly and in the case of supported accommodation, to the LA also providing housing support.
- 1.5 This alternative model qualifies for a different rate of HB that will cover both the reasonable costs of the accommodation and (where appropriate) a substantial proportion of the cost of housing management and support.

- 1.6 Under this alternative model the LA will enter into a Nomination Agreement with the RP. If the LA fails to nominate a suitable household within an agreed timescale they will be liable for the subsequent rent loss.
- 1.7 The maximum time period for an individual Nomination Agreement is subject to further consideration so as to balance the need of the RP for certainty in order to finance the scheme with the need to limit the potential financial exposure of the Council in the event of future benefit changes. The financial implications for each individual Nomination Agreement will be assessed and approved by the Executive Director Finance to ensure there is no undue exposure.

2. RECOMMENDATIONS:

- 2.1 That Housing Committee resolve that the Executive Director Environment, Development and Housing be authorised to enter into Nomination Agreements with Registered Providers on the basis set out in this report, subject to the approval of the terms of the individual Nomination Agreements by the Executive Director Finance and Resources to confirm value for money.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The previous strategy for the procurement of accommodation for those in housing need was fragmented and dealt with by individual departments of the council. The department would place the service user in bed and breakfast accommodation at a high cost and would often not collect the housing benefit.
- 3.2 In 2004/5 the Housing Department agreed to procure this accommodation on behalf of all other departments of the council. Details of this service are set out under a Service Level Agreement (SLA) with the relevant departments. This best practice has helped to achieve best value, reduced the cost of procurement and administration and assisted in maximizing housing benefit income. The approach is in line with the commissioning strategies for Children's Services, mental health and learning disabilities.
- 3.3 In the light of the welfare reforms and the budget cuts being levied on the council for the foreseeable future, we are seeking to develop alternative models of provision to secure sufficient accommodation that is a cost effective option for the council. The alternative model proposed in this report covers the provision of both general needs type accommodation and supported accommodation.

- 3.4 Current TA rent levels are subject to a restricted rate of HB that has been frozen for some time. Where support is provided through floating support or on-site support, this is funded separately either by the council or by the Clinical Commissioning Group (CCG). Budget reductions and benefit reforms have led organisations to consider alternative models of delivery.
- 3.5 The alternative model is being developed by Registered Providers (RP) who will procure and manage accommodation, including providing support where applicable, on behalf of the local authority. In return the local authority will enter into a nomination agreement with the RP. This guarantees that the RP has tenants and hence rental income. However, if the LA fails to nominate service users within an agreed timescale then the LA will be liable to pay the rental loss for the period the property is empty.
- 3.6 The RP is able to claim a different rate of Housing Benefit than that which the LA can claim through the current TA leasing scheme. The HB is locally determined and (subject to the reasonableness of the tenants 'total eligible rent') is uncapped and currently paid direct to the RP. This reduces the financial risks to the LA of acquiring leases in the future where the amount we have to pay to acquire leases may rise substantially, while in contrast the rate of HB has remained static and in the future may fall with the result that rental income may not cover the costs incurred in acquiring a property.
- 3.7 Where the RP provides supported accommodation, this is currently excluded from universal credit. The 'total eligible rent' will cover both the reasonable cost of the accommodation, the additional management and the support. This model can significantly reduce the financial pressure on the local authority as we currently pay for these costs separately. If the additional management and support costs are incorporated (or an element of them) into the rate of HB, then this would mitigate the financial risks on the council. The only downside of this is that in cases where the Council becomes liable for voids, the amount to be paid to the RP will be higher, as it will include the management and support costs as well as the rent. However, as set out below, we consider the risk of the council becoming liable for voids to be minimal.
- 3.8 Under the term of the nominations agreement the council will nominate appropriate service users to the RP. Should the council not nominate a service user within an agreed timescale the council will be responsible for the void cost until they can nominate a suitable service user. The RP will directly or through appointed agents manage the property and the tenancy. The precise terms of the arrangement will be negotiated with individual RPs.
- 3.9 The process for selecting suitable RP's with whom to negotiate nomination agreements will follow the same process already established for commissioning as follows:
- An assessment of each service/contract against the Homeless Strategy or in the case of support provision, the Supporting People Strategy review

criteria to include: strategic relevance; quality; performance; value for money; outcomes; contribution to local priorities

- Extensive consultation with providers, commissioners and stakeholders on local priorities / needs for housing-related support services in the city
- Maximising all opportunities to deliver the same outcomes for service users by re-configuring and integrating services/contracts to maximise the social return on investment (e.g. merging contracts to deliver more flexible/responsive services to better meet service user support needs and delivering a pathway of services to promote independence such as maximising access to work / learning / training opportunities)

The Model

- 3.9 The RP would purchase the properties or lease them directly from the freehold owner or superior leaseholder and will manage the accommodation. The service user will be the tenant of the RP not of the council. The RP will collect the rent/HB which will pay for the lease or purchase costs and for the management. The council would have a Nomination Agreement with RP and under its terms will nominate suitable service users to the RP. In cases where additional management and support is required by the service user, this will be provided by the RP either directly or contracted with a 3rd party.
- 3.10 Under the Nomination Agreement the council will be financially liable for the rent loss if we are not able to nominate a service user within an agreed timescale. This is a minimal risk given the projected levels of demand and is not dissimilar to current risks where we lease properties.
- 3.11 Where additional management and support is also to be provided, the Nomination Agreement would include a service specification setting out the level of care and support required by the service users and the service monitoring arrangements. The RP would provide the additional management and support to the service user or would sub-contract with a 3rd party to provide this support.

Demand

- 3.12 Demand for accommodation for households becoming homeless and who also have a support need, is projected to increase.
- 3.13 1 in 5 of the population in the City has a support need, this is the highest figure in the South East. Population generally is projected to increase, which is exacerbated by the increase in student population. This increasing demand on a fairly stable supply of properties is pushing up the costs of accommodation. In contrast HB for TA has been frozen for several years. This means that there is the potential of a growing gap between what we have to pay to procure accommodation and the amount of rent we can charge tenants to pay for it. By developing this model, the RP can claim a

different rate of HB based on reasonable costs in the locality which are determined locally. This model will therefore mitigate the impact of frozen HB costs, welfare reforms and budget cuts.

4. **CONSULTATION**

4.1 None

5. **FINANCIAL & OTHER IMPLICATIONS:**

Financial Implications:

5.1 The 2013/14 gross budget for Temporary Accommodation to provide all types of accommodation with housing management is £16.097million which is offset by a budgeted income of £14.847million, mainly from Housing Benefits. This budget is expected to provide just under 1,500 rooms/properties throughout 2013/14.

By entering into Nomination agreements, the financial risks to the council from shortfalls in collection of Housing Benefits are mitigated by passing this to the Register Provider(s). However, the council will be liable for paying for rent loss to the Register Provider(s) if the council doesn't nominate a client within an agreed time and will need to be managed by the Temporary Accommodation team to contain these void costs.

A new Temporary Accommodation Framework is currently being developed to ensure value for money and contracts will be subject to individual negotiations and approval.

Finance Officer Consulted: Neil J Smith

Date: 29/10/13

Legal Implications:

Housing

5.2 Local authorities have a statutory responsibility to secure accommodation for eligible homeless applicants who are in priority need and not intentionally homeless. In securing accommodation for these housing applicants, local authorities are required by the Housing Act 1996 (the Act) to work in partnership with Registered Providers of accommodation.

In particular, section 170 of the Act provides that where a local housing authority so requests, [a private registered provider of social housing of] a registered social landlord shall co-operate to such extent as is reasonable in

the circumstances in offering accommodation to [people with priority under the local authority's allocation scheme].

Section 213 of the Act also provides that:

(1) Where a local housing authority—

(a) request another relevant housing authority or body, in England, Wales or Scotland, to assist them in the discharge of their functions under this Part, or
(b) request a social services authority, in England, Wales or Scotland, to exercise any of their functions in relation to a case which the local housing authority are dealing with under this Part, the authority or body to whom the request is made shall co-operate in rendering such assistance in the discharge of the functions to which the request relates as is reasonable in the circumstances.

In subsection (2) (1) (a) a relevant housing authority or body” means -

(a) in relation to England and Wales, a local housing authority, a new town corporation, a registered social landlord or a housing action trust;

The Regulatory Framework for Social Housing from 2012 published by the Home and Community Agency (HCA) also require Registered Providers to co-operate with local authorities' strategic function and their duties to meet identified housing needs. This includes assistance with local authorities' homeless duties, and through meeting obligations in nomination agreements.

Registered Providers of social housing therefore have a mandatory statutory and regulatory obligation to assist local authorities in the discharge of their duties under Part VII of the Housing Act 1996. This obligation is recognised and adopted by the HCA and the Government and forms a major part of the Government's "building a sustainable community" programme throughout the country.

Procurement

The Public Contract Regulations 2006 (the 2006 Regulations) do not apply to the acquisition of rights in or over land, including nomination rights (which constitute an equitable interest in land for the purposes of the Law of Property Act 1925).

The process outlined will ensure that the Council complies with its legal obligations in terms of securing best value in the nomination agreements it enters into.

Where a proposed nomination agreement includes provision for housing management and/or support services, those services are classified as Part B services for the purposes of the 2006 Regulations and the EU Directive.

Part B services are currently subject to a 'light touch' procurement regime, which requires a process that is fair, transparent and non-discriminatory. It is considered that the process outlined above satisfies these requirements.

Lawyer consulted: Jill Whittaker

23rd October 2013

Equalities Implications:

- 5.3 The proposal to enter into nomination agreements will enable us to provide more settled and accessible accommodation which will reduce inequality for vulnerable people in the city.

Sustainability Implications:

- 5.4 This proposal will support the commissioning of accommodation locally and working in partnership with the private sector and registered providers to provide good quality accommodation to meet the corporate needs of the Council. This will enable people to become settled and for accommodation to be scattered around the city thereby contributing to mixed and sustainable communities.

Crime & Disorder Implications:

- 5.5 None.

Risk & Opportunity Management Implications:

- 5.6 The proposal will contribute to the council's strategic priorities of obtaining better use of public money and contribute towards reducing inequality by providing good quality accommodation suitable for meeting households' needs.

Corporate / Citywide Implications:

- 5.7 This proposal will expand the accommodation available to households as we will be working in partnership with the registered providers and with private sector, which is the largest sector of accommodation in the city, to provide long term housing solutions for the most vulnerable households.

6. REASONS FOR REPORT RECOMMENDATIONS

- 6.1 The recommendations have been made so as to offer a new model of provision of accommodation with or without support with minimal financial risk to the council. This alternative model will ensure we obtain value for money as it will incur a minimal cost to the council and where appropriate a large proportion of the additional management and support costs will be covered by HB thereby mitigating potential pressure on other budgets.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents In Members' Rooms:

None.

Background Documents:

None.

| | | | |
|--------------------------|---|---|---------------------|
| Subject: | Extra Care Housing – Brooke Mead | | |
| Date of Meeting: | 5 December 2013 Housing Committee 13 November 2013 Adult Care & Health Committee 25 November 2013 | | |
| Report of: | Geoff Raw - Executive Director, Environment, Development and Housing Denise D'Souza - Executive Director Adult Services | | |
| Contact Officer: | Name: | Martin Reid | Tel: 29-3321 |
| | Email: | martin.reid@brighton-hove.gov.uk | |
| Ward(s) affected: | Queens Park | | |

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 Following previous reports to Housing (6 March 2013), Policy & Resources (21 March 2013) and Adult Care & Health (17 June 2013) Committees, this report updates on progress to secure increased supply of extra care housing in Brighton & Hove through the proposed development of the Brooke Mead extra care housing scheme, Albion Street, Brighton, following the Council's successful bid to the Homes & Communities Agency (HCA) Care & Support Specialist Housing Fund.
- 1.2 This report seeks approval for HCA & Housing Revenue Account (HRA) capital and HRA & Adult Social Care (ASC) revenue funding to support the Brooke Mead extra care scheme and authority to enter into a Funding Agreement with the HCA for provision of extra care housing under the Care & Support Specialist Housing Fund; and to award a contract or contracts following procurement to secure the development of the scheme as outlined in the report.
- 1.3 There are different elements to the housing scheme, including demolition of the existing building, the detailed design and build of the new housing, and the management of the new housing. The provision of care services for residents will be dealt with separately. As no RP partner came forward within the timescale to bid for HCA funding, the model on which the HCA bid was based assumes that the development will remain within the HRA. In order to allow all procurement options to be considered, reflecting previous delivery of extra care schemes in Brighton & Hove, it may be possible for an RP to work in partnership with the Council on the design and build contract and take on the housing management function. Given the scope for a different approach to the procurement of the different elements, and to avoid unnecessary delay that might prejudice the availability of the HCA funding, it is proposed that the contractual framework to secure the development is determined by officers, following required procurement procedures, with reports back to Housing Committee on progress and any future key decisions.

