

Housing Committee

Date: **18 January 2023**

Time: **4.00pm**

Venue **Council Chamber**

Members: **Councillors:** Gibson (Joint Chair), Hugh-Jones (Joint Chair), Williams (Opposition Spokesperson), Mears (Group Spokesperson), Fowler, Meadows, Mcintosh, Osborne, Phillips and Powell

Contact: **Shaun Hughes**
Democratic Services Officer
shaun.hughes@brighton-hove.gov.uk

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AGENDA

49 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;
- (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.

50 MINUTES OF THE PREVIOUS MEETING

7 - 28

To consider the minutes of the meeting held on 16 November 2022.

Contact Officer: Shaun Hughes

51 CHAIRS COMMUNICATIONS

52 CALL OVER

(a) All agenda items will be read out at the meeting and Members

invited to reserve the items for consideration.

- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

53 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 12 January 2023;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 12 January 2023.

54 ITEMS REFERRED FROM COUNCIL

To consider the following items referred from the Council meeting held on the 15 December 2022.

- (1) Petition
- (2) Deputation
- (3) Notice of Motion

55 ISSUES RAISED BY MEMBERS

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.

56 OPERATIONAL REVIEW OF ALLOCATIONS PLAN & REQUEST TO REVIEW THE ALLOCATIONS POLICY. 29 - 76

Contact Officer: James Crane
Ward Affected: All Wards

Tel: 01273 293316

57 HOUSING COMMITTEE WORKPLAN PROGRESS UPDATE AND HOUSING PERFORMANCE REPORT QUARTER 2 2022/23 77 - 106

Contact Officer: Diane Hughes
Ward Affected: All Wards

Tel: 01273 293159

- 58 ANTI-SOCIAL BEHAVIOUR POLICY 107 - 124**
Contact Officer: Justine Harris Tel: 01273 293772
Ward Affected: All Wards
- 59 PRIVATE SECTOR HOUSING UPDATE 125 - 138**
Contact Officer: Paul Cooper
Ward Affected: All Wards
- 60 HOUSING REVENUE ACCOUNT BUDGET & CAPITAL INVESTMENT PROGRAMME 2023/24 AND MEDIUM-TERM FINANCIAL STRATEGY 139 - 182**
Contact Officer: Craig Garoghan Tel: 01273 291262

61 ITEMS REFERRED FOR FULL COUNCIL

To consider items to be submitted to the 2 February 2023 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.

PART TWO

62 PART TWO PROCEEDINGS

To consider whether the items listed in Part Two of the agenda and decisions thereon should remain exempt from disclosure to the press and public.

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

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FURTHER INFORMATION

For further details and general enquiries about this meeting contact Shaun Hughes, (email shaun.hughes@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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Date of Publication – Tuesday 10 January 2023

Brighton & Hove City Council

Housing Committee

4.00pm 16 November 2022

Council Chamber, Hove Town Hall

Minutes

Present: Councillor Gibson (Joint Chair), Hugh-Jones (Joint Chair), Williams (Opposition Spokesperson), Meadows, Osborne, Phillips, Powell

Substitutes: Councillor Allcock for Councillor Fowler, Councillor Barnett for Councillor Mears and Councillor Grimshaw for Councillor McIntosh

Part One

33 PROCEDURAL BUSINESS

- a) **Declaration of Substitutes:** Councillor Barnett substituted for Councillor Mears, Councillor Allcock substituted for Councillor Fowler, Councillor Grimshaw substituted for Councillor McIntosh
- b) **Declarations of Interest:** Councillor Grimshaw declared they were a tenant of the council. Councillor Hugh-Jones declared they had shares in Bunker and would not engage with item 44 or take part in the decision making process or vote. Councillor Williams declared they were a members of the Land Trust. Councillor Osborne declared they were a member of the Land Trust.
- c) **Exclusion of Press and Public:** There was one report, item 44, with a Part Two appendix. It was agreed that the press and public should be excluded from the meeting if the item appendix was discussed.

34 MINUTES OF THE PREVIOUS MEETING

- 34.1 The minutes of 28 September 2022 committee meeting were agreed.

35 CHAIRS COMMUNICATIONS

- 35.1 The Chair communicated the following:

Acorn

This morning, senior officers and members of the administration met representatives of Acorn. We reiterated our commitment to selective landlord licensing as set out in our joint work plan. Acorn raised their concern about landlords issuing s 21 eviction notices where the council has not issued an improvement notice. This doesn't require a change

to the council's enforcement policy, and we will look at how we can be more proactive on this.

Rough sleeping

Following a successful bid for additional government funding, the Council is already making available extra accommodation and support for people sleeping rough in Brighton & Hove this winter. The accommodation offers support to up to 25 people who would otherwise be sleeping rough.

It is open *day and night* throughout the winter, *whatever* the weather and gives us a better opportunity to work with residents to help them move off the streets into longer term sustainable accommodation.

I must congratulate officers who pulled out all the stops and had the service up and running ***within four days*** of the funding being confirmed, and people have already moved in. Referrals to the accommodation are made through the city's street outreach service, managed by CGL.

Severe weather shelter

As members will be aware, our Severe Weather Emergency Protocol (SWEP) opens when the temperature is predicted to feel like zero degrees Celsius, or there's an amber weather warning. This is one of the lowest triggers for opening SWEP services in the country.

SWEP provides shelter for all rough sleepers in the city and venues are made available to meet demand. All accommodation is again self-contained.

When SWEP is triggered, CGL's street outreach service go out looking for people we know to be rough sleeping to find them warm accommodation.

The First Base Day Centre, who provide services for people who are rough sleeping, will also refer people to SWEP when it is triggered.

Anyone not accommodated during the day is referred into our SWEP venue by the street outreach service.

No Second Night Out

The city's 'No Second Night Out' (NSNO) accommodation is also re-opening this week in new premises.

NSNO is managed by the homelessness charity St Mungo's and provides a safe place for up to 45 rough sleepers.

People staying at the hub have their needs assessed to develop plans to move them away from the streets.

The aim is to act swiftly as a short-term support when people start rough sleeping and to find out how best to help.

Mutual Exchanges

Housing have caught up with the mutual exchange backlog. Mutual Exchange requests submitted in October '22 are currently being processed.

Homemove

There is still a backlog of emails going back as far as April. Three new members of staff have started recently. As they get up to speed with systems and processes this is helping reduce the backlog. On average we receive around 1,300 emails per month – coming into the team inbox.

We currently have 4,405 live applications on the Housing Register. 208 of these date from September or later and are currently unassigned. The others are all being processed, or the applicants are being asked for further information.

Empty Council Homes

We continue to let over 50 council homes to households in need every month, our figure for October 2022 was 60 homes let (new homes and re-lets).

We also continue to show progress in our priority work of tackling the Covid related backlog of empty council homes, albeit there are currently challenges with contractor capacity.

The figures for October 2022 are as follows:

- Empty Council Homes – 154 (October 2022)
- Average re-let time – 122 days (October 2022)

At September 2022 Housing Committee we reported the following:

- Empty Homes 170 (August 2022)
- Average re-let time 150 days (August 2022)

By way of additional context, the figures for May 2022 reported to Committee were:

- Empty homes 210
- Average re-let time 177 days

More generally, we are currently facing some challenges with contractor resource because one contractor has withdrawn from this lot, and we are in the process of putting a replacement contractor in place. We are also looking at potentially engaging an additional contractor for a fixed volume of work to help resolve this issue.

In the last quarter, Housing have also provided recycled furniture and white goods to 90 households moving into council tenancies and temporary accommodation.

Seniors Housing

I recently visited a number of our seniors housing schemes and am keen for officers to take forward a wider piece of work - which was interrupted by the pandemic – to identify how we make that offer more attractive. I note also that the report about Charles Kingston Gardens refers to Design South-East's recommendations for improvements in the council's own seniors housing stock against contemporary standards of good design.

Repairs Backlog

The current outstanding tasks sitting with Repairs and Maintenance is 10,378. This is an increase on the previously reported figure.

This increase is primarily due to seasonal change. For example, the Council received 317 roof repair requests in the first two weeks of November compared with 213 over the whole of October. Of the 317 reports Housing have already responded to 115 but this has added 202 jobs to the outstanding works list.

As with empty homes we also have a contractor capacity issue with building work which has significantly impacted our ability to reduce outstanding tasks.

Following authorisation in August to appoint additional workers we have successfully recruited 2 new plumbers and 2 carpenters to work on outstanding tasks and will be advertising for 2 multi trades in the next few weeks.

Planned works programme

Our planned works programmes have commenced, and we now have a full programme in place for the next five years.

Roofing

Roofing works are being undertaken to blocks and street properties, as part of this programme we increase or replace insulation to meet current regulations.

Windows

Our windows programme is addressing the replacement of windows that have reached the end of their life. New windows are replaced with energy saving glazing.

External and Internal Decorations

This programme is addressing external repairs required to concrete and brickwork in low rise blocks.

Solar PV

We have now identified all existing systems and have arranged to upgrade these, but more importantly to advise and educate residents in the correct use.

We are building on this programme and gaining information to install further Solar PV systems in 2023/24.

Air Source Heat Pumps

We have commenced a programme of replacing gas boilers and installing ASHP to properties without heating, in this financial year we have installed circa 150 ASHP's and have a programme for next financial year. When installing ASHP we also take the opportunity to improve other elements of the property for example replacement windows.

Warmer Homes Update – progress

- Timetable shared with Housing Committee in September is broadly on track.
- AECOM have provided the first draft of their final Programme Design report back to us for our review.
- Procurement (Rob Sullivan) and Housing (Miles Davidson) have identified a preferred framework for procurement of a Managing Agent.

We now have a dedicated Energy Project Manager in place to provide project management support for the procurement and mobilisation of the Brighton & Hove Warmer Homes Programme.

36 CALL OVER

36.1 Agenda items 40, 41, 42, 43, 44 and 45 were called for discussion.

37 PUBLIC INVOLVEMENT

(a) **Petitions:** There was one petition:

Anti-Social Behaviour on Craven Vale Estate

Anti-social behaviour on Craven Vale Estate: We the undersigned wish to inform Brighton & Hove city council that we have had enough of the anti-social behaviour currently plaguing the estate!

The situation has become unbearable, and we are now faced with a series of serious incidents that are having a direct impact on our lives and well-being. There are guns and knives on the estate, and it is simply a matter of time before one of the residents is caught in the cross fire resulting in someone being seriously injured. Residents have already fallen victim too being shot at while taking their dogs for a walk and there have been dead animals on the estate that are full of bullet holes.

This petition serves to advise Brighton & Hove city council of the following: Should anyone of the signatories below be injured in anyway, the council will be held directly responsible as it is currently failing to fulfill its "duty of care" as a landlord. The council is legally bound to protect the tenants of Craven vale and to ensure we are safe in and around our own homes. Failure to do so could result in a formal complaint being made

to the Housing Ombudsman and Local Government Ombudsman. Formal legal action could be taken resulting in the press being contacted.

As tenants we now demand the council take the following action as previously promised:

- With immediate effect, evict the culprits placing the rest of us in danger or harm's way.
- The Council fully commits as promised to not re-letting any property to drug dealers or anyone that will pose any threat or create any issues that currently plague the estate.
- Any new tenants are monitored and ANY issues that arise are dealt with swiftly.
- The council commits to appointing a point of contact that will take full ownership off issues and will work with the Craven Vale resident's association on a regular basis to address any issues.

Response: Housing Committee recognises the misery the impact anti-social behaviour can have on communities and individuals.

Reports of guns and knives being used is a police matter which needs an emergency response. Housing are aware that there was a reported incident involving a gun on Craven Vale. This resulted in an armed police response. However, reports of a gun being fired have not been substantiated by the police. Regardless, it is appreciated that this would have been very distressing and alarming for residents.

The council has taken action to evict people who have breached their tenancy/license agreement. Doing so has required us to follow the appropriate legal processes, which we have done in collaboration with other partners, such as the police. Before applying to court for possession of property or Closure Order evidence has to be gathered, this can take time, but will be needed in order for the court to consider the request.

The council has a 'sensitive lets' policy which has recently been used for new households moving on to the Craven Vale estate. This does not guarantee that new, or existing, residents will not engage in anti-social behaviour in the future.

It is unreasonable to 'monitor' all new tenants. All new residents on the estate have the right to a private life, in the same way as existing residents. However, new council tenants that haven't previously had a tenancy are granted a 12-month introductory tenancy status, Housing Officers undertake three visits during this period to monitor tenancy conditions. While we understand the impact ASB can have on individuals and communities, the council has acted swiftly and kept residents informed as far as we have been able to. In a recent case, the first incident was in August and a closure order was obtained by 31st October, more could not have been done to speed up this process, as evidence needed to be gathered for enforcement action to be effective. We cannot evict any tenant without due legal process, this would be an illegal eviction.

Victims of ASB are given a Single Point of Contact (SPOC) this is the lead officer, responsible for all actions on a case. The Revised ASB policy will be presented to Housing Committee in January. One of the recommendations of the review was to

create a strategy to deal with instances where there are multiple victims in a location. This proposal includes a named officer with responsibility for coordinating and maintaining a good level of communication with residents, other agencies and teams and ward Cllrs. Housing are confident that the creation and implementation of this strategy, combined with use of other powers such as use of Community Protection Notices will improve Housing Management's response and importantly outcomes for residents, in areas such as Craven Vale where we have seen multiple cases of ASB.

