

## 1. Private Sector Letting

A scrutiny enquiry could:

- Gain an understanding of the local context within which letting agents operate
- Look at the experience of different renting groups e.g. older people, young families etc
- Elements of the letting process e.g. fees, services provided etc
- The perspective of letting agents
- Innovative practice from other areas of the country

Council on 18 March considered a Notice of Motion concerning the findings of a national Citizens Advice report 'Let Down' on the activities of private rented sector Letting Agents.

In light of the CAB report findings and discussion at Council it was proposed a cross party working group be set up to look into the issues raised and that this group feed back into Strategic Housing Partnership.

At the meeting of the cross party working group attended by Cllr Caulfield, Cllr Watkins, Cllr Marsh and Cllr Randall it was felt that this would be an area suited to Scrutiny consideration. The full text of the motion is reproduced below.

“This council notes the findings of the national Citizens Advice report Let down (1) on the activities of private rented sector letting agents, which revealed:

- 73 per cent of tenants interviewed were dissatisfied with the service provided by their letting agent. Common concerns included difficulties in contacting the agent, serious delays in getting repairs carried out, inadequacies in the protection of clients' money and the frequency with which additional charges were made.
- 94 per cent of letting agents surveyed imposed additional charges on tenants on top of the tenancy deposit and rent in advance. The size of these charges varied hugely. The charge for checking references ranged from £10 to £275 and the charge for renewing a tenancy ranged from £12 to £200. In some cases additional charges for a tenancy amounted to over £600.
- Less than a third of agents willingly provided full written details of their charges to CAB workers when asked.
- 61 per cent of the tenants surveyed said that paying these charges was a problem. Some had to borrow the money, others had difficulty paying other bills or went into debt.

This council further notes:

- That Brighton & Hove has the sixth largest private rented sector in the country with tens of thousands of its residents having dealings with letting agents in the City.

In addition, the Citizens Advice proposals call for:

- (1) The licensing of letting agents who should be required to demonstrate professional competence, have adequate client money protection arrangements and operate a system for handling complaints and redress;
- (2) The introduction of regulations specifying that no additional charges should be made to tenants for activities that are part of the routine letting and management process. The cost of this work should be included in the rent paid by the tenant and/or the management fee paid by the landlord. The ultimate sanction against letting agents breaching the regulations should be the withdrawal of the licence to operate.

It therefore calls on the council to request the Chief Executive to:

1. Write to the Government and the major political parties seeking their support for the Citizens Advice proposals; and
2. Ask the Office of Fair Trading to carry out an investigation into the activities of letting agents.

## **2. Older Leaseholders**

There are a great many leasehold properties in Brighton and Hove, including some in Council owned buildings. Brighton & Hove Older People's Council is seriously concerned about the problems for older leaseholders, often associated with the service and other charges imposed on lessees by freeholders.

Many of the issues that older lessees encounter would be picked up in a wider review of private sector letting agents (suggestion 1). Additionally there is already an Older People's Housing Strategy which ASCHOSC will want to monitor and review at some point before 2014.

## **3. Provision of care for LGBT elders in the city**

To consider the potential for encouraging dedicated LGBT accommodation in B&H. Many older LGBT people feel they have to go "back in the closet" when they enter sheltered accommodation or nursing homes. Age UK have highlighted this issue, and there was recently a documentary about this on

Radio 4 ('Glad to be Grey?'). A panel might like to consider the potential for encouraging dedicated accommodation for older LGBT people in B&H.

National/ international research:

*Housing Issues Affecting Older Gay, Lesbian and Bisexual People in the UK: A Policy Brief – 2008 policy brief from the Independent Longevity Centre.*

The report considers whether it's appropriate to have LGBT specific accommodation or whether there is the demand for it. Some have been built in America and Germany but there is less demand than expected, partly because of the high costs of the homes.

The research that has been done in the UK shows that while older LGBT people may not necessarily want to have residential accommodation that is specifically for them, what they do want are mainstream service providers who recognize their specific needs and are willing to meet them. What is needed therefore, is to understand what the views and attitudes are of wardens of sheltered accommodation and care home managers to older LGB people and whether they have any understanding of what their specific needs may be.

Issues that might affect LGBT elders include:

- Lack of informal social and care networks (often provided by spouse or adult children)
- Having a potentially homophobic carer come into their home; having to hide personal information away
- Fear of stigmatization from other residents/ carers in sheltered accommodation

There are some housing issues specific to LBGT older people or which affect them more:

- LGBT older people may experience a lack of confidence in approaching mainstream agencies with issues that entail being out about their sexuality/ gender identity.
- inheritance and the passing on of property between partners, especially if they have not entered a civil partnership
- housing choices in later life and the difficulty for some LGBT older people moving into care and support options where they feel isolated or their sexuality becomes invisible dealing with homophobic harassment

The Equality Act (Sexual Orientation) Regulations 2007 make it unlawful for public authorities to discriminate when providing public services. This covers the work of local authorities including housing services.