2. RECOMMENDATIONS:

2.1 Housing Committee

That Housing Committee –

- 2.1.1 Delegate authority to the Executive Director Environment Development & Housing to enter into the Care & Support Specialist Housing Fund (2013-18) Funding Agreement with the Homes & Communities Agency, the key elements of which are set out in this report.
- 2.1.2 Recommend that the Policy & Resources Committee approve a capital programme budget up to a maximum of £8.3 m for the delivery of Brooke Mead extra care scheme to be financed through unsupported borrowing in the Housing Revenue Account, HCA Grant and a contribution from ASC.
- 2.1.3 Delegate authority to the Executive Director Environment Development & Housing (in consultation with the Executive Director Finance & Resources) to enter into the necessary contracts (including with a development partner as necessary) to secure:
 - (i) the demolition of the existing building as previously agreed by Policy and Resources Committee (21 March 2013);
 - (ii) the design and build operations required to complete the development of the extra care housing scheme at Brooke Mead as described in this report; and
 - (iii) the housing management operation, in respect of the new extra care housing scheme.

2.2 Adult Care & Health Committee

- 2.2.1 That Adult Care & Health Committee agrees to fund up to £ 2.1 million (plus/minus 10 %) to enable Brooke Mead to be built, and delegates authority to the Executive Director Adult Services (in consultation with the Executive Director Finance and Resources) to determine whether that funding is provided from capital or revenue funding, or a mixture of the two.

2.3 Policy & Resources Committee

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

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Brighton & Hove has a growing population including a significant increase in the number of older people over eighty five with a support need. Such an increase will have an impact on the ability of people in risk categories, including those with some form of dementia, to remain independently in their own homes. This is projected to lead to additional demand for long term care services. The City is currently a high user of residential care accommodation and is committed to

providing alternative housing options, in particular developing extra care housing for adults and older people as a corporate and budget priority.

- 3.2 Without the development of additional extra care facilities, the council will come under increasing pressure to increase the provision of residential care and home care facilities, with a significant increase in the community care budget. Extra care provides independence and dignity by enabling people to live in their own home in a supported environment. At the same time, it achieves financial efficiency. At Patching Lodge the current weekly unit cost of £201 per resident compares favourably with high cost home care packages, and residential care rates of between £341 and £460 per week.
- 3.3 The development of extra care housing can bring wider benefits in that it can help to ease the pressure for general needs affordable housing. This is because it enables small potentially unviable sites to be developed at density and may help to free up the family housing where elderly residents are moving out of under occupied homes.
- 3.4 Housing Committee on 6 March 2013 resolved to:
- Note the development of the proposed Brooke Mead Extra Care scheme will be funded through affordable rents, a contribution from Adult Social Care budgets, shared ownership and subsidy funding incorporated within the recent bid to the Homes & Communities Agency (HCA).
 - Note proposals to proceed with a Planning application for the approval of extra care housing on the Brooke Mead Extra Care scheme, the current timetable for the proposed development and the pursuit of other funding options as detailed in the report.
 - Recommend that the Policy and Resources Committee agree that the vacant Housing Revenue Account block of Brooke Mead, Albion Street, Brighton be demolished in order to be redeveloped, subject to Planning consent.
- 3.5 Policy & Resources Committee on 21 March resolved to:
- Agree that the vacant Housing Revenue Account block of Brooke Mead, Albion Street, Brighton be demolished in order to be redeveloped, subject to Planning consent.
- 3.6 The provision of care will be subject to a separate tender process which will be managed and funded through ASC.

HCA Bid & proposed funding option

- 3.7 As a result of the council's recent funding bid for £2.686 million HCA subsidy to support an extra care scheme at Brooke Mead, the Homes & Communities Agency (HCA), on behalf of the Department of Health, propose to enter into a contract with Brighton & Hove to deliver 45 extra care homes for £2,474,998 (the maximum amount of grant payable by the Agency to the grant recipient in respect of the approved bid) from the 2013-18 Care & Support Specialist Housing Fund.
- 3.8 Priority was given to schemes which have already achieved, or are well advanced in the process of achieving planning consent, in particular those which can start on site in the first year of the Fund (2013/14). A Planning application (BH2013/02152) for demolition of Brooke Mead, an empty Housing Revenue

Account (HRA) owned former sheltered housing scheme, and development of a building providing extra care residential units with associated communal spaces, landscaping works, cycle and scooter parking and community facilities has been submitted.

- 3.9 We have submitted investment partner qualification application questionnaire to enable the HCA to release the draft contract. In order to agree the contract and achieve timely sign off for any Funding Agreement we are seeking Housing Committee approval for delegation of authority for the Executive Director Environment, Development & Housing to enter into the Extra Care & Support Specialised Housing Fund Agreement subject to review and final agreement in negotiation between Brighton & Hove and HCA Legal teams.
- 3.10 Brooke Mead as an extra care option initially arose from a review of Housing Revenue Account (HRA) assets. Brooke Mead is a HRA asset and was originally a sheltered housing scheme of 9 non self contained units mostly bedsits with warden accommodation and shared facilities. The scheme became unattractive and hard to let due to aging and poorly served accommodation i.e. no lift etc. For the past 20 years the building was used as temporary accommodation for people we have a duty to accommodate under the homelessness legislation but was decanted and identified for redevelopment on the discovery of asbestos in the roof. The building is currently empty.
- 3.11 Brooke Mead would provide an extra care housing scheme for older people and those living with dementia. The proposed extra care scheme is in the heart of the City centre in an area with substantial numbers of older people, many from low income households in poor neighbourhoods. Many of the older people appear to be living on the periphery of this central location and are often excluded and marginalised from the wider community. Proposed investment of an extra care housing scheme in this location will make a major contribution to the quality of life for those who hitherto have been unable to access affordable supported high quality accommodation and provide an alternative form of housing for those who can no longer live at home and who previously would have to move to a care home. An extra care scheme offers older people a dignified environment which enhances their quality of life.
- 3.12 Lambert Smith & Hampton (LSH) consultants were appointed to work with ASC & Housing to develop the extra care housing bid for submission to the HCA. The bid proposed to develop an extra care housing scheme of 45 self contained flats in a 5 storey development. The scheme is based on 39, 1 bed units for rent and 6, 2 bed units for low cost home ownership, with all flats developed to life time home standards. Generous space standards have been allowed for, enabling sufficient room for entertaining, relaxing and enjoying personal pursuits, with minimum net internal space standards of 52 m² for 1 bed and 75 m² for 2 beds depending on orientation. 10% of all developments have been identified for fully adapted wheel chair use. Capital costs for the entire building are appraised at BREEAM standard 'Good'. Each apartment is designed for independent living with a separate kitchen / living area to the bedroom and a shower room designed to be fully accessible. The rooms will be well lit, with a terrace / balcony for each resident. Terraces could be used for flower pots or easily accessible window boxes. The development has been imaginatively designed with communal space at its heart. It is envisaged that the development of community based resources at Brooke Mead will be modelled on the City's successful work at Patching Lodge

where through the work of the LifeLines project, a thriving community hub has been established.

- 3.13 In line with HCA bid requirements, homes for Affordable Rent are to be made available at a rent level of up to 80% of gross market including service charges. In line with our Tenancy Strategy our modelling limits the rent to the Local Housing Allowance on the basis that this equates to c 65% of market rent.
- 3.14 This financial model used as the basis for the bid assumed the HRA land is put as a zero cost subsidy. This is consistent with recent practice for HCA sponsored developments in the City. It was also assumed rents would be set at affordable rent levels up to the Local Housing Allowance levels and the six 2 bed homes would be low cost shared ownership. In addition to rental income, the development proposal included ongoing revenue contribution for the scheme from the general fund (Adult Social Care) of £0.102 million per annum. On this basis the development required a net capital subsidy/grant of £2.686 million from the HCA towards the total scheme capital cost of £8.925 million.
- 3.15 This model on which the HCA bid was made assumes that the development will remain within the HRA and thus the HRA would need to make capital payments of up to £8.925 million during the build programme. Reimbursement of the HCA grant payments is proposed to be made in agreed instalments throughout the development programme and with capital receipts from the shared ownership being made at the end of the project. We have previously reported that this is likely to result in short term cashflow deficits which will be managed within the HRA capital programme and by possibly utilising debt. As a consequence this will result in a longer term borrowing in the region of £5.159 million which is proposed to be fully financed by the net rental income streams from the new homes.

Current financial appraisal

- 3.16 Following submission of the Planning application, amendments to scheme design have been requested to address some remaining points relating to scheme massing and daylight / sunlight issues. The final indicative scheme costs align to final scheme design changes currently being made in order to meet the 11th December 2013 Planning Committee deadline.
- 3.17 A revised option for the floor plan has been produced to alter the floor-space to increase the number of homes, making up for a potential loss of 3 homes through reduced massing. A total of 44 homes are currently proposed. The main proposed amendments under this option are to change the 2x 2bed units on the 5th floor to 3x 1bed units, and to change 2x 2bed units on the 1st and 2nd floors to 3x 1bed units. Removing the two bedroom homes to maximise the Affordable Rent homes on site results in no shared ownership homes currently proposed for this scheme.
- 3.18 A revised financial appraisal of the Brooke Mead extra care scheme for the delivery of 44 affordable rented homes was provided by Consultants LSH. This appraisal cost information has been used as the basis for the financial modelling to evaluate funding options and is reflected below in Financial Implications.

- 3.19 The current financial analysis details a scheme costing £8.3 million, this figure includes the expenditure, ie build costs, indicative interest rates and professional fees and the income assumptions based on rental income, revenue subsidy from Adult Social Care and the maximum £2.4m subsidy for the HCA.
- 3.20 The scheme costs detailed in paragraph 3.19 are indicative and may change dependant on iterations being made to the design. A decrease in the total number of units may increase the overall build costs as there will be a number of fixed costs that cannot be removed despite a reduction in the number of units. Consequently the cost per unit will increase alongside a loss of subsidy and income. The prospect of delivering a smaller scheme have been discussed with the HCA and colleagues from Adult Social Care. Both parties would continue to support a scheme reduced in scale if found necessary although subsidy would be lost on a per unit basis from the HCA. Such variables are informing the optimum financing solution and this will be finalised once the physical design is fixed for Planning Committee on 11 December.

Procurement of construction & housing management

- 3.21 This report seeks delegated authority for the Executive Director of Environment, Development and Housing to award a contract or contracts to successful bidders following the completion of the procurement process. The procurement route for appointing an external construction contractor and professional services team is being finalised and a preferred option will be recommended early in the New Year.
- 3.22 The HCA bid was predicated on housing management for the scheme being provided by the council. A further option of housing management and extra care services being provided by an external partner is also being explored as it is possible this could prove to be a more cost effective solution. It is currently envisaged that care services in particular will be provided through an external provider, irrespective of whether the housing support service is provided by an internal or external team. The options will also be reported to the relevant committees with a preferred recommendation for approval early in the New Year.

Funding Agreement

- 3.23 The draft Department of Health, Care and Support Specialised Housing Fund Agreement was received from the HCA on 1 November 2013. The draft Agreement confirms that the HCA has agreed to advance grant funding to the Council of up a maximum of £2,474,998 and sets out the terms of the Agreement in relation to a range of areas including: scheme development costs; design and quality standards; Affordable Rent; agreed client group; payment terms; monitoring and reporting; health & safety; and, equality & diversity. Legal colleagues are currently reviewing the draft Funding Agreement.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 In proposing the Brooke Mead scheme a number of alternatives have been considered as listed below:
- 4.2 A 'do nothing' option would continue to leave the land wastefully without economic use and reduce the council's ability to meet its strategic objectives,

specifically the Budget commitment to identify and promote cost effective alternatives to residential care to meet the needs of the ageing population of the City.