Debate

- 37.1 Councillor Williams considered as Ward Councillor there were a number of difficulties on the estate and the council needed to act quicker. The Assistant Director Housing Needs & Supply considered that three months was not slow, the rapid response strategy was ongoing and the council has moved as fast as possible.
- 37.2 Councillor Barnett admired the speaker and was informed by the Assistant Director Housing Needs & Supply that there were legal requirements to be undertaken before tenants could be removed when using closure orders. It was noted that if legal process was not followed it would not be possible to evict a tenant.
- 37.3 Councillor Meadows was concerned at the three month process and that it could take years to submit a closure order notice and noted that the private sector can evict. The Assistant Director Housing Needs & Supply noted that the legal process needed to be followed.
- 37.4 Councillor Allcock was informed by the Assistant Director Housing Needs & Supply that the process needs to be followed, and circumstances vary in each case.
- 37.5 Councillor Powell noted that a closure order takes time, and tenants should call 999 in he mean time, and there should be a zero tolerance approach to perpetrators.
- 37.6 The committee agreed to note the petition.

(b) Written Questions: There were two public questions for this meeting.

1. From Charles Harrison:

Availability of Housing Market Reports:

The Housing Market Reports, produced by the Council's housing strategy team, have proved very useful over previous years. However, these are no longer available via the usual link on the Council's website, stating "*Access denied - You are not authorized to access this page*". There appears to be no current housing market data available since 31 Dec 2019. With sky-rocketing costs, attributed to Brexit, Covid, Ukraine, etc., I feel that such data is becoming particularly important in strategic decision making. Would you please explain why up-to-date Housing Market Reports are not available and when these will be reinstated in the Public Domain?

- 37.7 Response: Thank you for your question.

In line with the latest accessibility legislation for public sector websites the council has changed how information is presented. This has meant reducing the use of PDF documents on our website with information presented on the webpage directly. This has created some delays with publishing this information due to the resource required to oversee this.

Annual reports will be available through the website and a request to publish the 2021/22 Housing Market report is with the Digital Content Design Team and should be resolved shortly. Our view as councillors is that this should be published.

In the meantime, the documents are also available on request in PDF format by contacting housing.strategy@brighton-hove.gov.uk You can also request to be added to the circulation list to receive reports directly once available.

37.8 Questioner's Comments: Glad some progress has been made but 3 years is a long time. Thanks to councillors for attending Brighton Homes Conference.

2. From Joe Walker:

- I currently live in temporary supported housing
- Brighton raised
- Work for the NHS as a social prescriber
- Looking for a room to rent in a shared house for last 3 months and sent 107 messages to request a viewing in that time, viewing 6. Landlords variously quoted 80-130 applications
- Some properties for short term rent as Air BnB in spring/summer

There is clearly a serious lack of available rooms for rental available to workers in the city. What has the administration done to address the issue and what research has been undertaken to assess the extent of the problem?

37.9 Response: Thank you for your question.

The private rented housing stock in Brighton & Hove is among the highest in the country. Of the 333 local authorities in England, Brighton and Hove has the 14th highest proportion of private rented accommodation. Those which are higher include some London Boroughs, Manchester and Birmingham.

Where households are homeless or at risk of homelessness, the council will provide assistance to help people access private rented accommodation. This assistance will vary depending on individual circumstances, but can include help in negotiating rents, providing deposits and rent-in-advance, and incentives to landlords/agents to provide longer-term tenancies. We are also developing a new scheme which can act as an alternative to a guarantor.

If you would like to provide your details, one of our Homelessness Prevention Officers will make contact to talk through the options available to you.

- 37.10 Supplementary Question: The city has a high level of private rental accommodation with hundreds not able to find a room. Please would the council commit to a report on the lack of accommodation to support workers.
- 37.11 Councillor Osborne noted that there had been reports on AirBnB in the city and City Plan Part Two covers the issues. It is difficult to influence existing stock, however through City Plan Part Two new stock can be.
- 37.12 Councillor Hugh-Jones stated they were very aware of the situation and the frustration felt. The question was asked to contact Assistant Director Housing Needs & Supply if they sought more information from the council.

3. From Jim Deans

So many reports coming out in the last few months making it crystal clear we need to build council homes and set them at Social or similar rents. Yet the current housing plan shows almost a nil by end 2023 due to estimated Right to Buy. Too much money spent on small projects when what is needed is a big brave approach.

Make no mistake Councillors if you cannot come up with a serious new housing estate size build then you are as guilty as the various governments that have led us to the Malnutrition, domestic abuse and violence, poverty and mental health crisis we see today.

Yet again I ask that we use one of the areas Like Patch Farm and set a target of 300 new homes in one build complete with services. Can you please get on with this.

Response: Thank you for your question. Brighton & Hove has delivered – and continues to deliver – one of the most ambitious programmes of new affordable housing in the country.

We are projecting 774 new affordable homes to be delivered by 31 March 2023, which would be 591 more than we delivered in 2021/22. Performance on new supply is reported quarterly to Housing Committee

This breaks down as:

Council rented	164
RP rented	208
RP shared ownership	402
Total	774

Rented makes up 48% and lower cost home ownership 52%

The Housing Committee Workplan, agreed in 2020, set a target of delivering 800 additional council homes, with another 700 affordable homes delivered through Registered Providers, over a 4-year period.

Currently 1,313 are on track to be completed by the end of this financial year. This is quite a remarkable achievement bearing in mind two years of this programme has been impacted by the COVID-19 pandemic.

Incidentally, in terms of delivering large numbers of homes on a single site, Coldean Lane is due to deliver 242 homes, with the first ready in the second quarter of next year. That same quarter will see completion of the first of a further 104 homes at the Belgrave Centre in Portslade.

- 37.13 Supplementary Question: Answer sounds great but is a Political statement and far from reality. 33 homeless deaths. Can we have a big housing estate not a few small ones.
- 37.14 Councillor Hugh-Jones stated two new sites have been created and the council are always looking for others. Available land was at a premium; however, the council were on track with 1,300 homes this year.

38 ITEMS REFERRED FROM COUNCIL

- 38.1 None for this meeting.

39 ISSUES RAISED BY MEMBERS

(a) Petitions

None for this agenda

(b) Written Questions

- 39.1 Member Questions:

1. From Councillor Meadows

Title: Craven Vale update

There have been many prominent reports in the local newspapers recently concerning the issues suffered by residents on the Craven Vale housing estate.

Could the Chair provide a latest update on the situation as it stands and provide a response to some of the criticisms that have been levelled at the council?

Response: Thank you for your question.

The Council understands it is very difficult for residents when a neighbour perpetrates ASB. Teams within the Council work together to respond swiftly and robustly to resolve the situation in conjunction with the police.

The initial report of an incident on Craven Vale relating to one property was in August 2022 and following good partnership work between Housing, police, Safer Communities Team and legal department, a course of action was agreed that would provide the speediest and most robust response. The resident was moved out on 31st October 2022, this was three months after the first report. Neighbours were kept informed as we were able to share information without breaching data protection and support was provided throughout this time.

While it can be very challenging when our tenants display behaviour that is of concern, we must follow legal processes. We cannot evict a tenant without following a robust legal process, and this will take time. We understand the impact of such behaviours on neighbours and will provide as much support as we can as a Housing Authority while we resolve the situation.

Members may be interested to know that a Combating Drugs Partnership has been set up and will be meeting on 13 December. The Conservative group member is Cllr Dee Simson and Sylvia Peckham, head of Temporary and Supported Accommodation is also due to attend these meetings.

Supplementary Question: Can committee Members see the results and actions from the 13 December meeting?

Councillor Hugh-Jones stated that a Conservative Member was at the meeting. The Assistant Director of Housing will inform the councillor if the meeting was confidential.

2. From Councillor Barnett:

Title: CCTV stock

Could the Chair provide statistics concerning how many CCTV cameras the Housing Department currently owns and monitors across the city's council housing estates and advise whether the Council has a policy for the roll-out and monitoring of these assets, particularly regarding antisocial behaviour?

Response: Thank you for your question.

The Housing Service currently has 416 CCTV cameras located over 64 HRA sites. The Council acts as data controller for the CCTV systems it operates for the purposes of maintaining preventing and detecting crime and for ensuring public safety.

The Council's use of CCTV accords with the requirements and the principles of various legislation including the General Data Protection Regulation.

All existing and proposed CCTV installations are subject to a Data Privacy Risk Assessment. Tenants can make a request to the Council for the installation of a home CCTV camera.

In 2021 the process of investing £367,000 to upgrade CCTV facilities was started. It consists of two parts: firstly, improving equipment, using better cameras and recorders. Of the 64 sites, 49 have new equipment and the other 15 will have by early in 2023.

The second part of the upgrade includes installation of advanced software. This will speed up the process of finding and downloading footage and enable remote access. This part of the upgrade will be completed on all sites by April 2024.

The improvements will help with the response to anti-social behaviour, including collaborative working with the police.

3. From Councillor Grimshaw

Are known problems such as rat infestations dealt with before properties are relet and if there are historic ongoing issues with infestations within the structure but not inside the property itself are new tenants notified before a property is accepted?

Response: Infestations are treated over a period of time we would not hold a void until treatment was completed. An incoming tenant would not be notified as a matter of course as the expectation is that the issue would be resolved within a short period of time.

Supplementary Question: If a person has made a successful bid and then finds the property to be in poor repair or has a historic and ongoing problem with rodent infestations can this property be turned down without consequences to future bidding?

Response: We encourage applicants to accept a property and then submit a review request. Each review request is assessed on its own merits. If the review is not upheld, this could have consequences for future bidding – but that's only if the review request is rejected.

4. From Councillor Barnett:

Unanswered questions

During previous Housing Committee meetings, the Chair or Officers have responded to several of my questions by promising that they would investigate and get back to me later with the information that I requested. I have still not received any responses, which is very frustrating. Could the Chair please review the minutes and ensure this information is provided?

Councillor Hugh-Jones requested that the councillor submitted details of which matters had not been answered.

Councillor Barnett agreed.

(c) Members Letters**Letter 1:****Councillor Barnett to Chair of Housing Committee**

Dear Cllr Gibson,

Member Letter (Procedure rule 23.3): Suggestion of a weekly 'catch up' call between the Housing Department and Police

I am writing this letter to put forward a suggestion to improve the communication between the Council and Sussex Police on housing matters.

When I call the Housing Department to talk about serious incidents of antisocial behaviour on the city's housing estates, I am often told that the Council is unaware of what is going on because 'they have had no notification from the Police'. This is very frustrating to hear as the residents expect the council to have their finger on the pulse.

If the Council is relying on reports from the Police, then we need to see a much better relationship and flow of information between the Housing Department and the Police force going forward, particularly if we are going to stop some of this antisocial behaviour and drug dealing on the council's housing estates that is going on.

Is there any way that the Council could arrange for a weekly catch-up meeting between the Housing Department and the Police so that the Council is aware of what is going on? This would help improve lines of communication between the Council and the Police and benefit tenants in the long run.

What do you think of this suggestion?

Response: Thank you for your suggestion. As you can see, I am not Cllr Gibson, but as co-chair of the Housing Committee, I'll respond to Cllr Barnett.

The Local Authority takes tackling antisocial behaviour and our joint work with the police on addressing this issue very seriously.

The Local Authority and Police facilitate a monthly Joint Action Group (JAG) to assess and initiate an action plan to address emerging community safety issues. The JAG looks at geographical locations as opposed to individuals. The JAG is attended by Housing, who raise concerns regarding crime and disorder on estates at the JAG when necessary to do so.

The Local Authority also facilitates a monthly Hate and ASB Risk Assessment Conference (HASBRAC) which discusses high risk and complex ASB and Hate Incident Cases. The meeting is chaired on a rota by either a BHCC Housing Manager, a Safer Communities Manager or a Police Inspector. Housing regularly refer cases to HASBRAC. The remit of the meetings is to ensure that there is a multi-agency action plan in place to address crime and disorder and reduce the harm to those persons impacted.

There is also the monthly Serious and Organised Crime (SOC) Cuckooing Group, jointly chaired by Safer Communities Team and Sussex Police. At this meeting, all current cuckooed properties are discussed to ensure that action is taken to disrupt the organised criminal activity and protect both the tenant and neighbours. Housing attend this meeting.

All neighbourhood Policing Teams are given an up-to-date list of BHCC general needs housing properties, BHCC Leasehold properties, Seaside Homes properties, BHCC Temporary Accommodation properties.

Neighbourhood Policing Teams notify the Local Authority if crime and disorder is reported to be taking place at a Council property or on an estate.

In light of the above, an additional meeting between housing services and the police is not required.

The committee agreed to note the letter.

(d) Notices of Motion

1) TITLE: Use of Council Powers on Housing Estates

This committee:

- 1) Notes that petitioners have urged the Housing Department to use its powers under the Anti-Social Behaviour Crime and Policing Act 2014 to issue criminal behaviour orders and closure notices; to help improve community safety on council housing estates;
- 2) Expresses concern that the council has indicated its current policy is to only use such orders to deal with issues in temporary housing, not full tenancies;
- 3) Recognises the misery caused to residents on some council estates from antisocial behaviour, which could be addressed by a change in this council policy;
- 4) Calls for a report outlining how the Anti-Social Behaviour Crime and Policing Act 2014 could be used to its full extent by the Housing Department to assist council housing estate tenants going forward.

Councillor Meadows introduced the Motion please. Councillor Hugh-Jones was then informed that Councillor Meadows accepted the Labour Group amendment. Councillor Barnett seconded the Motion please.

Councillor Williams introduced the Labour Group amendment. Councillor Grimshaw seconded the amendment.

Councillor Hugh-Jones as Chair responded to the motion:

- a. To respond to the Conservative motion, the Council regularly serve Closure Notices and then make the application to court for a Closure Order. The Council cannot issue Criminal Behaviour Orders, these are issued by the court. The Council can apply to the courts for Criminal Behaviour Orders but tends to use Civil Injunctions instead as the legal threshold is lower, therefore is an effective enforcement option in more cases.
- b. Under the current policy Housing Management do not use Community Protection Notices (CPNs). A CPN is a legal notice that can be issued against a persistent perpetrator of antisocial behaviour, failure to comply can lead to sanctions, such as a fixed penalty notice or other legal actions. Use of these will be included in the draft policy that will come to Housing Committee in January 2023.