Research suggests that there is a need for specific services targeting the LGBT community but that staff training, displaying LGBT friendly signs, publicity and partnerships with LGBT organisations all improve access to advice.

The Council has developed a LGBT Housing Strategy and an Elders Housing Strategy, both current and recently agreed so there would be a danger of duplication. It would seem sensible for ASCHSOC to add this item to its work-programme for 2011 to see what progress has been made.

#### **4. Homelessness in the City**

To look at homelessness in B&H, including how it is measured and steps to address it.

Figures: The Government's official figures for June 2010 show that 1,250 people were sleeping rough on any given night in England, of these 12 were in Brighton <http://www.crisis.org.uk/pages/rough-sleeping.html>

The national situation is that under the previous Government, rules for counting rough sleepers were very restrictive and eliminated a lot of people from the final count. The coalition government wants to change the way that rough sleepers are counted. Minister for Housing and Local Government, Grant Shapps is planning to consult with public and charities as to how to measure the problem

The Minister says he will publish guidance to help councils evaluate rough sleeping in their area, advising local authorities about by conducting more accurate counts. (<http://www.guardian.co.uk/society/2010/aug/05/rough-sleepers-problem-housing-minister>)

Locally the BHCC Homelessness Strategy spans 2008-2013; we are midway through its progress. ASCOHSC will want to be part of the review process and take note of the update on the Homelessness Strategy going to Housing Cabinet on 8 September.

It has been reported that housing benefit changes nationally are set to affect up to 12,550 families in the city. The housing team are currently working through the likely impact of changes to the city. [http://www.theargus.co.uk/news/8334197.34\\_000\\_Sussex\\_people\\_face\\_eviction\\_due\\_to\\_benefit\\_cuts/](http://www.theargus.co.uk/news/8334197.34_000_Sussex_people_face_eviction_due_to_benefit_cuts/)

Recommendation – It would seem sensible to wait for the changes at national level to develop and link any work into the development of a new homelessness strategy.

#### **5. HIV/AIDs services:**

- **Transition between children and adults services**
- **Services in the city aimed specifically at men of 50 years and over**

Review could focus on the current situation, how is transition managed? What are the numbers of people are affected, is this increasing or decreasing? What are services are offered and are there any gaps in provision?

National policy context:

Central Government is currently consulting on possible changes to the AIDS Support Grant. The Grant supports social care for people living with HIV/AIDS (and where appropriate their partners, carers and families). By contributing to the cost of individually tailored packages of care, adaptations to the home, occupational therapy, counselling and family support services, the grant enables those with HIV to live independently in the community for as long as possible. It assists with the cost of HIV training for social workers, as well as underpinning salary costs for HIV specialist social workers in a number of authorities.

Locally social services and a number of voluntary organisations work with families where a member is HIV positive to deal with any immediate problems, and to help the family plan for the long term care of children.

Given that this is quite an involved issue it would seem sensible for ASCHOSC to seek an initial report outlining how services are delivered and coordinated and what impact changes to funding from government would have before deciding upon further action.

## **6. Affordable Housing in the city – especially housing co-operatives.**

The Housing Strategy 2009-2014 identifies affordable housing, both to rent and buy as a key priority. The Strategy states:

*Brighton & Hove has one of the largest affordable housing programmes in the South East and supports the development of a mix of new homes for affordable rent and low cost home ownership. We aim to deliver an average of 60% as new affordable rented housing and 40% as new low cost home ownership housing.*

Given that the strategy has only recently been agreed it would be sensible to wait to review its implementation.

Additionally government is in the process of making changes to planning requirements, including housing targets. It would difficult to undertake a meaningful scrutiny into the topic whilst a fluid policy context exists nationally.

The Strategy also recognises the 'beneficial role that local housing co-operatives can play in offering housing and support to their members and also in community building and tenant empowerment'.

However affordable housing is an issue that is unlikely to go away so ASCHOSC will probably return to the topic at some point; this could usefully be dovetailed with monitoring of the Housing Strategy.

## **7. Supported housing in the city- does it meet the city's needs?**

Possible questions that could be addressed include - What is supported housing? Who provides it? Who lives in it? How is this managed? What is the demand? Cost? How is the need analysis carried out? Can people move between the supported housing? What influence does the council have?

The Council's strategy says that supported housing includes housing for:

- Young homeless people
- Young parents
- People with substance misuse problems
- Older people with support needs
- Women and children fleeing DV
- Single homeless people
- People with Learning Disabilities
- Ex offenders

The council makes clear links between the Supporting People Strategy and Housing, Health, and Social Care. This has allowed the strategic housing function of the authority to become the accommodation commissioner for all services.

The current Supporting People Strategy needs reviewing in 2011 and ASCHOSC will want to take an active role in its future development, especially given likely resource constraints. It would therefore make sense to delay any scrutiny intervention to dovetail with this process.