- 4.3 Alternative land could be sought for the provision of extra care schemes. If the proposed Brooke Mead scheme was abandoned in preference to searches for alternative sites, the work completed to date on Brooke Mead would be lost and the HCA subsidy would be rescinded and reallocated to other registered providers. The time lost in identifying alternative sites would delay addressing the Budget priority for the development of additional extra care housing. Officers are continuing to identify suitable sites for the development of further extra care housing to compliment the number of existing schemes and new initiatives such as the proposed Brooke Mead project. However site appraisal and design would alter the time line for delivery of increased numbers of new units for older people and move build completion beyond 2015.
- 4.4 Any alternative to the proposed Brooke Mead scheme would result in an abandoned site due to a lack of alternative funding sources. The HRA would lose the opportunity to fully utilise the site and the City would lose the economic benefit that could be realised from this asset. Residents would again be blighted by the effects of an empty former sheltered housing scheme and anti social behaviour.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 As previously reported to committees in March and June of this year, there has been extensive consultation to residents and the local community regarding the proposed development. The consultations sessions have resulted in several iterations of the design to reflect residents concerns. A further iteration is being proposed which will see changes to the north west elevation of the building providing relief to the residents of Church Way. Formal consultation of this design change is underway.

6. CONCLUSION

- 6.1 The Brooke Mead extra care housing proposal meets corporate and strategic objectives as well as budget commitments. Specifically it provides an opportunity to increase the supply of suitable housing for older people at an affordable cost. In moving toward the next phase of the proposed scheme, delegated powers are sought by the Director of Environment, Development and Housing to enable HCA capital subsidy to be claimed, for the legal agreement to be signed and for procurement plans to proceed including the award of contract to the successful bidders.
- 6.2 It is envisaged that procurement including award of contract will be completed in late Spring, with the build expected to be complete in the summer of 2015.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 A revised financial appraisal of the Brooke Mead extra care scheme for the delivery of 44 affordable units was provided by Consultants LSH. This appraisal

cost information has been used as the basis for the financial modelling to evaluate funding options.

- 7.2 The indicative development costs provided by LSH total £8.3 million and include demolition costs, construction costs and professional fees.
- 7.3 The financial modelling (see table below) shows that based on the current indicative costs, capital funding of the Brooke Mead extra care scheme can be met through HRA unsupported borrowing totalling £5.8 million financed through tenants affordable rents (£3.7 million) and either an annual revenue contribution from ASC of up to £ 0.114 million or a capital contribution up to £2.1m (plus/minus 10%) and HCA Grant up to a maximum of £2.475 million. The table shows a range of borrowing scenarios including funding increased development costs if borrowing over a longer term.

| Brooke Mead Extra Care Scheme Financing implications summary - 44 affordable rent units | | | |
|--|--|---|---|
| | Scheme financed over 30 years assuming PWLB rates @ 4.6% | Scheme financed over 30 years, assuming PWLB rates @ 4.4% | Scheme cost increased by 3% financed over 35 years, assuming PWLB rates @ 4.63% |
| Based current costings (Oct 2013) | £'000 | £'000 | £'000 |
| Total Capital Cost (LSH Consultants) | 8,310 | 8,310 | 8,559 |
| Funded By | | | |
| Capital contribution from ASC (or borrowing financed from annual contribution of £114K) | (2,100) | (1,913) | (1,984) |
| HRA Borrowing (from net rental income) | (3,735) | (3,922) | (4,100) |
| HCA Capital Grant offered | (2,475) | (2,475) | (2,475) |
| Total Funding | (8,310) | (8,310) | (8,559) |
| HRA Subsidy | 0 | 0 | 0 |

- 7.4 The development costs modelled are still subject to planning approval, assumes that delivery of the scheme is through the HRA, requires final confirmation of HCA Grant and therefore costs and funding can only be indicative at this stage. Any significant variations to the proposed capital scheme and funding would need to reported back to Policy & Resources committee in accordance with council's standard financial procedures.

Finance Officer Consulted: Susie Allen / Michelle Herrington Date: 4/11/13

Legal Implications:

- 7.5 Procurement of all works and services referred to in this report will need to comply with the council's contract standing orders, including – where applicable – the relevant provisions of the Public Contracts Regulations 2006.

Lawyer Consulted: Jill Whittaker / Oliver Dixon Date: 01/11/13

Equalities Implications:

- 7.6 Extra care housing supports Tackling Inequality, priority one of the Corporate Plan. Evidence demonstrates that a significant increase of older people, particularly those experiencing dementia, will be living in the City in coming years. This increase is set against a backdrop of a limited number of suitable homes able to meet demand. The development of housing catering to a segment of people in the City who hitherto have experienced a lack of suitable accommodation with the availability of care packages that support increasing health and social care needs provides access to a much needed and new avenue of independent living, within good quality accommodation which also offers care and support for older people within the City.
- 7.7 An increase in the supply of extra care housing will increase housing choice for older people with housing, health and social care needs and enable the City to better manage demand for specialist housing with support. In addition, the Brooke Meade proposal has been designed to ensure that 10% of the dwellings will be fully wheelchair adapted.

Sustainability Implications:

The proposed new development will be energy efficient and built to minimise carbon emissions. The development will be fuelled in part by solar energy with solar photo voltaic panels being placed on the roof. New homes will support One Planet Living principles.

Newly built homes will be built to Affordable Housing Brief standards in terms of size, Code for Sustainable Homes, amenity space, Lifetime Homes Standard. Development to the BREEAM standard level 'Very Good' ensures that new homes are designed sustainably to minimise carbon emissions and use sustainable materials in their construction. All other codes and guides provided by the HCA and those developed by the councils Housing Development Team have been incorporated into the design and will be applied during the construction process.

The development includes two roof gardens, outside space for each individual flat and a community garden. A high level landscaping plan which looks at the green areas in and around the site has been included in the development proposals with further plans to be progressed with residents. The aim is to re-introduce semi mature trees, to encourage existing wild life and support new habitats. And create some open but defensible space for residents to enjoy.

A sustainability construction plan is also required thus ensuring that where possible materials are locally or ethically sourced, transportation is kept to a minimum, and that the mess facilities including food and refreshments provided on site for construction workers is locally sourced or Fair Trade products.

Any Other Significant Implications:

- 7.8 Extra Care Housing provides an opportunity to produce good health and housing outcomes that benefit the community at large.

SUPPORTING DOCUMENTATION

Appendices:

1. None

2.

Documents in Members' Rooms

1. None

2.

Background Documents

1. None

2.

Crime & Disorder Implications:

- 1.1 Good architectural and urban design can contribute to safer homes and neighbourhoods. The proposed development includes Secure by Design principles and IT enabled technology supporting older people particularly those experiencing dementia.

Risk and Opportunity Management Implications:

- 1.2 Improving the supply of extra care housing is a Corporate and Adult Social Care Budget priority. Failure to deliver additional extra care housing will have an adverse budget impact. Further development risks and opportunities will continue to be assessed and amended throughout the life of the project and adjusted in line with internal and external factors which emerge.

Public Health Implications:

- 1.3 Secure affordable extra care housing is key to supporting households to maintain a healthy life and sustain their independence.

Corporate / Citywide Implications:

- 1.4 Extra care housing aligns to the following Corporate Plan commitments under Priority One: Tackling Inequality: Develop new extra care housing and supported accommodation units to help people with complex needs to remain in the community; Work with partners including the Homes & Communities Agency, neighbouring authorities and housing associations to provide 250 new and improved affordable and energy efficient homes.
- 1.5 In addition, the City will benefit from additional specialist housing provision and assist in meeting the targets for new housing as identified in the Housing Strategy and the City Plan.

| | | | |
|--------------------------|--|--------------------------------|---------------------------|
| Subject: | New Homes for Neighbourhoods – development of new homes on Housing Revenue Account (HRA) land | | |
| Date of Meeting: | 13 November 2013 | | |
| Report of: | Geoff Raw, Executive Director, Environment, Development & Housing | | |
| Contact Officer: | Name: | Sam Smith | Tel: 291383 |
| | Email: | sam.smith@brighton-hove.gov.uk | |
| Ward(s) affected: | All | | |

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 At its meeting on 26 September 2012, Housing Committee agreed the procurement of initial feasibility and design of identified case studies for housing opportunities on appropriate HRA land, including stakeholder engagement and consultation.
- 1.2 Following a recommendation from Housing Committee, in March 2013 Policy & Resources Committee authorised that the former Housing Office at Manor Place, Whitehawk and bungalows in the grounds of 243-245 Preston Road be demolished in order to develop new homes, subject to planning consent.
- 1.3 Since these reports the Estate Regeneration team have commissioned business cases for these sites which look at the financial viability and design feasibility for developing new homes. This report includes the findings of these studies and seeks authority to develop these sites as part of Phase 2 of the New Homes for Neighbourhoods programme.

2. RECOMMENDATIONS:

That Housing Committee:

- 2.1 Delegates authority to the Executive Director Environment, Development & Housing in consultation with the Executive Director, Finance and Resources to procure and award a contract (or contracts, if appropriate) for demolition works, final feasibility study, design and development of new council housing on the sites of (i) the former Housing Office at Manor Place, Whitehawk, Brighton and (ii) 243-245 Preston Road, Brighton and authorises the Head of Legal to complete the required documentation .

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

Background

- 3.1 Building new homes on council land is a council priority and essential if City Plan housing targets are to be met and the city's 'housing crisis' tackled. The council's New Homes for Neighbourhoods programme is split into three overlapping phases: Phase 1 (garage sites project), Phase 2 (vacant land and infill sites) and Phase 3 (wider estate regeneration). This report focuses on two sites the team wish to progress under Phase 2 of the programme.
- 3.2 On the recommendation of Housing Committee, Policy & Resources Committee agreed on 21 March 2013 to the demolition of the four vacant and unlettable prefabricated bungalow units in the rear gardens of 243-245 Preston Road, Brighton and the vacant former Housing Office at Manor Place, Brighton at the appropriate time to enable redevelopment of these sites with new housing, subject to planning consent.

Tenure mix and Affordable Rents

- 3.3 Housing Committee unanimously agreed at its meeting on 6 March 2013 that a range of funding, rent and home ownership options should be provided in new housing to be developed on HRA land under the Estate Regeneration Programme in order to ensure that development is viable and to increase the number of new homes the Estate Regeneration Programme can deliver. The report indicated the level of Affordable Rents and the impact these higher rents would have on the number of homes the HRA could develop.
- 3.4 Agreement was based on indications from viability studies for Phase 1 of the New Homes for Neighbourhoods programme to develop garage sites. These indicated that the council could build five and a half homes for Affordable Rent to every one home at Target Rent. For example, the assumed revenue surpluses in the medium financial strategy for 2014/15 of £2m (currently identified for debt set aside) would achieve 125 new homes per annum with Affordable Rents compared to 23 homes a year with Target Rents.
- 3.5 The Committee agreed that mixed tenure options with new funding models and higher rents are required to maximise output from HRA assets. Mixed tenure development complies with the council's Housing Strategy and the draft City Plan requirement that affordable housing provision should incorporate a mix of tenures. New development would also follow the City Plan policy on the proportion of affordable housing within developments and unit size mix.
- 3.6 Although recognising the need to increase rent levels for new homes and build mixed tenure developments in order to maximise numbers built, members of Housing Committee also expressed concern about the affordability of 'Affordable Rents' if based on 80% of the market rent in Brighton & Hove. However, the council's Tenancy Strategy, also approved at the March 2013 Housing Committee meeting, seeks to make sure that Affordable Rent homes remain affordable and do not encourage long term benefit dependency. It states the council would expect Affordable Rents to be set at the lower of either 80%

market rent level or the Local Housing Allowance (LHA) limit. It was agreed that rent models and tenure mixes for individual schemes would be taken to Housing Committee and that affordable rents should be capped at Local Housing Allowance levels in accordance with the Tenancy Strategy.

- 3.7 The council's Affordable Housing Brief requires developments of over 10 homes to include 40% affordable housing. Affordable housing is defined as social rented, affordable rented and intermediate housing. Generally across the city the Brief's required tenure split for the affordable housing within a development is for 55% of it to be social rented or rented at Affordable Rents and 45% to be intermediate housing. Intermediate housing includes shared equity products such as Help to Buy, other low cost homes for sale and intermediate rent but not including affordable rented housing.
- 3.8 In order to inform decisions on individual schemes the business cases have looked at a range of tenure options including financial viability modelling for Manor Place to the Affordable Housing Brief based on 40% of properties on a variety of rent levels with 60% market or shared ownership sales. The smaller Preston Road development of only four new homes has been modelled on 50% rented to 50% market sales. Details of the estimated subsidy required if all new homes in the schemes were rented are also provided for comparison.
- 3.9 Higher rents for new homes will be, to some extent, mitigated by lower fuel bills as homes will be built to higher sustainability standards than our existing stock. Analysis of energy savings related to homes built to sustainability Code level 4 (the minimum for homes planned in the programme) shows that energy bills reduce by between 68% and 86% compared to a traditional home¹. This means that the average family combined energy bill of around £1500 per year is reduced by between £1020 and £1290 per year. For those on full Housing Benefit this represents additional money in their household budget.