- c. Housing Committee recognises the misery the impact anti-social behaviour can have on communities and individuals. The draft of the new ASB policy will be presented to Housing Committee in January 2023 and will include new ways of responding to ASB.
- d. This will be covered in the January report.

Debate

- 39.1 Councillor Gibson accepted the amendment as Green Group co-chair.
- 39.2 Councillor Allcock noted that the ward Councillors have worked with the Craven Vale community and council and Police resources are stretched. The Councillor invited Councillors Meadows and Barnett to sign a letter to the government to get more resources to tackle anti-social behaviour. The Councillor requested an update on the drugs summit.
- 39.3 Councillor Powell stated that the next combating drugs meeting was on the 13 December 2022 when an update would be provided. The conservative Members were invited to attend.
- 39.4 Councillor Meadows thanked the Councillor for the invite.
- 39.5 A vote was taken and the committee agreed unanimously the amendment to the Motion and the Motion as amended.

2) TITLE: Viability of the Housing Revenue Account

This committee:

- 1) Considers that the Housing Revenue Account should be used solely for the benefit of council tenants and leaseholders in the city;
- 2) Expresses concern that:
 - a. The Housing Revenue Account is increasingly being used by the council used to fund purposes unrelated to the benefit of the majority of tenants and leaseholders;
 - b. Tenants and leaseholders are no longer receiving value for money from their contributions following recent housing policies, including insourcing;
- 3) Calls for a report that assesses the medium-term sustainability and viability of the Housing Revenue Account, with respect to providing services for council tenants and leaseholders, in the context of the above issues.

Councillor Meadows introduced the Motion. Councillor Barnett seconded the motion.

Debate

- 39.6 Councillor Williams stated they were not comfortable with the argument and did not support the motion.
- 39.7 Councillor Gibson noted that new homes are not being subsidised and they considered the motion had no substance, evidence or merit. An additional report was not needed and they opposed the motion.
- 39.8 Councillor Hugh-Jones as Chair responded to the motion: As Agenda item 40, 2023/24 HRA Budget Engagement paper and annual budget papers, sets out, the HRA is a ring-fenced account which covers the management and maintenance of council-owned housing stock. This must be in balance, meaning that the authority must show in its financial planning that HRA income meets expenditure and that the HRA is consequently viable. Although the HRA is not subject to the same funding constraints as the General Fund, it is a ring-fenced account within the General Fund and still follows the principles of value for money and equally seeks to improve efficiency and achieve cost economies wherever possible. Benchmarking of both service quality and costs with comparator organizations is used to identify opportunities for better economy, efficiency and service delivery.

As part of the Housing Revenue Account (HRA) budget setting process consideration is given to those areas where charges are being incurred between the General Fund and HRA. This review ensures that the charge is still appropriate and that the charge is calculated in accordance with the level of service and benefit provided to tenants.

We are committed to ensuring tenants and leaseholders are engaged in the HRA budget setting process ahead of budget decision making.

A Housing Budget Update workshop was held at the tenant and leaseholder City-Wide Conference on 8th October (which sadly no Conservative members of Housing Committee attended). This included a presentation, which is appended to the report at Agenda item 40, giving an outline of the current HRA budget and an initial high-level view of: 2022/23 budget setting; budget pressures; service improvements; efficiencies and savings.

The report being considered at Committee this afternoon sets our proposed approach to engage with tenants and leaseholders in the budget setting process. The 2023/24 Budget paper will be presented at the January 2023 Housing committee which will outline the budget for the next financial year and provide a Medium-Term Financial strategy to demonstrate that the HRA remains viable.

- 39.9 A vote was taken, and by 7 to 2 the motion was not agreed. (Councillor Philips was not in the chamber for the vote).

40 2023/24 HRA BUDGET CONSULTATION

- 40.1 The Assistant Director Housing Management introduced the report to the committee.

Answers to Committee Member Questions

- 40.2 Councillor Williams was informed that the impact on the lower paid was understood and the council will support those who are struggling. The Principal Accountant stated that there was a rent policy review and a strict balance between residents and the council was needed. The Executive Director - Housing Neighbourhoods & Communities noted that the government were to release the Housing Revenue Account (HRA) budget soon and the council want to provide quality, pay staff and provide the right service.
- 40.3 The Chair noted that the government were capping grants and not passing funds onto local government.
- 40.4 Councillor Grimshaw was informed that the Principal Accountant would respond after the meeting on whether Social Housing Rents consultation applied to new homes and/or groups. The Assistant Director Housing Management noted that the rents would be at 'Living Wage' level and the council were focused on supporting the tenants and keeping the rents as low as possible. The rents are seen as a percentage of wages and 80% market rent was usual, making the council lower than private rentals.
- 40.5 Councillor Gibson noted that the two living wage rents, living and social, and local house allowance are all similar.
- 40.6 The Chair noted that the units in the Coldean and Portslade developments are at affordable rents.

Vote

- 40.7 A vote was taken, and the committee agreed the recommendations unanimously.

RESOLVED:

- 2.1 Housing Committee note the proposed Housing Revenue Account Budget engagement proposals.
- 2.2 Housing Committee note the council's response to the Government Social Housing Rent Cap consultation.

41 EASTERGATE ROAD FORMER GARAGE SITE REDEVELOPMENT

- 41.1 The Estate Regeneration Project Manager introduced the report to the committee.

Answers to Committee Member Questions

- 41.2 Councillor Williams was informed that the specialist project would use suitable local business were possible the contractors were required to provide local social value.
- 41.3 Councillor Meadows was informed that the rents would come to committee to be discussed.
- 41.4 The Chair stated they were excited with the project which is a modular build.

Vote

41.5 A vote was taken, and the committee agreed the recommendations unanimously.

RESOLVED:

2.1 That Housing Committee:

2.1.1 Approves the recommendation of the Procurement Advisory Board (PAB) on 17 October 2022 that the main contractor is procured by Direct Award from an appropriate public sector procurement Framework, or by restricted tender.

2.1.2 Delegates authority to the Executive Director for Housing, Neighbourhoods & Communities to take all steps necessary to procure and award contract(s) for design work to the end of RIBA Stage 4 (Technical Design), this to include construction works (commitment to progress works will be dependent on further budget approval) at the former garage site, Eastergate Road.

2.2 That Policy & Resources Committee:

2.2.1 Approves a budget for the former garage site at Eastergate Road of £293,000 to allow the completion of design work to the end of RIBA Stage 4 (technical design), and for site clearance works, financed by a mixture of HRA borrowing and Brownfield Land Release Fund (BLRF) grant.

42 CHARLES KINGSTON GARDENS LEASE ACQUISITION

42.1 The Assistant Director Housing Management introduced the report to the committee.

Answers to Committee Member Questions

42.2 Councillor Williams was informed that rents for the existing tenants would be lower, and the service charges would be higher.

42.3 Councillor Meadows was informed that with regarding to phasing in service charges these were the subject of a consultation and residents will be offered the full services and those requiring support will receive it. The council are consulting on a services scheme. Support will be given to tenants from day one, and if the consultation is successful the services will be utilised straight away.

42.4 Councillor Gibson considered the report to be positive, the phasing in of service charges to be a good idea and asked that the project be got on with quickly.

Vote

42.5 A vote was taken, and the committee agreed the recommendations unanimously.

RESOLVED:

- 2.1 Housing Committee recommends that Policy & Resources Committee delegate authority to Executive Director Housing, Neighbourhoods & Communities to accept a surrender of the long lease on Charles Kingston Gardens from Clarion Housing Association Limited to use as seniors housing, subject to all further enquiries to be carried out proving satisfactory.
- 2.2 That Housing Committee recommends to Policy & Resources Committee that the Council makes an offer of up to the agreed sum and approves a budget line to be included in the 2022/23 HRA Capital Programme detailed in the Part 2 report.

That Policy & Resources Committee:

- 2.3 That Policy & Resources Committee delegate authority to Executive Director Housing, Neighbourhoods & Communities to accept a surrender of the long lease on Charles Kingston Gardens from Clarion Housing Association Limited, to use as seniors housing subject to all further enquiries to be carried out proving satisfactory.
- 2.4 Approve that the Council makes an offer of up to the agreed sum and approves a budget line in the 2022/23 HRA Capital Programme detailed in the Part 2 report.

43 NEW HOMES FOR NEIGHBOURHOODS ROTHERFIELD CRESCENT - PROCUREMENT OF CONTRACTOR

- 43.1 The Estate Regeneration Project Manager introduced the report to the committee.

Answers to Committee Member Questions

- 43.2 Councillor Williams was informed that the council were using an existing framework for the project and the contractors have already gone through the procurement process and will be explored as first option.
- 43.3 Councillor Meadows was informed that both Frederick Street and Rotherfield Crescent were too small to go through the partnership exercise and the budget was intended to cover both sites. Costs have increased and therefore the scheme has changed from four to three units, been set away from the site boundaries, more energy efficient and better biodiversity.
- 43.4 The Chair considered the project would add to the supply of more family homes.
- 43.5 Councillor Gibson considered larger schemes were needed to deliver affordable homes.

Vote

- 43.6 A vote was taken, and the committee unanimously agreed the recommendations.

RESOLVED:

- 2.1 That Committee agrees the recommendation to Policy & Resources

Committee to approve the increase of £0.600m in the Design Competition budget allowance to deliver the Rotherfield Crescent scheme for three, three-bedroom homes based on the Pre-Tender Estimate £1.192m.

- 2.2 That Committee delegates authority to the Executive Director for Housing, Neighbourhoods and Communities to procure and award a contract for construction via an existing Framework (the preferred route) or other compliant route.

44 COMMUNITY HOUSING PILOT UPDATE

- 44.1 The Head of Strategy & Supply introduced the report to the committee.

Answers to Committee Member Questions

- 44.2 Councillor Williams was informed that the tenants will be from the council waiting list and be able to access the maximum housing allowance. It was noted that Bunker work very closely to the council way of working.

- 44.3 Councillor Meadows stated they did not support the report and was informed that the Bunker have looked at a variety of funding streams and this pilot scheme will be reviewed. It was noted that nominations for tenants will be robustly monitored. The Assistant Director Housing Needs & Supply noted that Bunker would not have a veto on nominations. It was also noted that Registered Providers have rights. The Head of Strategy & Supply stated they would respond to the councillor on whether the Registered Provider will own the properties out right.

- 44.4 Councillor Gibson considered the pilot to be a positive approach and requested that those on low incomes be targeted for tenancies.

Vote

- 44.5 A vote was taken, and by 7 to 2 the committee agreed the recommendations. (Councillors Barnett and Meadows voted against the recommendations. Councillor Hugh-Jones did not vote).

RESOLVED:

- 2.1 That Committee agrees in principle to loan £0.385m to Bunker Co-Operative to support the development of two new affordable homes at Dunster Close, Brighton.

45 HOUSING REPAIRS & MAINTENANCE, KITCHENS AND BATHROOMS

- 45.1 The Head of Housing Repairs & Maintenance introduced the report to the committee.

Answers to Committee Member Questions

- 45.2 Councillor Grimshaw was informed the existing targets will continue and help is being sort for the current contractor, and the kitchens installed are mid-range. It was noted that bathrooms are generally not standard and differ from property to property.
- 45.3 Councillor Allcock was informed that all works are checked, and snagging has occurred prior to handing over to the council, and very few are refused for quality reasons.
- 45.4 Councillor Williams was informed that the contracts run for 4 years with 3 additional years. The council are able to pull out after 4 years, giving 3 years to find a new contractor. It was noted that a lot of quality checking takes place and works would be reduced if a contractor were not providing good quality.
- 45.5 Councillor Meadows was informed that the works have been to the Procurement Advisory Board (PAB).
- 45.6 Councillor Osborne, chair of PAB, invited the Conservative councillors to attend PAB and stated that they were vigorous in their decision making.

Vote

- 45.7 A vote was taken, and by 8 to 2 the committee agreed the recommendations. (Councillors Meadows and Barnett voted against the recommendations).

RESOLVED:

- 2.1 That Housing Committee delegate authority to the Executive Director, Housing Neighbourhoods & Communities to procure and award a contract for up to two providers of works to deliver kitchens and bathrooms in council housing.

46 ITEMS REFERRED FOR FULL COUNCIL

- 46.1 There were no items referred to full council.

47 PART TWO PROCEEDINGS

48 CHARLES KINGSTON GARDENS, LEASE ACQUISITION - PART TWO

- 48.1 The Charles Kingston Gardens, Lease Acquisition Confidential appendix was not discussed at the meeting and the press and public were not required to leave the meeting.

The meeting concluded at 7.05pm

Signed

Chair

Dated this

day of

Brighton & Hove City Council

Housing Committee

Agenda Item 56

Subject: Operational Review of Allocations Plan & Review of the Allocations Policy.

Date of meeting: 18 January 2023

Report of: Executive Director for Housing, Neighbourhoods and Communities

Contact Officer: Aaron Burns, Interim Head of Homelessness & Housing Options
Tel: 01273 294163
Email: aaron.burns@brighton-hove.gov.uk

Ward(s) affected: All

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To provide Housing Committee with an update on allocations to social housing, since the *Review of Allocations Plan 2020* was reported on 18 November 2020.
- 1.2 To review the existing Allocations Plan, taking into account the impact on the different 'queues' within the housing register.
- 1.3 To seek authority to commence a review of the current Allocations Policy.

2. RECOMMENDATIONS

That Housing Committee:

- 2.1 Note the letting outcomes for the financial years 2020/21 and 2021/22 and the first six months of the current financial year 2022.
- 2.2 Agree Option 2 as a new Allocations Plan as set out at 4.6 below, to be effective from 1 April 2023.
- 2.3 Agree to commence consultation on reviewing the Allocations Policy, noting the broad timelines that would apply

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Local authorities can only legally let social housing under Part VI of the Housing Act 1996 (as amended). It is a requirement of the legislation to maintain a housing register, and that lettings from this register are aligned with a published policy (Allocations Policy), approved by members.
- 3.2 The current policy was agreed in 2016. Minor amendments were made in 2018, following the introduction of the Homelessness Reduction Act 2017. However, because of the scale of these changes, statutory consultation was not required.
- 3.3 The Allocations Policy of 2016 introduced an Allocations Plan. The Allocations Policy created four ‘queues’, the Allocations Plan prioritises lettings to each queue by specifying a percentage of properties advertised. The 2016 Allocations Plan is set out in table 1 (below).