Business Case findings: Manor Place

- 3.10 The Manor Place Housing Office was vacated when housing staff relocated to the new Whitehawk hub in spring 2012 and is no longer required as office space. This prefabricated building would also need to be demolished to make way for new development on the site. Local ward councillors and Robert Lodge Resident Association confirmed their support for developing new homes on the site which are in keeping with the existing buildings of Robert Lodge and its current resident profile of residents mainly over the age of 55.
- 3.11 The architects (Feilden Clegg Bradley Studios) have looked at potential for the site and developed proposals for a scheme which has a total of 17 homes with a mix of one and two bedroom flats. The footprint of the current office would not be acceptable for a building above one storey, so the homes are contained within a slimmer building at the Southern end and a new small block at the Northern end of the Robert Lodge neighbourhood garden. They are designed

¹ <http://www.sustainablehomes.co.uk/blog/bid/104136/Code-for-Sustainable-Homes-level-4-energy-bill-savings>

to have minimal impact on current Robert Lodge residents and the initial design proposals received very positive feedback from residents at the Robert Lodge Resident Association meeting on 1 October 2013. As well as understanding the need for new homes, residents welcomed the design of the scheme which would create a more enclosed and private space for Robert Lodge residents. The new homes will meet the council's standards in terms of size, layout and features such as balconies, and will be built to the Lifetime Homes Standard to ensure they can be adapted as residents become frail or develop disabilities. Two flats will be built to the council's wheelchair accessible standard. There is provision for the Southern building, which has 11 of the 17 homes, to have a lift. This is in line with the feedback from Robert Lodge Resident Association before the business case was commissioned.

- 3.12 The construction costs for the scheme including contractor's profit and overheads, fees and other development costs are estimated to be £2,342,000. They include a provisional sum for diverting a major sewer which runs under the current office building, which would need Southern Water's approval. Development at this end of the site is subject to obtaining this approval. Scheme development costs could be met from HRA capital budgets or borrowing, but the ultimate costs to the HRA would be reduced by income from rent, proceeds of any sales of the homes developed either outright or as shared ownership, and any other funding which may be available. The level of rents for the new homes and number of properties sold therefore have an impact on the schemes' financial viability, with the gap between the development costs and income from the new homes needing to be met from the HRA budget or other sources such as Homes and Communities Agency grant if this were to become available. The choices made on tenure mix and sales therefore have a direct impact on the council's ability to take forward future schemes. If the 'viability gap' can be minimised or the overall mix of tenure and sales used to generate a surplus, the council will be able to maximise the number of new homes it can build over the lifetime of the programme.
- 3.13 The business case has modelled a number of different mixes of tenure and rent levels in order to provide a range of options for taking forward this scheme and indicate the likely level of subsidy or surplus. The schemes have been modelled on the following tenure options:
- 100% of homes rented (at various rent levels)
 - 60% shared ownership sales and 40% of homes rented
 - 60% sales at market value and 40% of homes rented
 - 60% market sales and 40% affordable housing split in line with the Affordable Housing Brief, i.e. 55% of the 40% affordable flats are rented and 45% are sold under shared ownership as intermediate housing
 - For one bedroom flats, Affordable Rent at 80% current Market Rent works out at £145, below the current LHA Housing Benefit allowance of £150. Market rents have also been included for reference.

| Tenure and rent level options | Surplus/viability gap for scheme if developed by the council and all 17 flats (100%) are rented at: | Surplus/viability gap if 10 flats (60%) are shared ownership sales and 7 flats (40%) are rented at: | Surplus/viability gap if 10 flats (60%) are market sales and 7 flats (40%) are rented at: | Surplus/viability gap if follow Affordable Housing Policy and 10 flats (60%) are market sales, 3 (18%) shared ownership and 4 (22%) rented at: |
|--|---|---|---|--|
| Market Rent | + £357k | | | + £322k |
| Affordable Rent at the lower of 80% Market Rent or LHA cap | - £821k | - £256k | - £728k | - £201k |
| 60% of Market Rent | - £1.08m | | | - £254k |
| Target Rent +5% | - £1.37m | | | - £386k |

3.14 Cost savings and some risk transfer might be achieved if the council were to develop with a commercial development partner rather than develop the scheme itself. For example, a positive return of +£121k has been estimated if the scheme were developed in accordance with the council's Affordable Housing Policy with the four rented flats at Affordable Rent capped at LHA levels through the commercial developer procurement route; or a viability gap of £407k if the partner developed all flats at Affordable Rent. However, the council would have to consider the financing, ownership and management of the scheme and funding any viability gap even if it did not retain ownership. For example, an approved Registered Provider might develop and manage the completed scheme. Up to 12 months may be required to procure a commercial partner through an open tender, especially if the council wanted either to reserve nomination rights or undertake direct management of the completed scheme.

Business Case findings: 243-245 Preston Road

3.15 On Housing Committee's recommendation, the Policy and Resources Committee agreed in July 2012 that the buildings and land at 243-245 Preston Road be appropriated to the HRA. The bungalows were originally identified for leasing to Brighton & Hove Seaside Community Homes, however Housing Committee suggested that the bungalows may be more suitable for redevelopment and only flats in the main buildings were therefore leased. The Seaside leases only cover the individual flats within the main villas and the council retains full rights over all the garden land, including the right to build new homes. The bungalows were used as a site office and staff welfare facility by the contractors refurbishing the main buildings, but all four bungalow units are now vacant. Housing Committee and Policy and Resources Committee agreed

in March 2013 that they can be demolished so the land can be redeveloped for new housing.

- 3.16 The architect's proposal is to provide a development of four, two bedroom houses at the end of the garden of the existing building. The existing bungalows would be demolished allowing more of the garden to be restored to the residents of the villa. The concept design for the homes is an L-shaped mews with bedrooms having sloping roofs on the first floor. They have been designed to have minimal impact on the adjacent properties and in keeping with the Preston Park Conservation Area. The homes will be built to the Lifetimes Homes and the other standards outlined above.
- 3.17 The construction costs from the scheme including contractor's profit and overheads, fees and other development costs are estimated to be £933,000 on a current costs basis. The same issues as outlined under Manor Place above apply with regards to financial viability.
- 3.18 The business cases have modelled a number of different mixes of tenure in order to provide a range of options for taking forward this scheme and identify the level of subsidy or surplus. The schemes have been modelled on the following tenure options, based on 100% rented and a 50/50 mix of sales and rented as the scheme contains just four homes. Market rents have also been included for reference.

| Tenure and rent level options | Surplus/viability gap for development by the council if 4 houses (100%) are rented at: | Surplus/viability gap if 2 houses (50%) are market sales and 2 houses (50%) are rented at: |
|--------------------------------------|--|--|
| Market Rent | + £44k | + £57k |
| Affordable Rent capped at LHA levels | - £328k | -£132k |
| 60% of Market Rent | - £454k | - £185k |
| Target Rent +5% | - £611k | - £265k |

- 3.19 Cost savings and some risk transfer might be achieved if the council were to consider a developer acquiring the site with an obligation to meet the council's affordable housing requirements. For example, a positive return of +£12k has been estimated if the scheme were developed with two houses at market sale and two at Affordable Rent capped at LHA levels through the developer procurement route. Such a disposal – probably to an approved Registered Provider - would require an obligation on the council both to meet project deficit under some scenarios and to agree long term management of the completed units. The procurement process, timescales and management arrangements would need more detailed analysis if Housing Committee were to agree this as a preferred approach.

Procurement options

- 3.20 The council need to follow compliant procedures to procure a development partner(s) for these sites under the council's contract standing orders and Public Contract Regulations where EU thresholds are exceeded. If the council develops the homes itself, procurement options include:
- Procuring Registered Providers to develop the schemes as the council's development agent and hand the completed homes back to the council for management (as with the current garage sites project phase 1)
 - Procuring for individual schemes
 - Using an OJEU compliant framework such as the HCA Delivery Partner Panel or local IESE construction framework
 - Procuring a new OJEU compliant framework specifically for the Estate Regeneration Programme
- 3.21 All of these procurement options will require support of separately procured technical and development experts. The procurement options involve significant timescales and will be weighed up in light of the likely scale of the Estate Regeneration Programme from funding available, the options' speed of delivery, value for money and optimum outcome for the council, including wider benefits to the city.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 As set out in the report to Housing Committee in March 2013, consultation with council tenants and leaseholders on the HRA budget for 2013/14 found substantial resident support for house building with HRA funds, increasing rents for new homes and effective management of council housing assets, including sale of buildings and sites. The Building New Council Homes resident group (BuNCH) received a briefing and were consulted prior to the Housing Committee meeting on 6 March 2013 and expressed their support for the approach set out in the New Homes for Neighbourhoods report for that meeting, including the inclusion of higher rent levels and home ownership options in development in order to deliver a viable and larger development programme.
- 4.2 In May a [presentation on the New Homes for Neighbourhoods programme](#) was given to council tenants and leaseholders at the City Assembly, which also included indicative Affordable Rent levels and the impact those and home ownership options would have on increasing the number of new homes that can be built. No concerns were expressed by residents, who were also encouraged to suggest potential sites. Around twenty residents came to speak to the team and several sites were suggested. An information sheet about the programme was distributed at the Assembly and the same information is also available to all on the [New Home for Neighbourhoods page](#) on the council's website.
- 4.3 The [Summer 2013 edition of Homing In](#) carried a piece about the programme and again asked residents to contact the team with any suggestions or queries. Two residents wrote to welcome the plan to build more homes and suggest a potential site.

- 4.4 As regards the individual sites, local ward councillors and the Robert Lodge Resident Association were consulted at an early stage and have been kept updated about potential development at Manor Place. There is no council tenant and resident association covering the Preston Road site but local ward councillors have been consulted and kept informed of the proposals. The economic regeneration task and finish group of the Neighbourhood Council covering Whitehawk has also been updated about plans for Manor Place. The architects also met with the Chair of Robert Lodge Resident Association and the council's Neighbourhood Co-ordinator to seek their views and local information before starting their work. Feedback has been very supportive of the current proposals for the Manor Place site from the Robert Lodge Resident Association and local ward councillors.
- 4.5 The team will continue to liaise with the local ward councillors and resident association as the sites progress. Local residents will also be fully consulted as projects are taken forward and have opportunities to be involved as set out in the 6 March 2013 report on the New Homes for Neighbourhoods programme.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The current estimated cost of the two schemes is £3.275 million plus future inflation estimated at 2.4% per annum. If the recommendations within this report are agreed by committee, these costs will be incorporated into the HRA capital and revenue budget setting process for 2014/15 and beyond as necessary. However, the ultimate costs to the HRA and the amount of borrowing required will be reduced by income from rent, proceeds of any sales of the homes developed either outright or as shared ownership, and any other funding which may be available such as the use of 'Right to Buy' receipts to cover up to 30% of the cost. The level of rents for the new homes and number of properties sold therefore has a direct impact on the amount of resources that need to be met from the HRA.
- 5.2 The HRA is currently allowed to borrow up to £158.2 million - the borrowing cap set by government. Current levels of borrowing mean that the HRA still has the headroom to borrow an estimated £28 million subject to affordability of loan repayments and interest. Therefore the HRA does have the required borrowing capacity to undertake these schemes
- 5.3 Once the final design and development plans are known, there will be a further report to Housing Committee and Policy and Resources Committee to agree the final scheme design, tenure mix, the contribution from the HRA and required level of borrowing

Finance Officer Consulted: Monica Brooks Date: 30/10/13

Legal Implications:

- 5.4 The procurement legal implications are set out within the body of the report.

Lawyer Consulted Isabella Sidoli: Date: 29/10/13

Equalities Implications:

- 5.6 An increase in housing supply will increase the opportunity to provide new, well designed homes to local households registered in need. New development and renovation provides an opportunity to better meet the needs of particularly vulnerable households including those, such as existing elderly residents, who may be under occupying their current home.

Sustainability Implications:

- 5.8 High sustainability standards are important for new homes built by the council and we want to achieve homes that are energy efficient and minimise carbon emissions. New homes should also include features to help support people to live sustainable lifestyles and encourage the development of more sustainable communities.