Group/Queue	Proportion of properties advertised
Homeless	40%
Transfers	30%
Homeseekers	20%
Council Interest Queue	10%

Table 1: Percentage of lets aligned with Allocations Plan

Allocations Plan

- 3.4 In a report to Housing Committee on 16 September 2020, entitled *Homelessness and Rough Sleeping Strategy: Next Steps Following COVID-19* a recommendation was agreed to temporarily adjust the Allocations Plan in response to the pandemic. The following proportions in table 2 (below) were approved.

A subsequent report to Housing Committee *Review of Allocation Plan 2020*, on 18 November 2020, noted this as being the current position, with the intention to revisit this as part of the regular review of the Allocations Plan.

Group/Queue	Proportion of properties advertised
Homeless	80%
Transfers	5%
Homeseekers	5%
CIQ	10%

Table 2: Percentage of lets aligned with Allocations Plan from Sept20

- 3.5 As of 30 November 2022, there were 4,632 households on the housing register. Table 3 provides a breakdown of each of the groups. For the purposes of understanding the broad equality impact, the proportion of households identifying as BME or with a disabled member of the household, are also provided.

Group/Queue	Total	%age BME	%age Disabled
Homeless	1,358 (29.3%)	11.9%	12.9%
Transfers	1,124 (24.3%)	8.2%	62.1%
Homeseekers	2,022 (43.7%)	10.4%	21.3%
CIQ	85 (1.8%)	14.0%	2.7%

Table 3: Breakdown of current households on the housing register (Nov22)

3.6 The proportion of lets to each group since the Allocations Policy was approved is provided in table 4. This demonstrates that, although the Allocations Plan was revised to advertise 80% of new lets to households in the Homeless Group, on average lets to this group was 46% (over 5½ years), increasing to a maximum of 61% for April 2022-September 2022.

Group	YEAR						Total No.	%age
	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	Apr22-Sept22		
Homeless	306 (42%)	285 (40%)	230 (41%)	179 (47%)	315 (51%)	252 (61%)	1,567	46%
Transfers	190 (26%)	168 (24%)	138 (25%)	78 (21%)	100 (15%)	63 (15%)	737	21.5%
Homeseekers	209 (28%)	177 (25%)	126 (22%)	64 (17%)	136 (22%)	75 (18%)	787	23%
CIQ	30 (4%)	72 (10%)	75 (13%)	55 (15%)	69 (11%)	26 (6%)	327	9.5%
TOTAL	735	702	569	376	620	416	3,418	100%

Table 4: Breakdown of lets 2017/18 to Apr22/Sept22

3.7 The Covid 19 pandemic affected the number of lets available, predominantly due to reduced access to properties available for re-letting. Through this period 80% of voids were advertised to homeless households. Despite this higher proportion the 80% target was not met, as some properties would not receive high numbers of bids from this group and subsequently they would be let to other categories.

The allocations plan assists with targeting the allocation of properties towards the different queues on the register but the process is based on bidding so targets for proportions of lets to each group cannot be met if qualifying bids received for properties advertised do not coincide with those targets. More recently there has been an increase in bids from those from the homeless queue as officers have worked to contact households in TA to encourage them to bid.

During this period, there has been a reduction in the number of households in emergency accommodation, which in part may be attributed to more properties being advertised to this group (table 5).

	Mar20	Sept20	Mar21	Sept21	Mar22	Sept22
Households in EA	540	761	785	766	634	524

Table 5: Tot. nos. in emergency accommodation at month end

3.8 A review of an Allocations Policy is a statutory process. It requires formal consultation with households already on the housing register, as well as social housing providers letting through the register. It will require approval from Housing Committee at various stages, and implementing a new policy will require changes to IT systems, so that it reflects what the new policy intends to deliver. For these reasons, such a review will tend to take

between 18-24 months to develop and fully implement. A breakdown of the broad milestones required to implement an Allocations Policy is set out in Appendix 2.

- 3.9 Government Code of Guidance for Allocations recommends an existing Allocations Policy should be kept under review. Good practice is to review an Allocations Policy every 5-6 years. The current policy was agreed in 2016 and is due for review. Furthermore, since implementing the previous policy, the biggest change in homelessness legislation for over 40 years has been implemented, through the Homelessness Reduction Act 2017.
- 3.10 Any review of the Allocations Policy should take into consideration opportunities within this Act, such as supporting households whose homelessness is prevented or relieved, or where a ‘main duty’ is discharged, and subsequently provide alternatives for temporary accommodation.
- 3.11 General Principles: Households in Temporary/Emergency Accommodation
Having a high proportion of lets advertised to the Homeless household group will increase the number of lets offered to people in temporary accommodation. This will potentially reduce the number of households in temporary accommodation (see 3.7).

However, there is a risk that reducing the number of lets offered to other groups restricts their access to social housing through the housing register. They may therefore be more inclined to make a homeless application, rather than remain where they live.

Typically, this will have a greater impact on households in the Homeseekers group. Households in this category will still require a ‘housing need’ to qualify for the register, such as being overcrowded or living in a home unsuitable for their needs. They may prefer to remain in that situation, rather than be in temporary accommodation, if they believe they will continue to have opportunities to successfully bid on the register. This group makes up the largest proportion of households on the register (43.7%).

Furthermore, there are other means available to reduce the number of households in temporary accommodation. The Homelessness Reduction Act 2017 for the first time introduced a Duty to Prevent Homelessness. This largely achieved by helping households access alternative accommodation, such as through the private rented sector.

Table 6 shows that since the implementing a target of a higher proportion of lets to the Homeless group, there has been a reduction in households in temporary accommodation.

	Red (-) / Growth (+) in TA	Red (-) / Growth (+) in EA	Lets to Homeless group
Sept20- Mar21	+22	+24	82
Apr21-Mar22	-248	-151	315
Apr22-Sept22	-85	-110	252

Table 6: Lets compared to reduction/growth in EA/TA

3.12 General Principles: Transfers create new lets

If a property is let to a household from the Homeless, Homeseeker or CIQ group, then this is a single 'transaction'. In other words, there is one household moving into one property. However, households moving from the Transfer group will create a subsequent void in the property they move from. Therefore, this involves multiple transactions. Furthermore, households from the Transfer group may well be looking to move to a smaller property, which in turn creates a void in a larger home, which will tend to be much rarer within our housing stock. Therefore, it may not be advantageous to significantly reduce the number of lets being advertised to this group.

3.13 General Principles: Equalities Impacts

Categories in the housing register may include varying numbers and proportions of people from identified equalities groups. Increasing or decreasing the proportion of lets to one category will therefore have an impact on other groups. . For example, there is a higher proportion of BME households in the Homeless group (11.9%) than in the Homeseekers group (10.4%). Increasing the proportion of lets to the Homeless group will therefore have a marginally positive impact on BME households.

However, some differences are far larger. There is a higher proportion of households with a disability in the Transfer group (62.1%) compared with those from the Homeless group (12.9%). There is also a higher proportion of disabled households in the Homeseeker group (21.3%) than the Homeless group (12.9%). Therefore, increasing the proportion of lets to the Homeless group will disproportionately affect disabled households. However, this is mitigated by the fact that properties which are already adapted will only be offered to disabled households, irrespective of their Register category. Please note a more detailed Equality Impact Assessment is provided in Appendix 3.

3.14 General Principles: Incentivising homelessness prevention

Good practice, in terms of Allocations Policies reviewed post the Homelessness Reduction Act 2017, whereby households are 'incentivised' by engaging in homelessness prevention options, can be drawn from London Borough of Camden, London Borough of Lambeth and City of Leeds. These have resulted in a decrease in the number of households in temporary accommodation.

However, these 'benefits' (in terms of reducing household numbers in TA), will only be realised through a review of the Allocations Policy (see 3.8), and not through the Allocations Plan.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 Officers have taken the principles and issues outlined above to develop three different Options for the Allocations Plan. The Option agreed would be implemented from 1 February 2023 and then reviewed again as part of the process of reviewing the Allocations Policy.

4.2 Option 1

Group	Proportion of lets advertised
Homeless	40%
Transfers	30%
Homeseekers	20%
CIQ	10%

Pros:

- In line with the 2016 baseline Allocations Plan
- Maintains a good proportion of lets to Transfers
- Provides reasonable opportunities to Homeseekers

Cons:

- Reduces ability to let to households in temporary accommodation
- Potential increase in households in temporary accommodation

Option 1: Not recommended

4.3 Option 2

Group	Proportion of lets advertised
Homeless	50%
Transfers	30%
Homeseekers	10%
CIQ	10%

Pros:

- Only 10% increase (Homeless) and 10% decrease (Homeseekers) from the baseline Allocations Plan
- Maintains a good proportion of lets to Transfers
- Increases opportunity to advertise lets to households in temporary accommodation
- Increases potential to reduce number of households in temporary accommodation

Cons:

- Reduces opportunities to Homeseeker households

Option 2: Recommended

4.7 Option 3

Group	Proportion of lets advertised
Homeless	60%
Transfers	20%
Homeseekers	10%
CIQ	10%

Pros:

- Maintains increased lets to households in temporary accommodation

Cons:

- More than 10% variation from baseline Allocations Plan (for Homeless group)
- Reduces opportunity for Transfer group, which in turn reduces opportunity for 'churn'.
- Reduces opportunities to Homeseeker households

Option 3: Not recommended

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The Council is required to consult with Registered Social Landlords in accordance with the Housing Act 1996 as amended, on any major changes to the Allocations Policy. Changes to the Allocations Plan are not considered to constitute a major change and therefore no community engagement or consultation has been carried out.
- 5.2 Should members give permission to carry out a full review of the Allocations Policy this will be subject to a community engagement and consultation plan including listening to interested parties across the city, developing a new Allocations Policy and then consulting with applicants for social housing, social tenants, residents, Social Landlords and other stakeholders.

6. CONCLUSION

- 6.1 Increasing the number of properties advertised to homeless households since September 2020 has contributed to a reduction in the number of households in temporary accommodation. Other practice, such as an increased focus on prevention activities has also played a part in reducing these numbers.
- 6.2 Although the proportion of properties advertised to homeless households has been 80%, this has not been reflected in the number of properties offered to these households, which has been 61% from April 2022 to September 2022.
- 6.3 The recommended option (Option 2) strikes a balance between continuing to focus on reducing the number of households in temporary accommodation, with ensuring there are sufficient properties advertised as transfers, which in the process generates 'churn'.
- 6.4 The wider 'benefits' of reducing the number of households in temporary accommodation will not be achieved until there is a wider review of the Allocations Policy. The Allocations Policy is due for review and as such this should commence at the soonest opportunity.

7. Financial & other Implications:

- 7.1.1 The recommended changes to the allocations plan would mean that 50% of voids would be allocated to homeless households. Table 4 in the report shows that so far for 2022/23, the council has allocated 61% of voids to homeless households.

- 7.1.2 Allocating social housing to homeless households reduces the need for expensive temporary accommodation. The data in table 4 shows that on average, there were 657 lets per year (excluding data for 2020/21 which was exceptionally low due to the pandemic). Therefore, reducing the %age of homes allocated to the homeless queue by 11% would reduce the numbers directly allocated by an estimated 72 per year. However, the recommended changes to the allocation plan suggests that 30% of voids are allocated to those awaiting transfers. Any voids allocated to transfers, effectively results in releasing more voids (the properties vacated by those transferring to other social homes). This is described in paragraph 3.12. Given that during 2022/23 so far 15% have been allocated to this queue, this increases the number of voids overall and should mean that the impact on the number of properties allocated to the homeless queue is minimal as it will be 50% of a higher number.
- 7.1.3 For example, if there are 657 lets in a year and 15% extra are allocated to transfers, ie 99, this releases 99 further voids (properties vacated by those transferring) of which 50% i.e 49 can be allocated to the homeless queue and a further 30% (29) will be allocated to the transfers queue. A further 29 voids will be created by those in the transfer queue vacating their properties and of these, a further 50% (15) can be allocated to the homeless queue. Of the 29 new voids created, 30% will be allocated to transfers...etc etc. So, due to this 'recycling effect' there should be very little overall effect on the number of vacant properties being let to homeless households, due to the higher number of empty properties being made available.
- 7.1.4 However, there is a risk that more resources will be needed to meet this extra demand on the lettings/allocations teams as a result of extra voids being created. If so, any extra costs will need to be met from within existing budgets. The lower allocation of social housing to homeless households may also act as an incentive to households requesting assistance with homeless prevention as described in paragraph 3.14 of the report, which may reduce homelessness and the need for council temporary accommodation although this is not quantifiable at this stage.
- 7.1.5 Any costs of consultation associated with a review of the allocations policy will need to be met through existing 2023/24 budgets.

Finance Officer Consulted: Monica Brooks

Date: 09-01-23

7.2 **Legal Implications:**

- 7.2.1 With regards to recommendation 2.2 this is not a review of the policy and therefore does not require consultation. It is within the committee's powers to review and agree minor variations to the allocation plan. It is good practice to keep an Allocation Policy under review. Guidance suggests that Allocation Policy reviews should take place every 5 or 6 years. For fully understandable reasons no substantive review has taken place since 2016. It is therefore appropriate for the committee to support a whole policy review..

Legal Officer Consulted: Liz Woodley

Date: 04/01/2023

7.3 Equalities Implications

7.3.1 The Council has carried out an Equalities impact assessment. This assessment was a desktop exercise on the current live Housing Register

7.4 Sustainability Implications:

7.4.1 None

7.5 Any other Significant Implications:

7.5.1 None

Appendices:

Appendix 1: Data analysis of the Allocations Plan (Sept 2020 – Sept 2022)

Appendix 2: Milestones of New Allocation Policy

Appendix 3: Equalities Impact Assessment

Appendix 1: Data Analysis of the Allocations Plan (Sept 2020 – Sept 2022)

REVIEW OF ALLOCATION PLAN 2020 – 2022

Group	2017-18	2018-19	2019-20	2020-21	2021-22	2022-April to September	Total	Overall percentage across all years
Homeless	306 (42%)	285 (40%)	230 (40.5%)	179 (47%)	315 (51%)	252 (60.57%)	1,567	45.0%
Transfers	190 (26%)	168 (24%)	138 (24.5)	78 (21%)	100 (15%)	63 (15.14%)	737	21.5%
Homeseekers	209 (28%)	177 (25%)	126 (22%)	64 (17%)	136 (22%)	75 (17.78%)	787	23.%
Council's Interest	30 (4%)	72 (10%)	75 (13%)	55 (15%)	69 (11%)	26 (6.2%)	327	9.5%
Total	735	702	569	376	620	416	3418	

Table 1

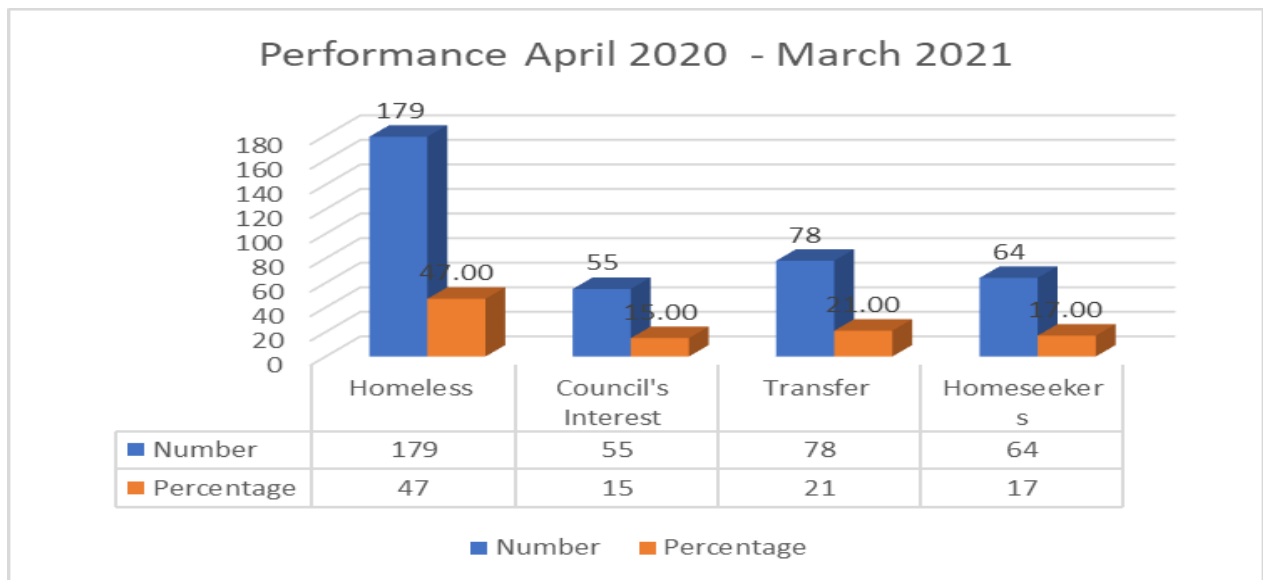


Table 2

Performance April 2021 - March 2022

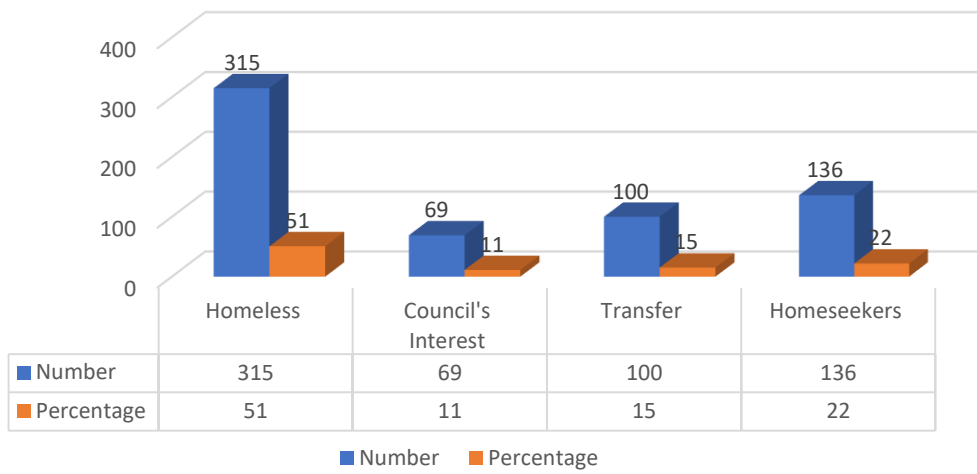


Table 3

Performance April 2022 - September 2022

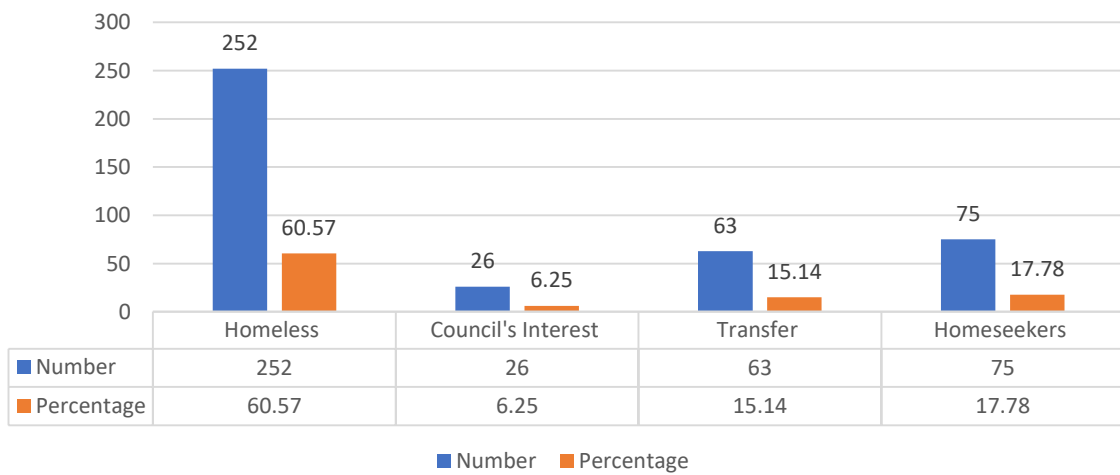
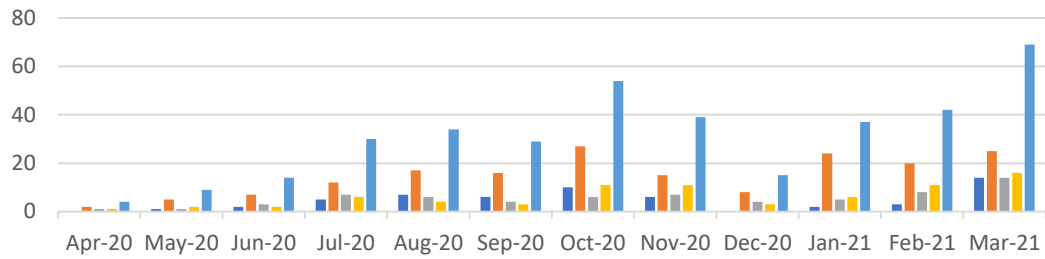


Table 4

Monthly number of lets by Allocations Queue 2020-21

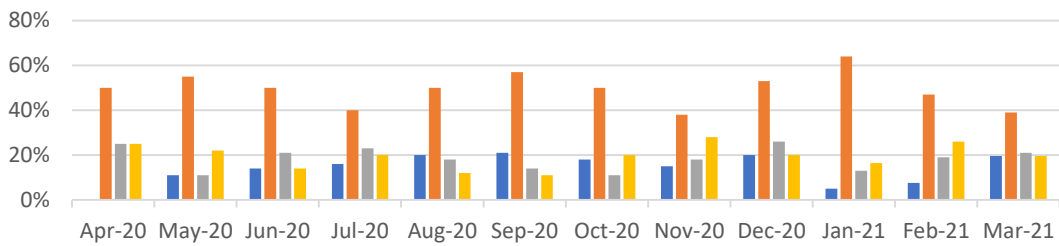


	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21
■ CIQ	0	1	2	5	7	6	10	6	0	2	3	14
■ Homeless	2	5	7	12	17	16	27	15	8	24	20	25
■ Homeseeker	1	1	3	7	6	4	6	7	4	5	8	14
■ Transfer	1	2	2	6	4	3	11	11	3	6	11	16
■ Total	4	9	14	30	34	29	54	39	15	37	42	69

■ CIQ ■ Homeless ■ Homeseeker ■ Transfer ■ Total

Table 5

Percentage Lets Monthly by Allocations Queue 2020-21

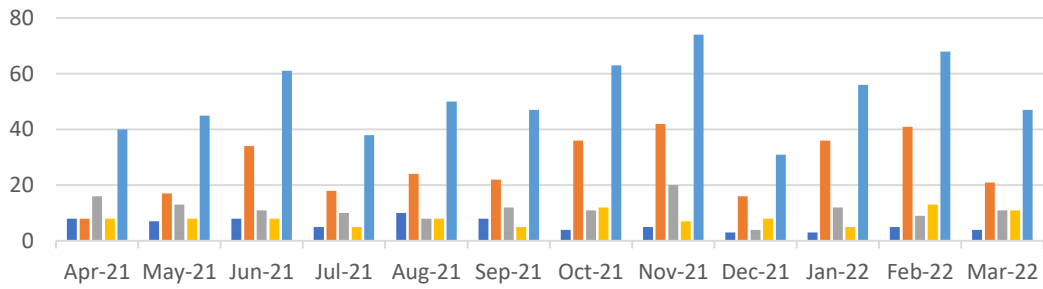


	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21
■ CIQ	0%	11%	14%	16%	20%	21%	18%	15%	20%	5%	7.60%	19.60%
■ Homeless	50%	55%	50%	40%	50%	57%	50%	38%	53%	64%	47%	39%
■ Homeseeker	25%	11%	21%	23%	18%	14%	11%	18%	26%	13%	19%	21%
■ Transfer	25%	22%	14%	20%	12%	11%	20%	28%	20%	17%	26%	20%

■ CIQ ■ Homeless ■ Homeseeker ■ Transfer

Table 6

Monthly number of lets by Allocations Queue 2021 - 22

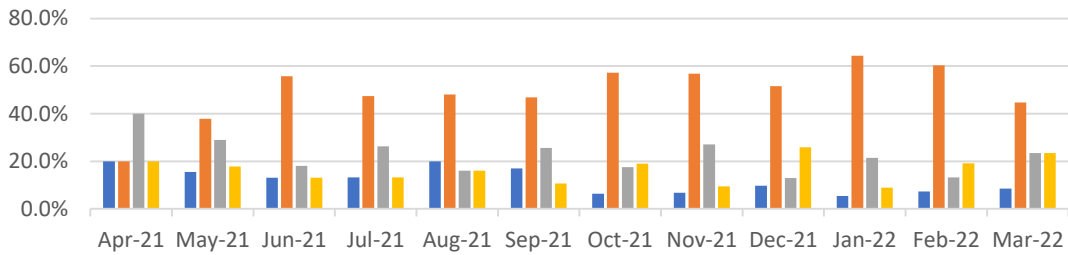


	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
■ CIQ	8	7	8	5	10	8	4	5	3	3	5	4
■ Homeless	8	17	34	18	24	22	36	42	16	36	41	21
■ Homeseeker	16	13	11	10	8	12	11	20	4	12	9	11
■ Transfer	8	8	8	5	8	5	12	7	8	5	13	11
■ Total	40	45	61	38	50	47	63	74	31	56	68	47

■ CIQ ■ Homeless ■ Homeseeker ■ Transfer ■ Total

Table 7

Percentage Lets monthly by Allocations Queue 2021-22

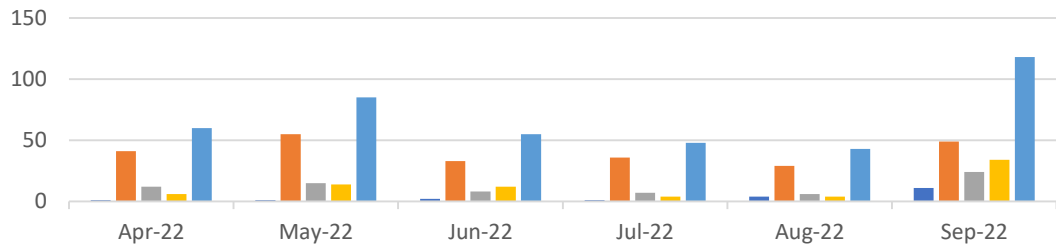


	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
■ CIQ	20.0%	15.6%	13.1%	13.2%	20.0%	17.0%	6.3%	6.8%	9.7%	5.4%	7.4%	8.5%
■ Homeless	20.0%	37.8%	55.7%	47.4%	48.0%	46.8%	57.1%	56.8%	51.6%	64.3%	60.3%	44.7%
■ Homeseekers	40.0%	28.9%	18.0%	26.3%	16.0%	25.5%	17.5%	27.0%	12.9%	21.4%	13.2%	23.4%
■ Transfers	20.0%	17.8%	13.1%	13.2%	16.0%	10.6%	19.0%	9.5%	25.8%	8.9%	19.1%	23.4%