- 5.9 The business cases are for homes to be built to Code for Sustainable Homes Level 4 for Manor Place and the higher level 5 for Preston Road as this is defined as a greenfield site. The business cases also support One Planet Living and identify a range of ways in which both schemes can support the 10 One Planet Principles. Suggestions include:

- District Heating study for new buildings and Robert Lodge
- Enriching bio-diversity of the existing garden
- Investigate potential for solar photo voltaic panels
- Herb boxes on balconies
- Look into onsite food waste recycling (using Bokashi micro-organism method)
- Use of local and low impact materials in construction
- Rainwater butts and low water use fittings
- Making links with the existing excellent clubs, associations and facilities at Robert Lodge to enrich social lives

- 5.12 The costs of these measures will need to be evaluated, but some measures may not need to significantly increase scheme costs and will help new residents to live more sustainable lives.

Crime & Disorder Implications:

- 5.13 The Estate Regeneration Programme will offer the opportunity to provide new, well-designed homes and link to wider regeneration opportunities, including work to deliver the council's economic and sustainability objectives. Good urban housing has been shown to influence the rate of crime and disorder and quality of life.

Risk and Opportunity Management Implications:

- 5.14 There are a number of risks and benefits associated with the estate regeneration programme and a risk log will be maintained to monitor these and ensure contingency plans are in place. Key risks include:

- Social – that schemes do not have long term sustainability e.g. fall into disrepair or anti-social behaviour
- Financial – that schemes are not financially viable or unable to gain sufficient finance to fund them
- Planning – that planning permission is not given or there is a protracted planning process for individual schemes
- Stakeholder – that local communities do not support individual schemes
- Sustainability – that it is difficult to balance sustainability goals with financial viability.

Public Health Implications:

- 5.15 There are strong links between improving housing, providing new affordable homes and reducing health inequalities. Energy efficient homes which are easier and cheaper to heat will help support the health of households.

Corporate / Citywide Implications:

- 5.16 Each new unit of housing has potential to generate new income for the council by providing New Homes Bonus. The New Homes Bonus (NHB) is paid by government for each new unit of housing or home brought back into use in the city. This is paid annually for six years and is based on Band C Council Tax (currently £1,339.80) plus an additional £350 for each affordable unit.
- 5.17 Every new unit of housing in the city is potentially a source of additional Council Tax income for the council. This is potentially affected by the following factors:
- Single persons get a Council Tax discount of 25% (45% of households in the city are single occupancy)
 - People in receipt of Council Tax benefit will not pay full Council Tax (7-93% depending on income)
- 5.19 New Housing has an economic impact in a number of ways:
- HCA analysis shows every £1 spent on construction creates £2.60 in added economic value
 - Construction jobs – direct and indirect (one new home gives equivalent of one job for 2-3 years)
 - Local supply chain
 - Stable housing enables people to get stable work
 - Mix of tenure needed for mix of skills in labour market
 - Good mixed housing improves ‘place competitiveness’
- 5.18 Partners will be asked to work with the Local Employment Scheme to ensure that work, apprenticeship and training opportunities are provided for local people. We will also look at how larger schemes can provide employment opportunities for people living on estates included in the Estate Regeneration Programme.

SUPPORTING DOCUMENTATION

Appendices:

1. Feasibility Summary Manor Place
2. Feasibility Summary Preston Road

Documents in Members' Rooms

None

Background Documents

New Homes for Neighbourhoods – Estate Regeneration Programme report to Housing Committee 6 March 2013

Manor Place - Housing Study

Introduction

The proposed scheme is a 17 unit scheme with a mix of 1 & 2 bed units.

These are accommodated in 2 new buildings at the North and Southern end of the Robert Lodge neighbourhood garden. The building at the Southern end of Robert Lodge is on the site of the former Manor Place housing office.

This size of the unit and the layout and amenity, such as balconies meets the affordable housing policy. The long term adaptability of the scheme is satisfied through the standards for lifetime homes. The new building to the South has a lift. The provision of accessible housing is met with 2 accessible units.

The mass of the proposed brick buildings relates to the existing context with scales of openings which express the staircase and lift and the inset individual balconies. Any shared circulation the building is designed to code level 4, and aspires to the one planet living standards.



Existing site



view to South site



view from Rugby Place



view from Whitehawk Road along Manor Way

Manor Place - Housing Study

Massing in context

Building A

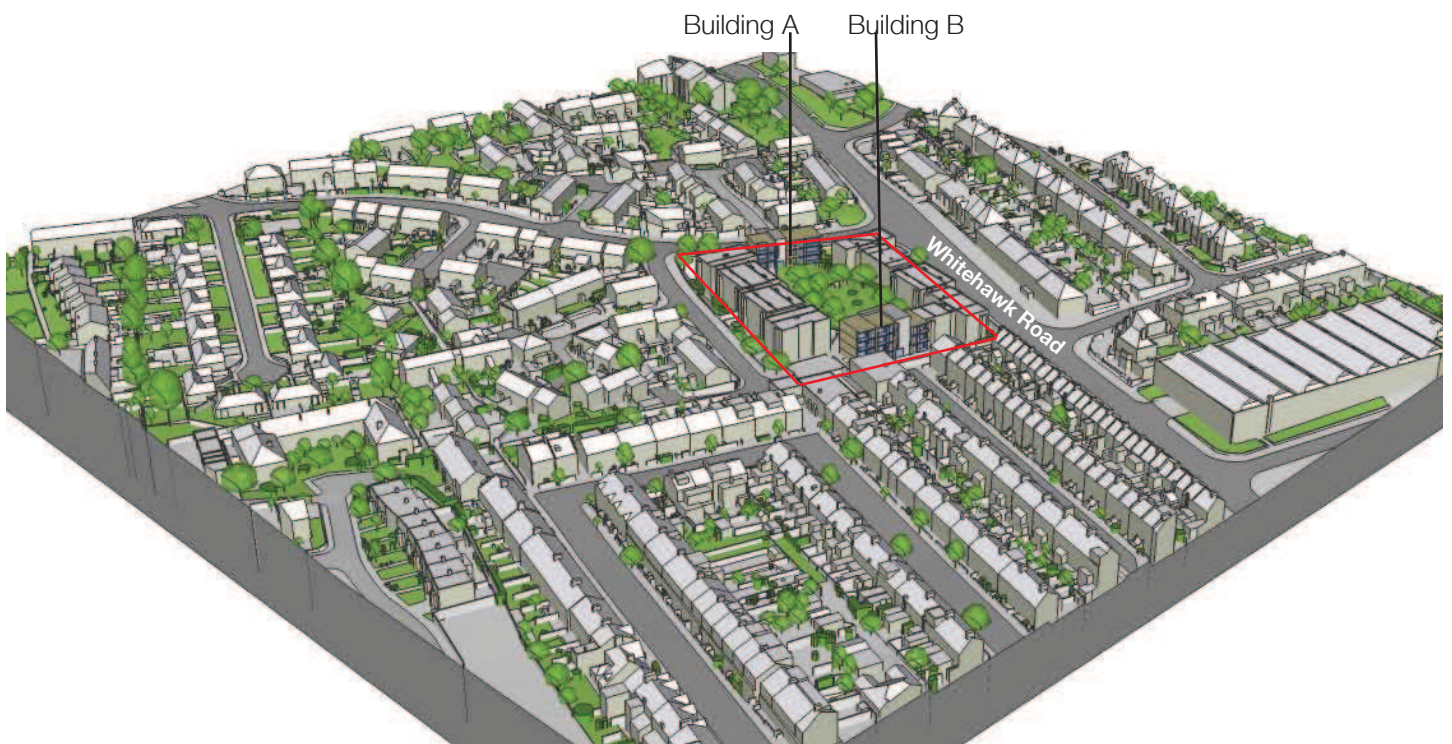
The building is 3 storeys high with 2 x 1 bed units either side of a central staircase on each floor.

Building B

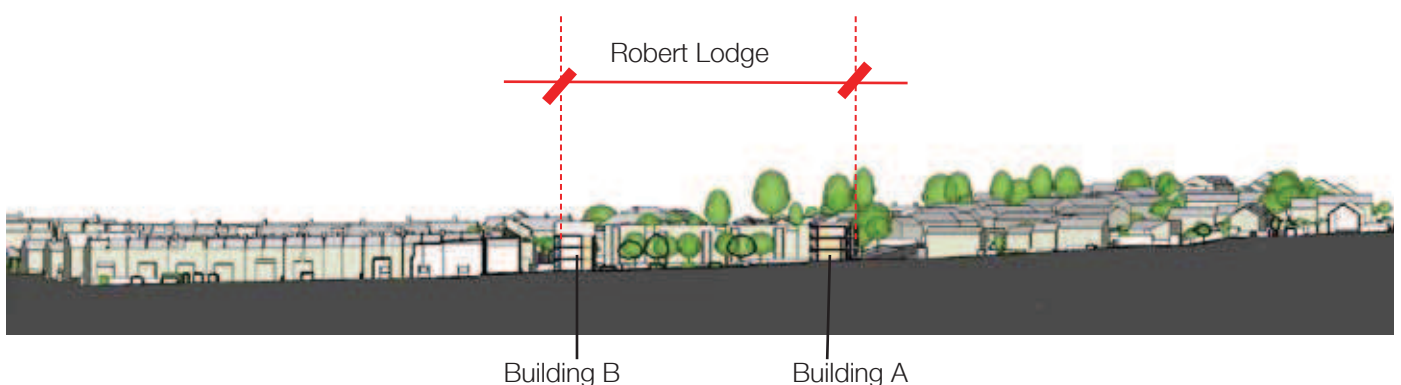
The building is 3-4 floor storeys high, with three units on each floor around a lift and stair core. An existing blank cable wall to the eastern wing of Robert lodge means that the additional accommodation can join that wall, matching the three storeys of the existing building. The building can then step up to the four storey height of the western wing of Robert lodge.

Various massing options have been evaluated during the design process, but Planners thought that the current proposal was preferable to following the exact profile of the existing Manor Place housing office.

The southern building stops short of the existing car park area to the west. The building footprint of the existing temporary accommodation to the south goes over the route of the sewer. Permission to divert the sewer will need to be agreed with Southern Water.



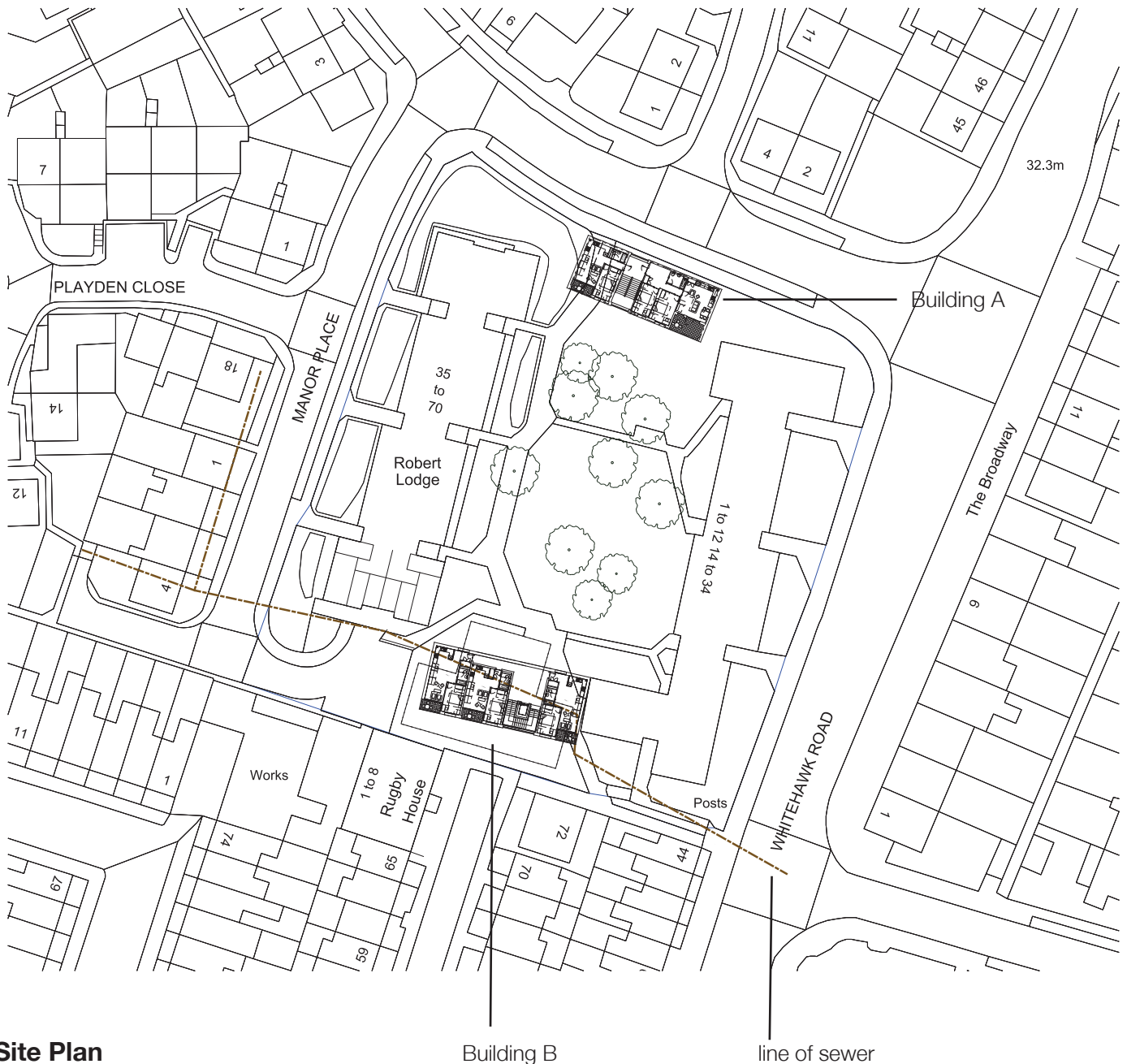
view of the scheme in context





View from the South

View from the North



Site Plan

Building B

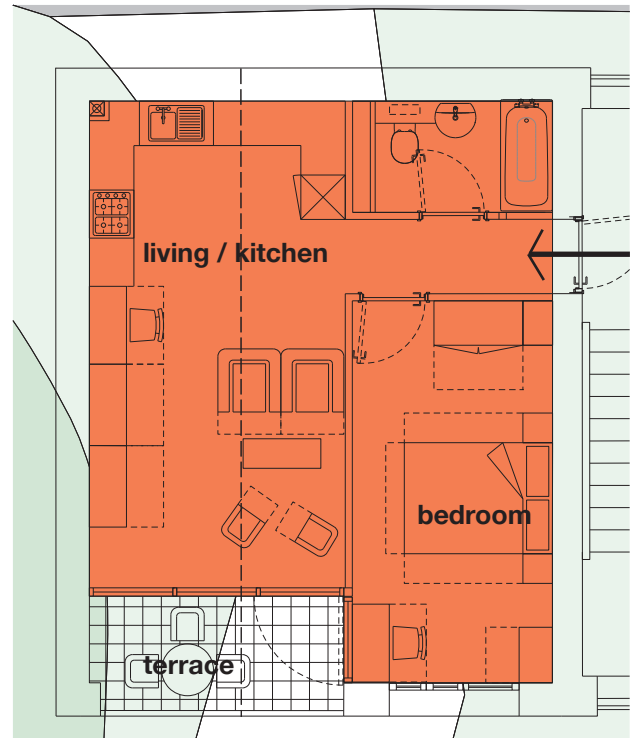
line of sewer

Manor Place - Housing Study

Internal design of typical apartments

1 bed apartment

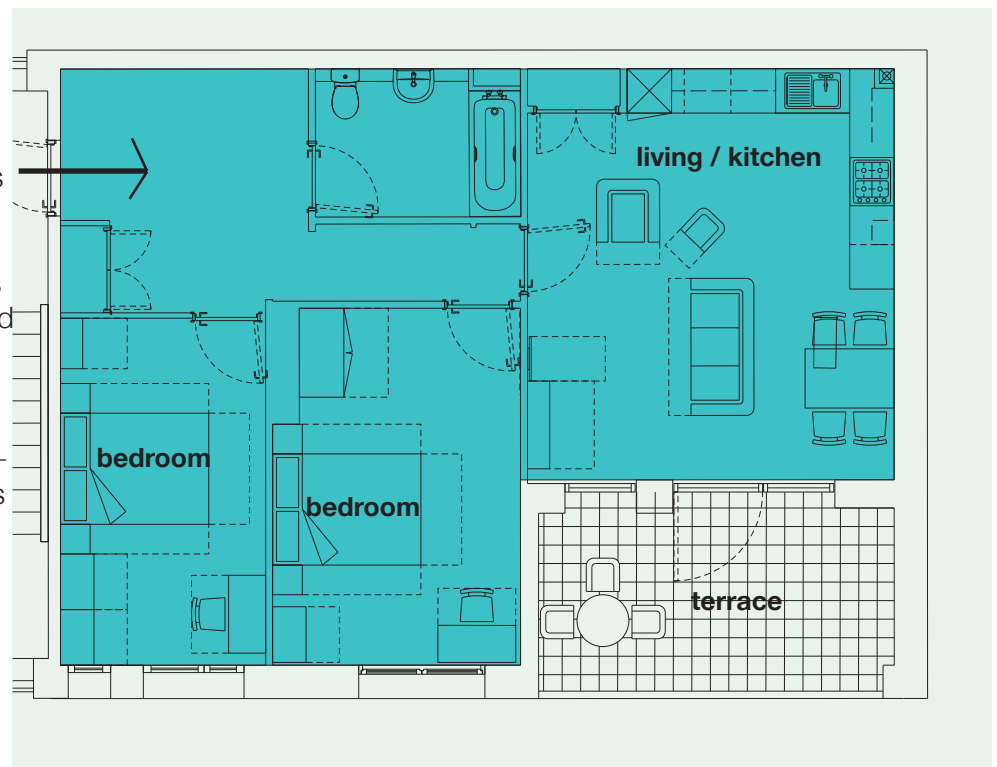
- The 1 bed flat plan is accessed from the main staircase.
- The flat is dual aspect.
- A recessed balcony sits at one end of the kitchen / living space.



1 bed apartment

2 bed apartment

- The entrance to the 2bed flat is from the central staircase.
- There are 2 double bedrooms with the associated storage and desk space as defined in the Housing Quality Indicators.
- There is one main kitchen / dining and living area which opens out to the south to a generous terrace.



2 bed apartment

Twenty
Tottenham Street
London W1T 4RFT
+44 (0)20 7323 5737
london@fcbstudios.com

Bath Brewery
Toll Bridge Road
Bath BA1 7DET
+44 (0)1225 852545
bath@fcbstudios.com

www.fcbstudios.com

Job ref: 1725

243-245 Preston Road- Housing Study

Introduction

The proposal is to provide a mews style development of 4 no. 2 bed houses at the end of the large rear gardens of two semi-detached villas at 243-245 Preston Road. The existing bungalows set within these rear gardens would be demolished to provide more accommodation within a compact footprint allowing part of the garden to be restored back to the villas.

The four brick houses are arranged in an 'L' shaped footprint . The monopitch roof form slopes away from the courtyard enabling privacy to the neighbouring properties. Each new dwelling would be provided with private outdoor space.

There are two options for vehicular access which are currently being investigated. One option is to provide access from Preston Road along the south side of the villas, alternatively, access would be provided from Cumberland Drive adjacent to the proposed building.

The design of the residential units meets the client brief. The long term adaptability of the scheme is satisfied through the standards for lifetime homes. Since the site is defined as a greenfield site. The building is designed to code level 5, and aspires to the one planet living standards.



view from garden to villa



adjacent properties to the South

Existing site



view from top of villa into the garden site.
28th October 2013

Massing in context

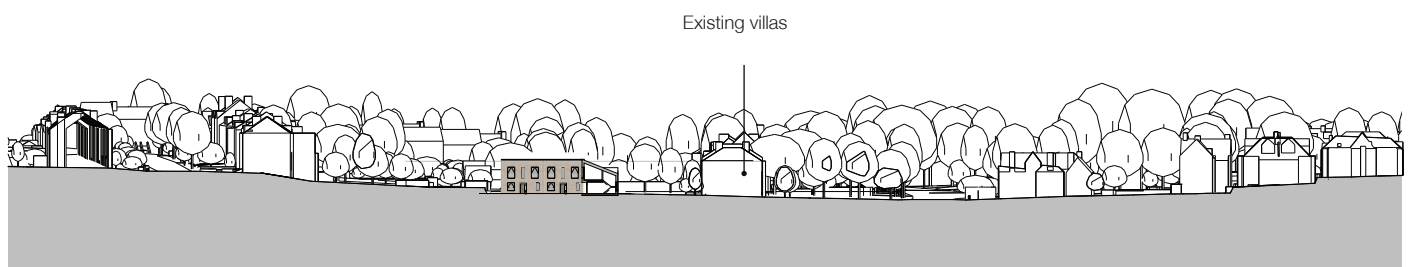
The houses are designed to have minimal impact on the adjacent properties in terms of overlooking and overshadowing.

The L-shaped form with a sloping roof is in keeping with the character of this conservation area, sloping away from the front courtyard providing privacy to the neighbouring properties whilst also minimising overshadowing onto the adjacent properties.

The orientation and form of the building allows vehicular access from both Preston Road and Cumberland Drive.



view of the scheme in context

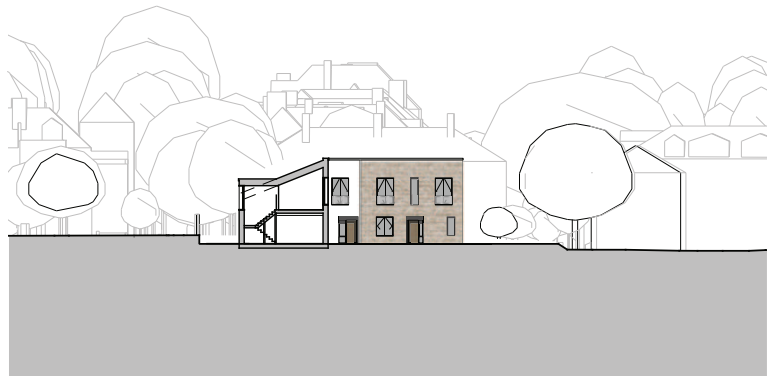


Cross-section through the site

28th October 2013



View from the East



Cross section through the site



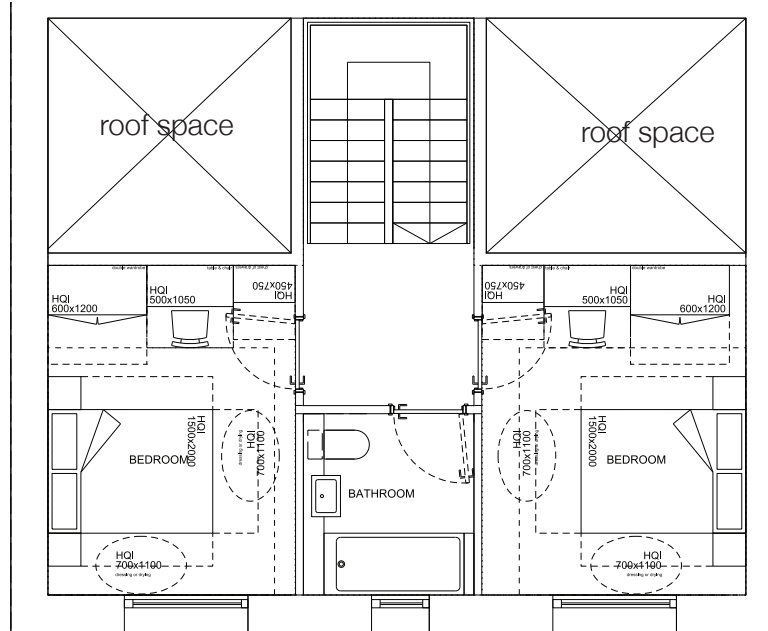
Site Plan

Preston Road - Housing Study

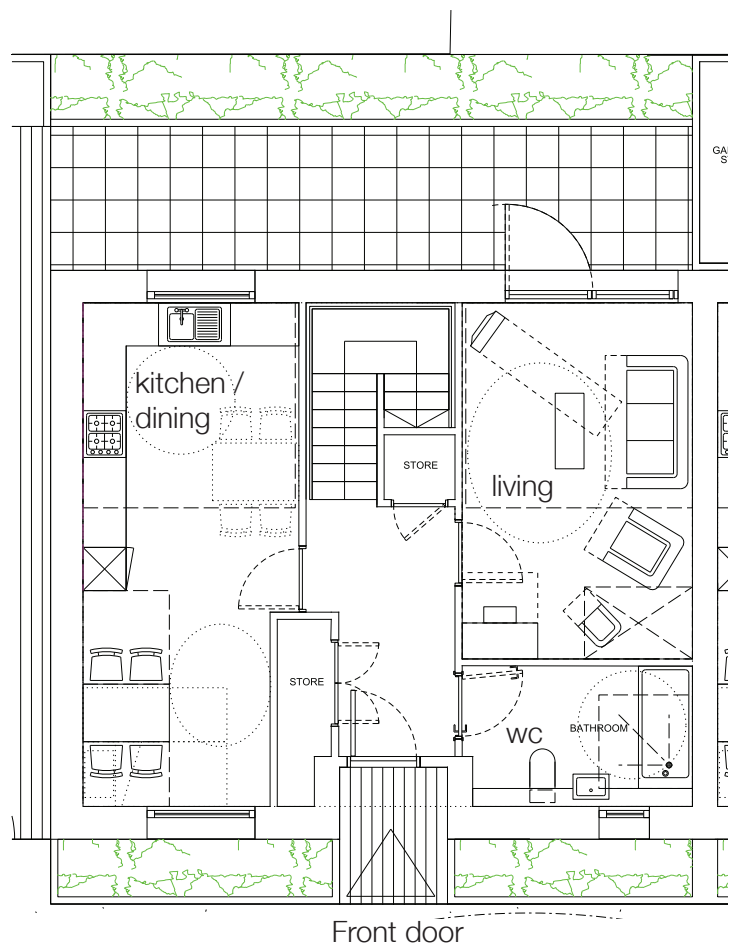
Internal design of typical house

Typical mews house

- Dual aspect houses
- Separate kitchen / dining room to living room.
- Bathroom and storage spaces at the entrance to the house.
- Bedrooms face towards the front of the house.
- stairs have a dormer window at upper level