■ CIQ ■ Homeless ■ Homeseekers ■ Transfers

Table 8

Lets by Allocations Plan Queues April - September 2022



	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
■ CIQ	1	1	2	1	4	11
■ Homeless	41	55	33	36	29	49
■ Homeseeker	12	15	8	7	6	24
■ Transfer	6	14	12	4	4	34
■ Total	60	85	55	48	43	118

■ CIQ ■ Homeless ■ Homeseeker ■ Transfer ■ Total

Table 9

Appendix 2: Milestones of New Allocation Policy¹

Action	Timescale
Project initiation Document	2-3 weeks
Analysis of existing households on the housing register	2-4 weeks
Arrangements for community engagement on existing policy	2-4 weeks
Community engagement on existing policy	4-6 weeks
Analysis of feedback from community engagement	4-6 weeks
Development of proposals for the purposes of consultation	2-4 weeks
Initial workshop with members to determine the options that will be considered during consultation	2-4 weeks (to enable preferred options to be agreed)
Report to Housing Committee on options appraisal for consultation	4-6 weeks (depending upon Housing Committee cycle)
Proposals incorporated into consultation document – Draft Allocations Policy	8-10 weeks
Set up consultation portal	2-4 weeks
Statutory Consultation (Start to Finish) <ul style="list-style-type: none"> • On-line survey • Community Events • Engagement with social housing providers 	12 weeks
Consultation responses analysed and considered	4-6 weeks
Equalities Impact Assessments	6-8 weeks
Report recommending changes drafted for Housing Committee	4-6 weeks (depending upon Housing Committee cycle)
Housing Committee agreeing proposed recommendations	-
Recommendations incorporated into new Allocations Policy	4-6 weeks
Attend Political Groups to advise on new policy	6-8 weeks
Changes to the I.T platform if required	12-16 weeks
Review of current cases on the Housing Register (eg changes to banding, qualification, etc)	12-16 weeks
New Allocations Policy goes live	-

¹ Broad timescales are given setting out the estimated time required. Where this coincides with an election period (eg May 2023) additional consideration will be needed with regard to any restrictions relating to Purdah

Equality Impact and Outcome Assessment (EIA) Template - 2019

Appendix 3: Equality Impact Assessment: Allocations Plan

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users¹. They analyse how all our work as a council might impact differently on different groups². They help us make good decisions and evidence how we have reached these decisions³.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age¹³) or use the hyperlinks ('Ctrl' key and left click).

For further support or advice please contact:

- **BHCC: Communities, Equality and Third Sector Team on ext 2301**
- **CCG: Engagement and Equalities team (Jane Lodge/Debbie Ludlam)**

1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed⁴.

Title of EIA⁵	Allocations Plan (part of the Allocations Policy).	ID No.⁶	
Team/Department⁷	Housing Needs/ Neighbourhoods Communities & Housing		

Focus of EIA⁸

The focus of this EIA is on the Allocations Plan that is found in the Allocations Policy that governs the way that Social Housing is allocated to those households on the Housing Register. There has not been a previous EIA on this specific element of the Allocation Policy. The EIA will cover the period April 2020 to September 2022.

There is some new data available from the Office of National Statistics now available and we know that the population has increased in the City from 273,400 to 277,200 or 1.4% increase. This increase is below the England average of 6.6 and the South East of 7.5. Not all of the 2021 census data is currently available.

2. Update on previous EIA and outcomes of previous actions⁹

What actions did you plan last time? (List them from the previous EIA)	What improved as a result? What outcomes have these actions achieved?	What <u>further</u> actions do you need to take? (add these to the Action plan below)

3. Review of information, equality analysis and potential actions

Groups to assess	What do you know ¹⁰ ? Summary of data about your service-users and/or staff	What do people tell you ¹¹ ? Summary of service-user and/or staff feedback	What does this mean ¹² ? Impacts identified from data and feedback (actual and potential)	What can you do ¹³ ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination and • foster good relations
Age ¹⁴	<p><i>From the most recent census data we know that there has been an increase in the over 65-year-old in the city. The increase was 9.5%</i></p> <p><i>From the same data we also know that the number of 16–64-year-olds grew by 1.7</i></p> <p><i>From the same data we know that children under the age of 15 fell by 6.8</i></p>			
Age	<p><i>We know that we have services for older people as there are age restriction policies on some properties for those over 55.</i></p>		<p><i>We can expect there to be a lower number of older people both on the register and in each Queue. The continued use of Sheltered and Seniors Housing, which always returns to the council as there is no right to buy in this stock.</i></p>	

Groups to assess	<p>What do you know¹⁰? Summary of data about your service-users and/or staff</p>	<p>What do people tell you¹¹? Summary of service-user and/or staff feedback</p>	<p>What does this mean¹²? Impacts identified from data and feedback (actual and potential)</p>	<p>What can you do¹³? All potential actions to:</p> <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination and • foster good relations 																		
	<p><i>The Council provides a Youth Homeless service to assist young people into accommodation. This service is for the under 26-year-olds. There are less Housing Options for the cohort, but they are more likely to live in HMO's or the Private Rented Sector.</i></p> <p><i>We know that there are large number of young people in the city but a large proportion of these will be accommodated in Student accommodation attached to the Universities.</i></p>																					
	<p style="text-align: center;">Age of applicants on Housing Register</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Age Group</th> <th>Number of Applicants</th> </tr> </thead> <tbody> <tr> <td>80+</td> <td>91</td> </tr> <tr> <td>70 - 79</td> <td>213</td> </tr> <tr> <td>60 - 69</td> <td>385</td> </tr> <tr> <td>55 - 59</td> <td>321</td> </tr> <tr> <td>45 - 54</td> <td>837</td> </tr> <tr> <td>35 - 44</td> <td>1428</td> </tr> <tr> <td>25 - 34</td> <td>1184</td> </tr> <tr> <td>17 - 24</td> <td>223</td> </tr> </tbody> </table>	Age Group	Number of Applicants	80+	91	70 - 79	213	60 - 69	385	55 - 59	321	45 - 54	837	35 - 44	1428	25 - 34	1184	17 - 24	223		<p><i>There is nothing within the data of those on the Housing Register that would cause concern. We know that there are only small numbers in the CIQ and this has a number of Care leavers where the Council is the corporate</i></p>	<p><i>I would recommend that when a full EIA on the Allocations Policy is carried out that analysis is carried out by band reason for age to confirm this analysis.</i></p>
Age Group	Number of Applicants																					
80+	91																					
70 - 79	213																					
60 - 69	385																					
55 - 59	321																					
45 - 54	837																					
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			<p><i>parent. We also know that the age group 25 to 54 is likely to contain a large number of families in the cohort.</i></p>																																																							
	<p style="text-align: center;">Age of Applicants in each queue</p> <table border="1" data-bbox="407 1145 1294 1378"> <thead> <tr> <th></th> <th>80+</th> <th>70+</th> <th>60+</th> <th>55+</th> <th>45+</th> <th>35+</th> <th>25+</th> <th>17+</th> </tr> </thead> <tbody> <tr> <td>■ CIQ</td> <td>2</td> <td>5</td> <td>5</td> <td>6</td> <td>12</td> <td>14</td> <td>10</td> <td>31</td> </tr> <tr> <td>■ Homeless</td> <td>9</td> <td>32</td> <td>72</td> <td>87</td> <td>265</td> <td>439</td> <td>391</td> <td>93</td> </tr> <tr> <td>■ Homeseeker</td> <td>37</td> <td>79</td> <td>160</td> <td>126</td> <td>332</td> <td>619</td> <td>589</td> <td>80</td> </tr> <tr> <td>■ Transfer</td> <td>41</td> <td>83</td> <td>142</td> <td>95</td> <td>225</td> <td>342</td> <td>181</td> <td>16</td> </tr> <tr> <td>■ No Data</td> <td>2</td> <td>1</td> <td>4</td> <td>6</td> <td>2</td> <td>14</td> <td>12</td> <td>2</td> </tr> </tbody> </table>		80+	70+	60+	55+	45+	35+	25+	17+	■ CIQ	2	5	5	6	12	14	10	31	■ Homeless	9	32	72	87	265	439	391	93	■ Homeseeker	37	79	160	126	332	619	589	80	■ Transfer	41	83	142	95	225	342	181	16	■ No Data	2	1	4	6	2	14	12	2			
	80+	70+	60+	55+	45+	35+	25+	17+																																																		
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Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination and • foster good relations
Disability¹⁵				
Gender reassignment¹⁶				
Pregnancy and maternity¹⁷	Pregnancy and having children are two of the criterion for a priority need for homeless household. T			

Groups to assess

What do you know¹⁰?
Summary of data about your service-users and/or staff

What do people tell you¹¹?
Summary of service-user and/or staff feedback

What does this mean¹²?
Impacts identified from data and feedback (actual and potential)

What can you do¹³?
All potential actions to:

- advance equality of opportunity,
- eliminate discrimination and
- foster good relations

Race/ethnicity¹⁸
Including migrants, refugees and asylum seekers



There are only 85 cases currently in the Council's Interest Queue. These are nominations from Social Care, both adults and children's service to help meet Statutory Duties such as young people leaving care or those that require extra care accommodation

Groups to assess

What do you know¹⁰?
Summary of data about your service-users and/or staff

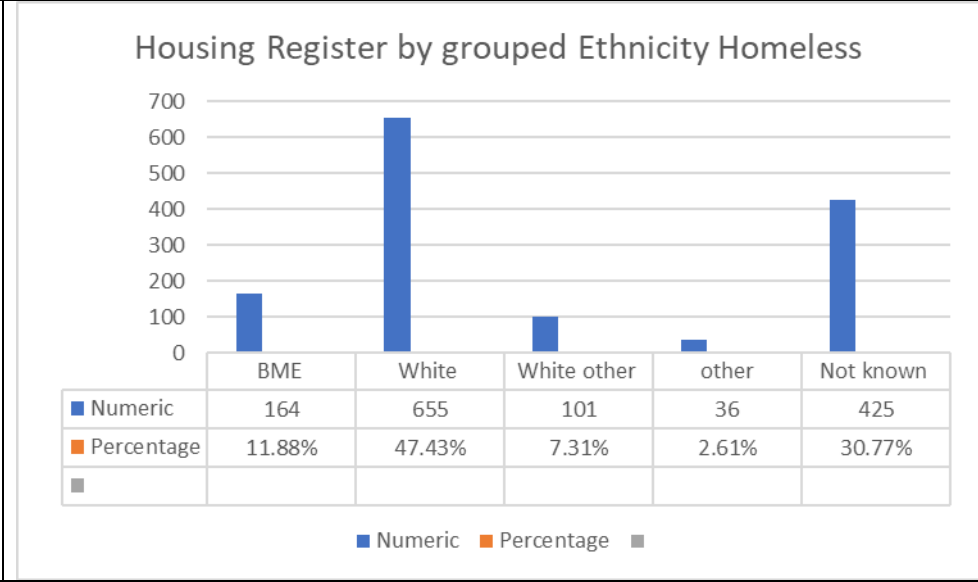
What do people tell you¹¹?
Summary of service-user and/or staff feedback

What does this mean¹²?
Impacts identified from data and feedback (actual and potential)

What can you do¹³?
All potential actions to:

- advance equality of opportunity,
- eliminate discrimination and
- foster good relations

55



Again there are 30% of data where the ethnicity is not known. This therefore distorts the overall picture in this area.

Action Plan to tackle missing data in this area.

Groups to assess

What do you know¹⁰?
Summary of data about your service-users and/or staff

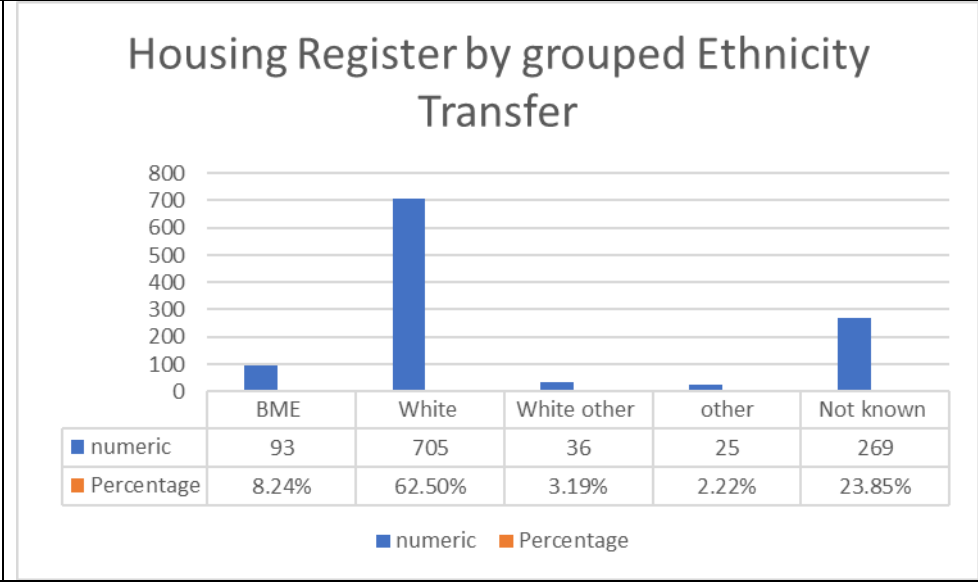
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What does this mean¹²?
Impacts identified from data and feedback (actual and potential)

What can you do¹³?
All potential actions to:

- advance equality of opportunity,
- eliminate discrimination and
- foster good relations

56



Again a significant proportion is missing in this area and this will distort any analysis. There is a smaller number of BME applicants on the register

Investigate the lower number of BME community in this queue against the population as a whole in Social Housing.