First Floor Plan



Ground Floor Plan

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Tottenham Street
London W1T 4RFT
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Bath Brewery
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Bath BA1 7DET
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bath@fcbstudios.com

www.fcbstudios.com

Job ref: 1725

| | | | |
|--------------------------|--|--|---------------------|
| Subject: | Access to Housing Services | | |
| Date of Meeting: | 13 November 2013 | | |
| Report of: | Executive Director – Environment, Development & Housing | | |
| Contact Officer: | Name: | Hilary Edgar | Tel: 29-3250 |
| | Email: | Hilary.edgar@brighton-hove.gov.uk | |
| Ward(s) affected: | All | | |

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY**

- 1.1 This report considers how housing services are provided within the context of the multiple pressures affecting the council and its residents. It proposes changes to service provision in order to respond to these pressures and maintain relevance for council tenants.
- 1.2 One of the four main priorities in the council's Corporate Plan 2011-2015 is 'modernising the council'. To meet this priority the council aims to provide services that are cost effective and sustainable. The recommendations in this report take account of the rapidly changing financial environment as well as how changes in the way residents are using services and their implementation will contribute to the council's aim to modernise.

2. RECOMMENDATIONS

- 2.1 That Housing Committee approves the Resident Access Strategy set out in sections 4.2 to 4.4 of this report.
- 2.2 That Housing Committee approves the following Changes based on the Resident Access Strategy:
- (i) closure of the Selsfield Drive Housing Office and relocation of services to the Oxford Street Housing Office by the end of 2013/14
 - (ii) removal of cash desks from the housing offices in 2014/15 once all residents who currently use this facility have been given advice and support to change to other payment methods.
- 2.3 That Housing Committee approves that, once vacated, the Selsfield Drive Housing Office be demolished in order to be redeveloped, subject to planning consent, for new homes under Phase 2 of the New Homes for Neighbourhoods estate regeneration programme.

3. BACKGROUND INFORMATION

- 3.1 Housing management services are currently provided through five housing offices; Oxford Street, Lavender Street, Selsfield Drive, Victoria Road and Whitehawk Hub. There is also a contact hub within the service which handles calls to the services main enquiry line, 293030.
- 3.2 There are a number of reasons to review the way housing services are currently provided.
- 3.3 Cost of housing office accommodation
- 3.4 A review of the housing management service in 2012 by the Housing Quality Network advised that for the service to make further financial savings, housing offices and the associated staff costs need to be reduced. Our overall service costs per unit of residential accommodation were assessed as being slightly high in comparison to other housing organisations. Any savings that can be made by providing services differently can be diverted to investment in current and new housing stock and to meet tenants' increasing support needs.
- 3.5 Welfare Reform
- 3.6 The majority of tenants whose rent is currently paid to the council through Housing Benefit will be responsible for making rent payments directly to the council when the main welfare reform change, Universal Credit, is introduced from 2014. Since April 2013 under occupying tenants on Housing Benefit have had their Housing Benefit reduced in respect of their 'spare' room(s) with some having to pay rent for the first time. This experience has shown that to help tenants through the cultural and practical changes needed to make regular payments requires proactive contact by officers with a wide ranging offer of support.
- 3.7 Changes to the housing offices
- 3.8 Although from a resident's point of view the housing offices continue to look the same from a 'front of house' perspective, there have been a number of changes within the offices.
- 3.9 Lavender Street Housing Office has been shared with Children's Services teams since 2011 (which brings an income of £90,000 per annum to the Housing Revenue Account).
- 3.10 In 2011 a number of housing teams co-located with Mears in the Housing Centre which has released space in the local offices.
- 3.11 The restructure within the housing service last year means staff are now more mobile and move between offices and appointments. This has resulted in more desks being available in some housing offices than are required for staff use.

- 3.12 The Manor Place Housing Office was relocated, without a cash desk, to Whitehawk Hub in April 2012.
- 3.13 The council's 'hot desking' policy is used in Lavender Street and the Whitehawk Hub, allowing a more flexible approach to staff working in these offices.
- 3.14 Victoria Road Housing Staff will relocate into Portslade Town Hall in the summer of 2014.
- 3.15 Changing resident demand
- 3.16 The current housing offices are a legacy from the old 'district' housing office days, when each of the five offices had a multidisciplinary team of staff and the main way into these services, or to pay rent, was by residents coming into the offices.
- 3.17 There has been a marked change in the way residents contact the housing service in recent years with an increase in the number choosing to do this on line or by phone, and a decrease in the number of residents coming into the offices. This means that while all of the housing offices remain open in their current format, officer time is spent staffing reception and cash desks that are no longer as well used as they used to be when they were set up.
- 3.18 Appendix 1 includes information on current use of housing offices.
- 3.19 A number of conclusions can be drawn from this information and from changes to the way staff now work, following last year's restructure.
- 3.20 The Contact Hub, set up in last year's reorganisation, has taken on the call function and other non face to face contact for the housing offices.
- 3.21 The number of people using the local offices is a small and declining resident group.
- 3.22 The number of transactions processed through the cash offices has decreased by 32% over the past 3 years, with tenants choosing to pay their rent using other methods.
- 3.23 Straightforward interactions like photocopying documents can be replicated easily, just as locally.
- 3.24 More complicated queries are most commonly not met on a single visit as they require the input of specialist staff, not based in the building.
- 3.25 Better outcomes in these cases could be achieved by introducing an appointment service, with home visits for those who find travelling difficult.

- 3.26 Technology means housing offices no longer need to be area specific, all of the offices can be access points for all residents, regardless of where they live.
- 3.27 All of these changes mean that the way housing services are provided needs to be reviewed. In doing this, consideration needs to be given to whether offices should be developed, maintained or disposed – decisions that need to link to the way residents now choose to access services.

4. **A NEW RESIDENT ACCESS STRATEGY**

- 4.1 The following principles form the basis of a new strategy on providing housing services, taking account of the range of access methods that are now available to residents:
- 4.2 We will provide a range of ways for residents to contact housing services to ensure we offer a universal service that is convenient, consistent and has particular regard for the most vulnerable.
- 4.3 We will work collaboratively with other services and agencies to maximise single point resolution of queries and problems.
- 4.4 We will implement this strategy with integrated service reviews to ensure that our provision continually adapts to changes affecting residents and that we make the best use of resources.
- 4.5 Implementing this strategy will involve making changes, stopping some ways of doing things and introducing new services supporting vulnerable tenants, not least through the multiple impacts of welfare reform.
- 4.6 The New Resident Access Strategy follows on from the Customer Access Strategy Phases 1, 2 and 3. These reports were consulted on at Housing Management Consultative Committees and agreed at Housing Cabinet Member Meetings on 3rd March 2010, 20th October 2010 and 19th October 2011 respectively.
- 4.7 In Customer Access Strategy Phase 1, ten broad principles were agreed as the basis on which improvements to customer service should be made. This included better use of resources to reduce waste, provision of a range of ways in which residents could access housing services and tailoring services to meet the needs of the most vulnerable.
- 4.8 In phase 2 a single point of telephone contact for Tenancy Management Enquiries was agreed and it was agreed to co-locate at Lavender Street Housing Office with Children's Services.

- 4.9 Phase 3 built on the above but also included a recommendation that consultation with staff was initiated to enable implementation of the agreed changes, and that consideration was given to opportunities for better use of housing offices.

5. CHANGES TO SERVICE PROVISION

- 5.1 Using the Resident Access strategy above to review the current housing offices, the following changes in service provision are recommended:

Closing the Selsfield Drive Housing Office and relocating the relevant housing services to the Oxford Street Housing Office by the end of 2013/14

This proposal is being made for the following reasons:

5.2 Low use by residents

- (i) Over a two month period there was an average of sixteen callers per day to the Selsfield Drive reception. The top three reasons callers came into the office were for Housing Benefit, Homemove and queries about other council services, with many of these simple and brief transactions, such as picking up a form, or getting documents photocopied.
- (ii) Appendix 2 includes further information about the reasons why residents came to the Selsfield Drive Housing Office.

5.3 Potential to make better use of staff resources

The reception is permanently staffed while the housing office is open to the public. If the reception facilities at Selsfield Drive are provided at Oxford Street Housing Office, the equivalent of two full time Housing Service Adviser (HSA) positions will be freed up to focus on offering more targeting support to tenants and added to the Housing Customer Services Team.

5.4 Alternative facilities

- (i) An increasing range of services are available on line and over the phone. Not every resident wants to make contact this way, and for those who still want to do business in person, residents will be able to visit the Oxford Street Housing Office. Many residents in the Moulsecoomb area already use the Oxford Street office due to the distance they live from Selsfield Drive and the fact it is on direct bus and shopping routes.
- (ii) For residents who would find travelling difficult, or where the nature of the issue dictates, home visits will continue to be offered.
- (iii) Housing staff are currently working with the library and other services to supplement the service available in housing offices with advice and

support sessions available in libraries and other community settings. The table in Appendix 3 shows the range of ways that the ten most frequent queries at Selsfield Drive Housing Office can be provided.

5.5 Cost savings

These are set out in the financial implications section below. In addition to the cost savings, there is an opportunity to redevelop the site of the Selsfield Drive Housing Office for residential accommodation.

Removing cash desks from the housing offices in 2014/15

This proposal is being made for the following reasons:

5.6 Reducing use by residents

The number of transactions processed through the cash offices is decreasing as tenants choose to pay their rent by other methods. Brighton & Hove City Council is unusual in still having cash desks in housing offices, with many councils having moved completely to alternative and cheaper methods of cash collection. Adur Council, Worthing Homes and Eastbourne Homes no longer have cash desks in housing offices.

5.7 The range of alternative and cheaper payment methods

Tenants have a choice of ways to pay their rent and other charges, including direct debits, standing orders, telephone payments, internet payments and payment in person via Pay Point cards in shops and Post Offices. The direct cost to the council per transaction for these types of payment methods varies between 6p for direct debits to £1.30 at cash desks – the most expensive type of transaction.

5.8 Universal Credit

This will see residents who are on full Housing Benefit paying their rent directly to the council for the first time. Welfare reform changes will therefore require a model of service delivery that is targeted to the specific needs of individual residents in a proactive and personalised way. Waiting for those in need to call into a housing office could lead to a 'too little, too late' service. The aim is to start these new payers using the cheaper, and more sustainable types of payment methods, rather than use cash offices which are the most expensive method and one that involves carrying large sums of money from one place to another.

5.8 Potential to make better use of staff resources

The Financial Inclusion Assistants who currently work in the cash offices would move to the Financial Inclusion Team and provide advice and support to residents on an individual basis in preparation for the welfare reform changes

6. COMMUNITY ENGAGEMENT & CONSULTATION

- 6.1 The successful approach used when relocating the Manor Place office to the Whitehawk Hub will be used in the relocation of Selsfield Drive and closure of the cash desks. This approach ensured there was a good lead in period which gave time for officers to work closely with residents. This involved running advice sessions at Manor Place Housing Office, in local sheltered schemes, going to resident association meetings, speaking to regular users of the office as they paid their rent and providing a series of written communications
- 6.2 All current users of the cash desks will be offered advice and support on an individual basis to help them make the change to other methods of payment. Once this has been done, cash desks will be removed from the housing offices.
- 6.3 The proposals in this report were discussed at the September round of Area Panels and at Housing Management Consultative Sub-Committee on 29th October 2013. A list of comments made by residents is attached in Appendix 4.
- 6.4 At Area Panels the proposals were generally well received. At North and East Area panel a question was raised about the impact of closure on the Bates Estate, the area closest to the Selsfield Drive Housing Office. Ongoing work with the library service will mean that Moulsecoomb Library, which is close to the existing Selsfield Drive Housing Office, will offer the facility for residents to drop off forms and use a free phone to connect with a range of council services.
- 6.5 At Housing Management Consultative Sub-Committee a number of comments were made. A list of comments is attached in appendix 4. A concern was raised about charging laundry cards without cash desks. Work to find a solution to this is ongoing. A suggestion was made that a financial incentive is given to people who are willing to pay by direct debit. This will be given consideration and be the subject of a future report as appropriate.

7. CONCLUSION

- 7.1 Using the principles within the framework of the new resident access strategy, it is recommended that the Selsfield Drive Housing Office is closed and services relocated to the Oxford St Housing Office by 31 March 2014 and that cash desks are closed within the financial year 2014/15.
- 7.2 These actions will free up resources – staff and money – that can be better used to target support and services to residents in preparation for the welfare reform changes. Land will also be freed up in Selsfield Drive and provide an opportunity to build much needed accommodation.
- 7.3 There will continue to be a choice of ways for residents to access housing services and the current routes will be supplemented by new initiatives to strengthen the role other services, for example libraries, can play in providing advice in local communities.

8. FINANCIAL & OTHER IMPLICATIONS

Financial Implications

- 8.1 The savings associated with the closure of Selsfield Drive are estimated to be £70,400 at current 13/14 prices. This assumes a real cost saving to the HRA of £24,300 in premises costs and a further efficiency saving of £46,100 relating to two Housing Services Adviser posts being moved to other positions within the Housing Customer Services team, thereby alleviating financial pressures in this area of the service.
- 8.2 The costs associated with closing the four cash desks are estimated to be £94,700 per annum at current 2013/14 prices. This assumes a total of five full time equivalent (FTE) Financial Inclusion Assistants, transaction costs of banking and daily security collections. If the cash desks close at the end of September 2014, the saving during 14/15 will equate to half of this cost, £47,300. The full year saving will not be realised until 2015/16. 1.8 FTE staff have already left the organisation under the council's voluntary severance scheme and are therefore real cash saving to the HRA. The other three staff will be moved to the Financial Inclusion Team to undertake work in preparation for the welfare reform changes, thereby reducing the financial pressures for more staff in this area.
- 8.5 As the HRA is a ring fenced account, all savings are reinvested in the HRA for the benefit of tenants and leaseholders. If agreed by this committee, these changes will be reflected in the 2014/15 HRA Budget.

Finance Officer Consulted: Monica Brooks

Date: 29/10/2013

Legal Implications

- 8.6 The Housing Committee has delegated powers to discharge the council's functions as a housing authority, and more particularly its functions as a housing landlord. The recommendations within the report therefore fall squarely within its terms of reference. The council is statutorily required to take Human Rights into account when making decisions but it is not considered that any individual's Human Rights Act rights would be adversely affected by the recommendations in the report

Lawyer Consulted: Liz Woodley

Date: 30/10/2013

Equalities Implications

- 8.7 An Equalities Impact Assessment (EIA) has been carried out on the recommendations in this report. Actions to mitigate the implementation of these recommendations have been discussed within this report. Should the recommendations be agreed, a similar approach to the closure of Manor Place

will be followed, where all the actions arising out of the EIA were incorporated into the project plan to manage the office relocation.

Sustainability Implications

- 8.8 The recommendations in this report will contribute to the following One Planet Living principles:

Zero Carbon – closing an office that is not well used and relocating staff to existing buildings within the housing office accommodation portfolio will reduce the energy costs paid by the Housing Revenue Account.

Zero Waste – closing Selsfield Drive Housing Office will reduce the amount of paper and other materials currently used in these facilities. As with Manor Place, we will recycle redundant office furniture and fixtures to other housing offices or community groups.

Crime & Disorder Implications

- 8.9 None.

Risk and Opportunity Management Implications

- 8.10 Relocating the services provided at the Selsfield Drive Housing Office and developing those available in the Moulsecoomb Library provides an opportunity to develop the housing office site for residential use. The City Regeneration team have been advised of this opportunity.

Public Health Implications

- 8.11 None

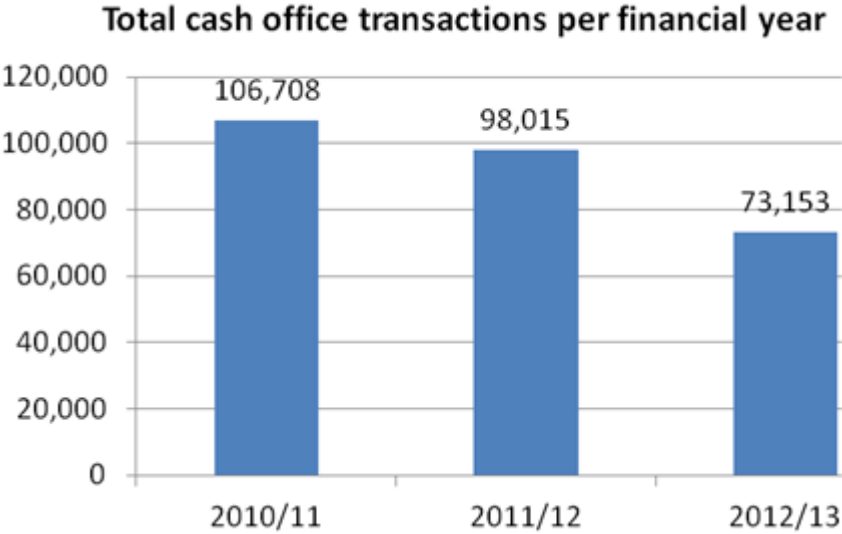
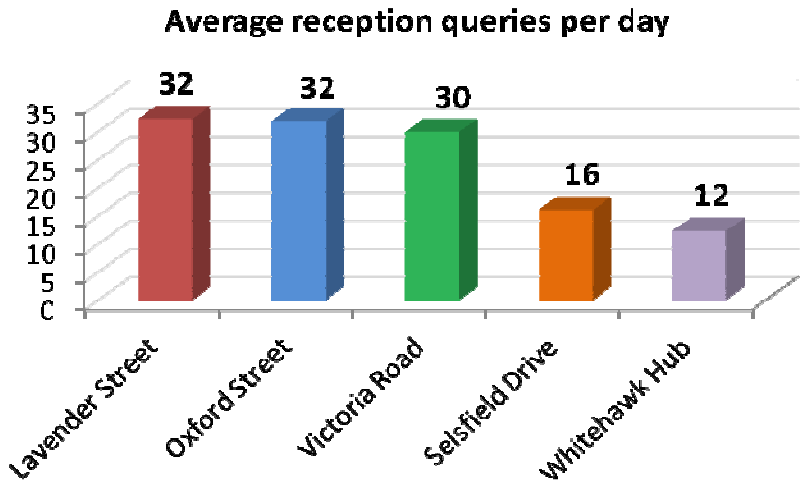
Corporate / Citywide Implications:

- 8.12 The recommendations in this report support one of the four main priorities in the Corporate Plan 2011-2015, to 'modernise the council'. They will also require Housing to continue to work closely with the Library Service to develop the role of Community Hubs, as places for people to learn, develop skills (especially IT skills), find information and access services – local and national, especially online.

SUPPORTING DOCUMENTATION

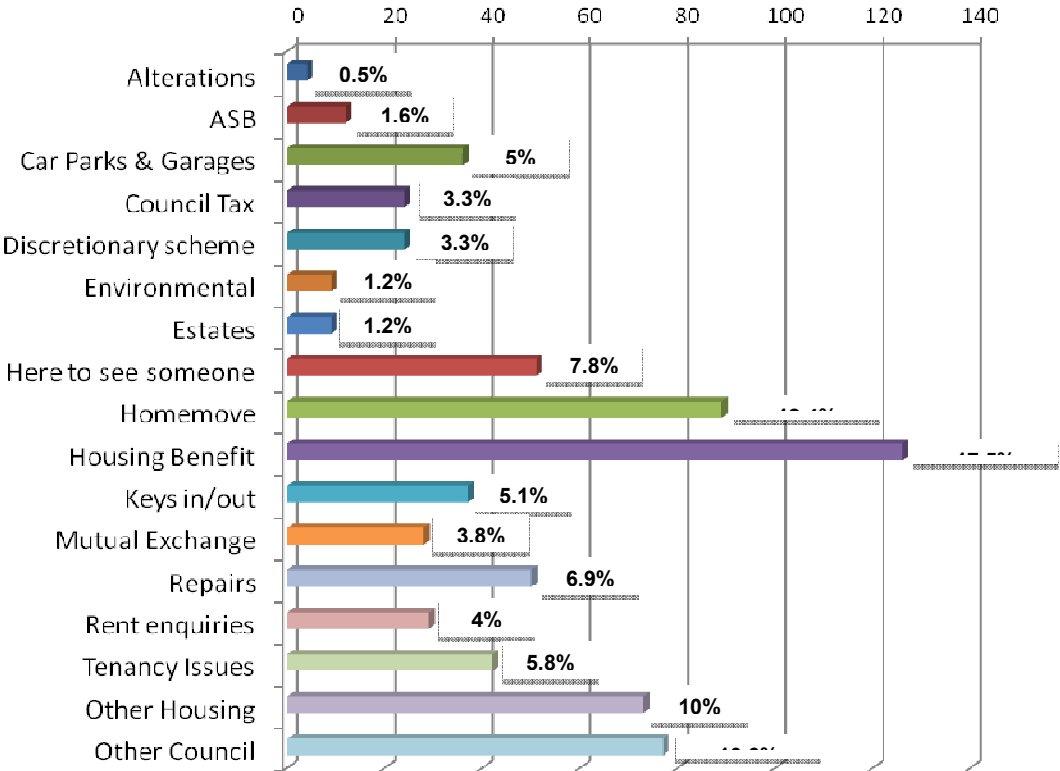
Appendices:

1. Current use of housing offices
2. Queries at Selsfield Drive Housing Office
3. Face to face transactions
4. Resident Comments from Area Panels and Housing Management Consultative Sub-Committee



Queries at Selsfield Drive Housing Office

17 June to 16 August 2013 – Average 16 customers per day



Appendix 3

Face to face transactions: ways that the ten most frequent queries at Selsfield Drive Housing Office can be provided.

| Transaction | Web | Telephone | Library service <i>Work in progress</i> | Housing Offices |
|--------------------------------|------------|------------------|--|------------------------|
| Housing Benefit | | | Form drop off/copy Web assistance | |
| Homemove | | | As above | |
| Other council | | | Free phone Web assistance | |
| Other housing | | | As above | |
| Repairs | | | As above | |
| Tenancy Issues | | | As above | |
| Keys in/out | X | X | X | |
| Car Parks & Garages | | | Free phone Web assistance | |
| Rent Enquiries | | | As above | |
| Mutual Exchange | | | As above | |

Residents comments from Area Panels on the Office Accommodation Strategy

East – held 16 September 2013

- Selsfield Drive is a waste of space- should incorporate other local services
- Could the space be used to build more homes
- Do housing know the people who use the office
- What support can housing offer the residents who currently use the office
- Use the lessons learnt from closing Manor Place to help the tenants adjust
- Staff will need to have a proactive approach to helping people
- Services need to be more tailored

There were no overall concerns and Selsfield Drive is in the East area

Central – held 17 September 2013

- No comments were made

West - held 19 September 2013

- People with a poor credit history won't be able to get a bank account
- All new tenants should be given payment point cards
- Older people don't trust direct debits
- People can use different methods to pay eg Pay Point
- Some people will never change
- Will it be used to develop more housing

Points were raised but there were no overall concerns.

North & East - held 19 September 2013

- Concerns were raised about the impact of residents on Bates Estate where Selsfield Drive is located.
- Keen to explore the use of the library as an access point to Housing Services

Housing Management Consultative Sub-Committee – held 29th October 2013

- Could an incentive be offered for people willing to pay by direct debit?
- Could the housing offices be used to locate Community and voluntary sector services such as Citizen's Advice Bureau?
- How will we charge up our laundry cards if cash desks are closed?
- This is officer led and not considering the needs and wishes of residents
- It is important to let Tenant's know the dates that this is happening
- Online and telephone payment systems need to be improved so that they work properly if cash desks are closing
- Pay point payments take 4 or 5 days to reach someone's account so there is a risk that they could fall into arrears
- Can the site at Selsfield Drive be used for Council Housing rather than Housing Association Housing?