Groups to assess

What do you know¹⁰?
Summary of data about your service-users and/or staff

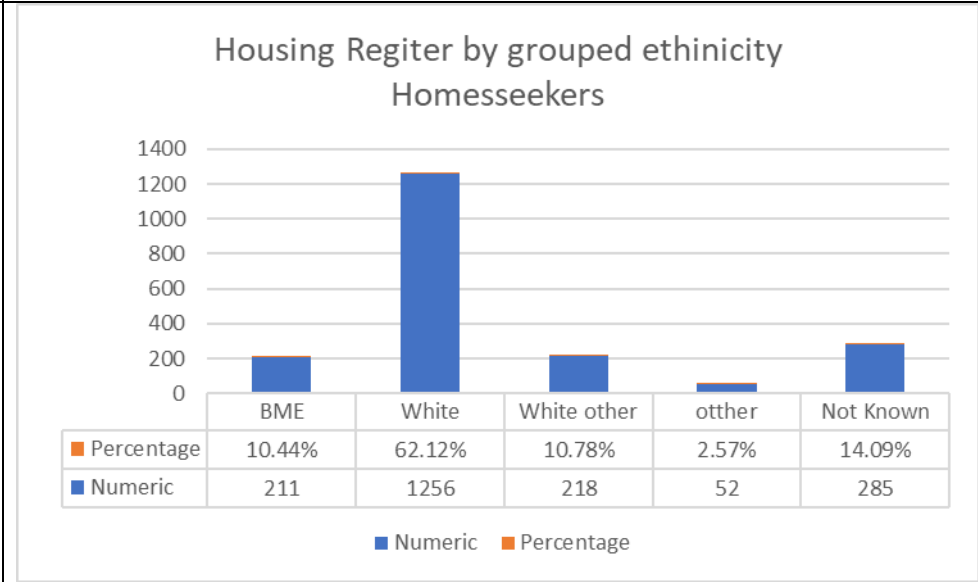
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Summary of service-user and/or staff feedback

What does this mean¹²?
Impacts identified from data and feedback (actual and potential)

What can you do¹³?
All potential actions to:

- advance equality of opportunity,
- eliminate discrimination and
- foster good relations

57



Smaller number of unknowns are contained within this queue but at nearly 15% it is sufficient to distort any analysis.

As per previous actions.

Groups to assess

What do you know¹⁰?
Summary of data about your service-users and/or staff

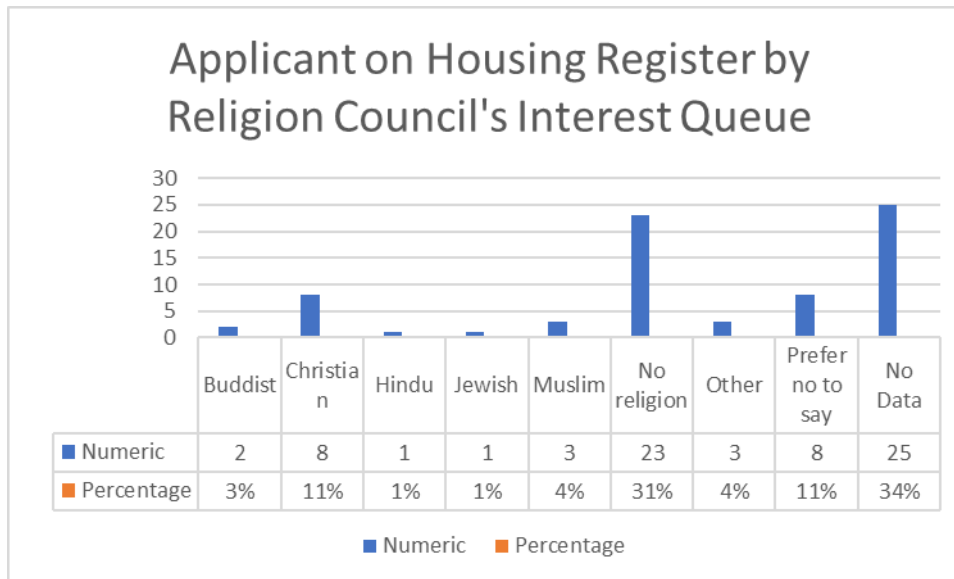
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Impacts identified from data and feedback (actual and potential)

What can you do¹³?
All potential actions to:

- advance equality of opportunity,
- eliminate discrimination and
- foster good relations

Religion or belief¹⁹



There are a high number of cases where the data for religion is not in the system.

There is a low number of cases in the Council's interest Queue. This Queue contains applicants who are nominated by Social Service both Adult and Children

When the full Allocations Policy is being reviewed there will be an impact assessment carried out. When this is done it will be on the basis of information to hold a dialog with religious groups to find out if there are numbers of applicants who prefer

<p>Groups to assess</p>	<p>What do you know¹⁰? Summary of data about your service-users and/or staff</p>	<p>What do people tell you¹¹? Summary of service-user and/or staff feedback</p>	<p>What does this mean¹²? Impacts identified from data and feedback (actual and potential)</p>	<p>What can you do¹³? All potential actions to:</p> <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination and • foster good relations 																																							
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<p>59</p>	<p>Applicant on Housing Register by Religion Homeless</p> <table border="1"> <thead> <tr> <th></th> <th>Agnostic</th> <th>Buddhist</th> <th>Christian</th> <th>Hindu</th> <th>Jewish</th> <th>Muslim</th> <th>Sikh</th> <th>No religion</th> <th>Other</th> <th>Prefer no to say</th> <th>Not captured</th> <th>No Data</th> </tr> </thead> <tbody> <tr> <td>Numeric</td> <td>1</td> <td>4</td> <td>86</td> <td>1</td> <td>2</td> <td>26</td> <td>2</td> <td>346</td> <td>8</td> <td>144</td> <td>580</td> <td>187</td> </tr> <tr> <td>Percentage</td> <td>0%</td> <td>0%</td> <td>6%</td> <td>0%</td> <td>0%</td> <td>2%</td> <td>0%</td> <td>25%</td> <td>1%</td> <td>10%</td> <td>42%</td> <td>13%</td> </tr> </tbody> </table>		Agnostic	Buddhist	Christian	Hindu	Jewish	Muslim	Sikh	No religion	Other	Prefer no to say	Not captured	No Data	Numeric	1	4	86	1	2	26	2	346	8	144	580	187	Percentage	0%	0%	6%	0%	0%	2%	0%	25%	1%	10%	42%	13%			<p>Likewise there is a high percentage of cases where the data is not captured. This is mainly on older applications as there is now an online application form that means that we are getting more information</p>
	Agnostic	Buddhist	Christian	Hindu	Jewish	Muslim	Sikh	No religion	Other	Prefer no to say	Not captured	No Data																															
Numeric	1	4	86	1	2	26	2	346	8	144	580	187																															
Percentage	0%	0%	6%	0%	0%	2%	0%	25%	1%	10%	42%	13%																															

Groups to assess

What do you know¹⁰?
Summary of data about your service-users and/or staff

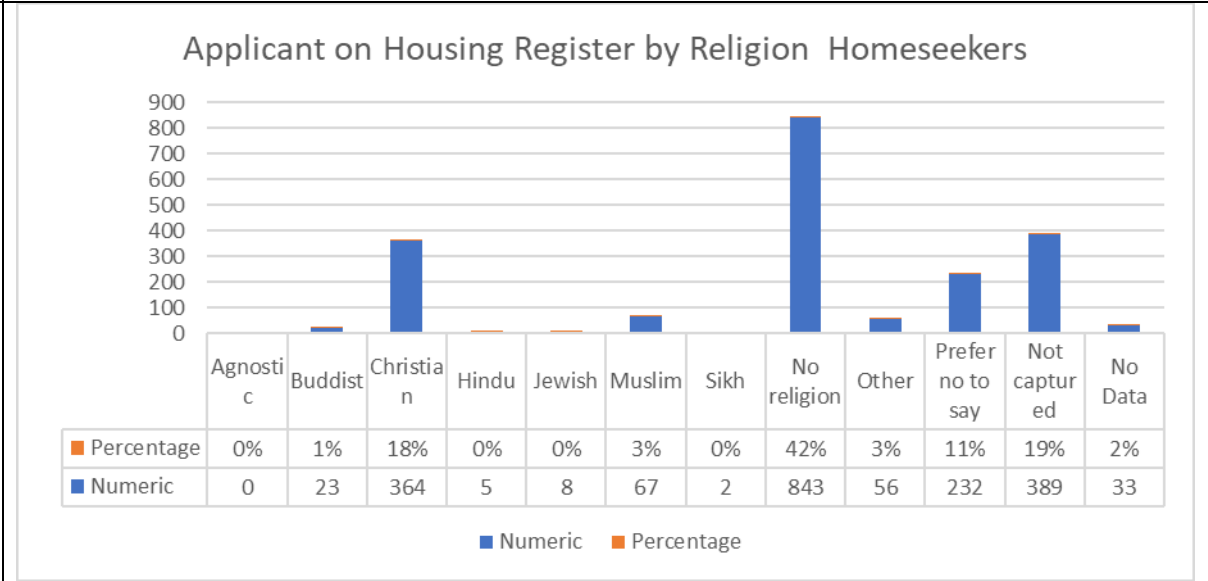
What do people tell you¹¹?
Summary of service-user and/or staff feedback

What does this mean¹²?
Impacts identified from data and feedback (actual and potential)

What can you do¹³?
All potential actions to:

- advance equality of opportunity,
- eliminate discrimination and
- foster good relations

in this area.



There is a significantly lower proportion in some religious group than would be expected.

This will be an action for the formal development of the new policy.

Groups to assess

What do you know¹⁰?
Summary of data about your service-users and/or staff

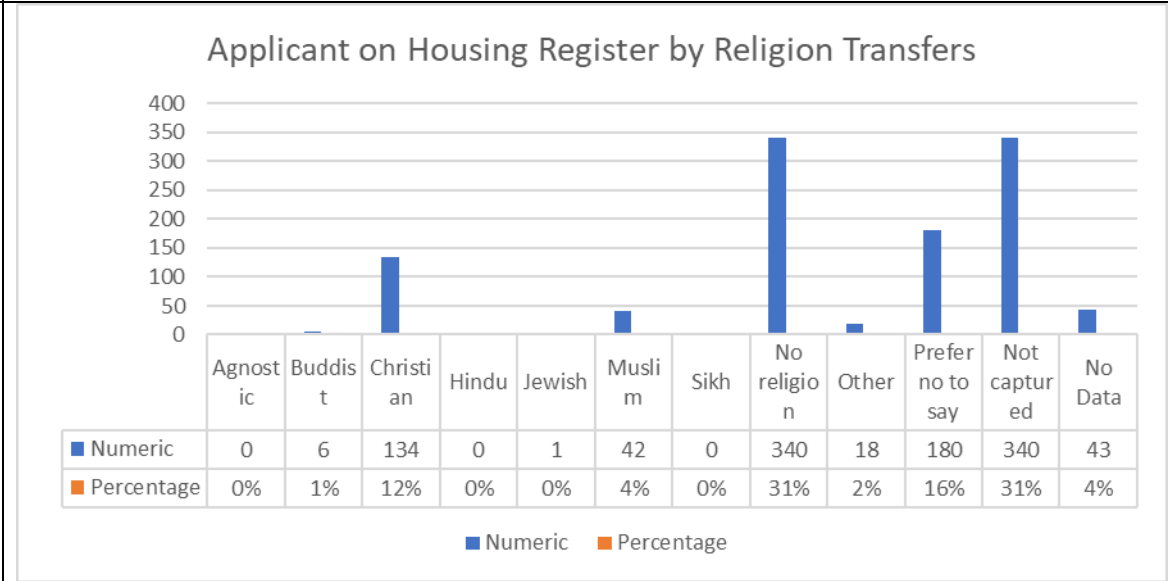
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61



As above

As above

As above

Groups to assess

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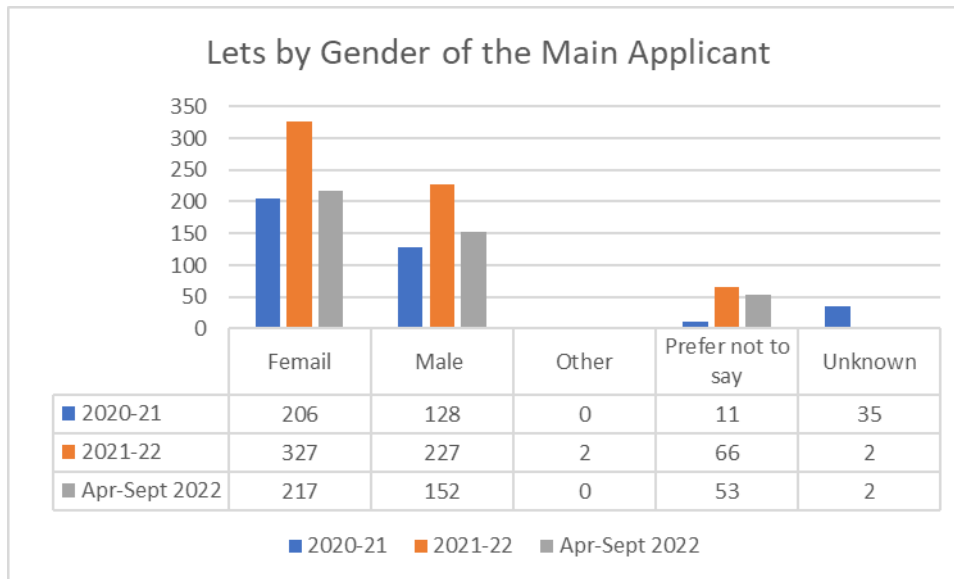
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Sex/Gender²⁰



The data show that Women are more likely to be the main applicant than Men. This is no surprising as Women are more likely to be the head of a single adult household than men. We are aware that Men are more prevalent in a single person household, and we also know that Men are more likely to be in Supported housing in the city.

Groups to assess

What do you know¹⁰?
Summary of data about your service-users and/or staff

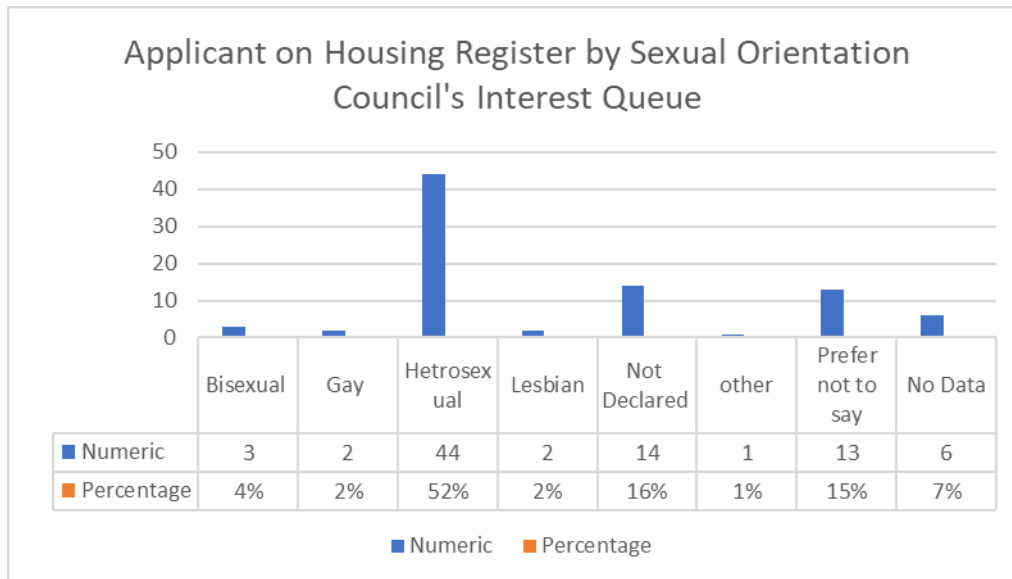
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Sexual orientation²¹



The Council's Interest Queue are effectively nomination from the Council's Social Care agencies and there are only 85 in this Queue. There are however still high levels of Not declared or no data or preferred not to say.

Discuss missing data with nominating agencies to find out if there are any issues.

Set up a focus group with some of the nominated applications such as care leavers or those leaving supported to better understand the reason behind this.

Groups to assess

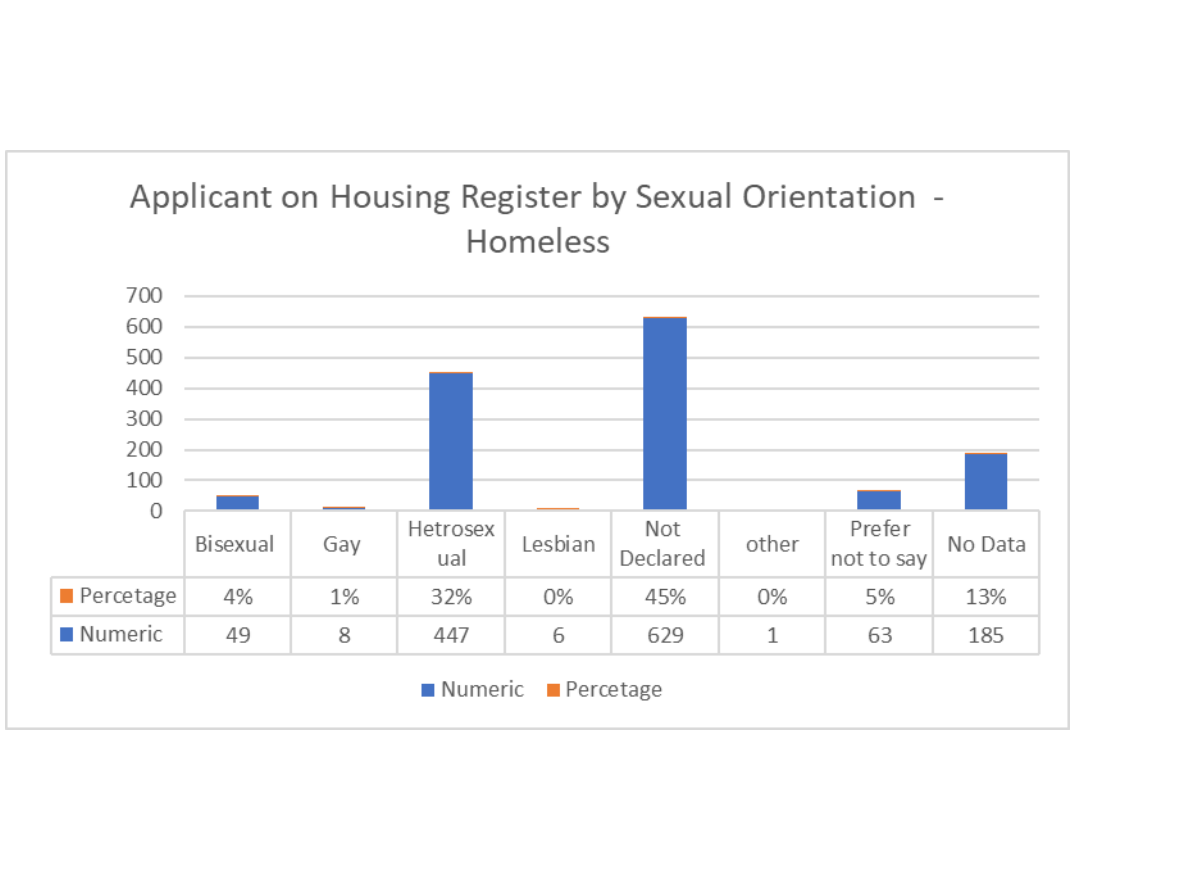
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Summary of data about your service-users and/or staff

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Impacts identified from data and feedback (actual and potential)

What can you do¹³?
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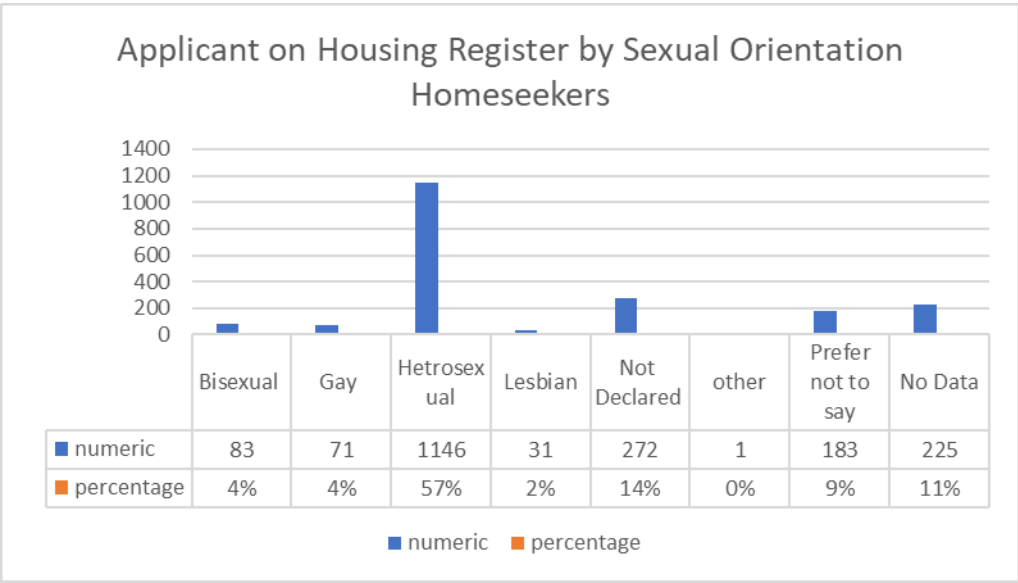


53% of data is no data or not declared. This means that no meaningful analysis can be take.

There is a very small number of applicants in the Lesbian and Gay groups (even given the missing data. This may be accounted for by Priority Need not applying to single/couple households

Need to address the lack of data especially as there is more likely to be an assigned office to the say we should expect better data than is currently showing.

Investigate to see if there are any barriers to staff raising someone's

<p>Groups to assess</p>	<p>What do you know¹⁰? Summary of data about your service-users and/or staff</p>	<p>What do people tell you¹¹? Summary of service-user and/or staff feedback</p>	<p>What does this mean¹²? Impacts identified from data and feedback (actual and potential)</p>	<p>What can you do¹³? All potential actions to:</p> <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination and • foster good relations 																											
				<p>sexuality and see if there is a training requirement.</p>																											
<p>69</p>	<p>Applicant on Housing Register by Sexual Orientation Homeseekers</p>  <table border="1" data-bbox="409 1157 1350 1332"> <thead> <tr> <th></th> <th>Bisexual</th> <th>Gay</th> <th>Hetrosexual</th> <th>Lesbian</th> <th>Not Declared</th> <th>other</th> <th>Prefer not to say</th> <th>No Data</th> </tr> </thead> <tbody> <tr> <td>■ numeric</td> <td>83</td> <td>71</td> <td>1146</td> <td>31</td> <td>272</td> <td>1</td> <td>183</td> <td>225</td> </tr> <tr> <td>■ percentage</td> <td>4%</td> <td>4%</td> <td>57%</td> <td>2%</td> <td>14%</td> <td>0%</td> <td>9%</td> <td>11%</td> </tr> </tbody> </table>		Bisexual	Gay	Hetrosexual	Lesbian	Not Declared	other	Prefer not to say	No Data	■ numeric	83	71	1146	31	272	1	183	225	■ percentage	4%	4%	57%	2%	14%	0%	9%	11%		<p>Looking at the data it is hard to come to any firm conclusions as there are high levels of missing data or prefer not to say.</p>	<p>When developing a new policy, we need to meet with the relevant groups to understand why there is 9% “prefer not to say”</p> <p>We need to set targets to reduce the missing data “no data” and “not</p>
	Bisexual	Gay	Hetrosexual	Lesbian	Not Declared	other	Prefer not to say	No Data																							
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	Bisexual	Gay	Hetrosexual	Lesbian	Not Declared	other	Prefer not to say	No Data																							
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■ percentage	3%	2%	58%	1%	3%	0%	13%	19%																							
<p>Marriage and civil partnership²²</p>	<p>The council does not collect data on the Marriage or Civil partnership arrangements of any applicants and therefore we are not able to provide any detail on the impact. Applicants are able to apply regardless of a marital or civil partnership</p>																														

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination and • foster good relations
Community Cohesion²³	The Council is able to allocate housing on the basis on a local lettings plan that is contained within the Allocations Policy. This is normally used when the Council or Housing Associations build new properties to let. When this happens the properties will be let across the four queues to ensure that there is a balanced communities as some of these developments can be substantial			
Other relevant groups²⁴	Homeless applicants have a significant number of applications on the housing register. This is to be expected as they have to be given a “reasonable preference” under legislation.		This is governed by national legislation and a code of guidance which local authorities must have due regard in decision making. There are groups who will automatically be considered to have a priority need and therefore included on the housing register	

<p>Groups to assess</p>	<p>What do you know¹⁰? Summary of data about your service-users and/or staff</p>	<p>What do people tell you¹¹? Summary of service-user and/or staff feedback</p>	<p>What does this mean¹²? Impacts identified from data and feedback (actual and potential)</p>	<p>What can you do¹³? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination and • foster good relations </p>
			<p>such as someone pregnant of someone fleeing domestic abuse. Other will fall in the Vulnerable due to mental or physical disability.</p>	
<p>Cumulative impact²⁵</p>	<p>The proposed change in the percentage lets to the Allocations Plan is projected to be minimal. This is based on the facts that for properties let with a mobility group award must have been assessed as requiring this type of property. This will likely mean that a high percentage of properties will go to those with a disability.</p> <p>For some other groups there are two few applications from those in some religious group or for those in the LGBT community who do not wish to declare this information. It is therefore difficult to reach conclusion in some areas unless there is evidence elsewhere that there is a discriminatory approach to service delivery, for example information is a high number of complaints.</p>			<p>To ensure a wide ranging exercise to engage with religious, community and third sector groups to develop an options appraisal for member on</p>

Groups to assess	What do you know ¹⁰ ? Summary of data about your service-users and/or staff	What do people tell you ¹¹ ? Summary of service-user and/or staff feedback	What does this mean ¹² ? Impacts identified from data and feedback (actual and potential)	What can you do ¹³ ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination and • foster good relations
				a new allocation policy
Assessment of overall impacts and any further recommendations²⁶				
<p><i>In each of the data set for those on the housing register there are a large percentage where the data is missing. Having missing data in large quantities can have the effect of distorting the over all balance and it is therefore important to collect missing data.</i></p> <p><i>There is also evidence that significant numbers to not want to tell us information relating to protected characteristics. This can be seen in Religion for example. We need to understand more about why this is the case to understand there are issues. For example, is there any evidence within complaints that people feel that there has been discrimination on the basis of religion.</i></p>				

4. List detailed data and/or community feedback that informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
<p>This EIA is a desktop analysis of the council's housing register to see what the impact will be in changing the percentage lets to those with protected characteristics.</p> <p>No Community feedback was sought at this stage as there will be a full community feedback sessions in the development of the review the Allocation Policy.</p>	<p>November/ December 2022</p>		
<p>Information has been obtained from the Council's data base that contains information supplied by applicants on the Housing Register.</p>		<p>There are gaps in the data across groups. This is partly due to historic information not being available and there is evidence of people not wanting to divulge information in certain areas such as religion and sexuality.</p>	<p>An action plan will be required to say how they will tackle the missing data in order to provide a more robust data set to assist in the formation of an Allocations Policy (and the Allocations review)</p>

5. Prioritised Action Plan²⁷

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

Staff member completing Equality Impact Assessment:

Date:

Directorate Management Team rep or Head of Service/Commissioning:

Date:

CCG or BHCC Equality lead:

Date:

Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

² Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people in relation to their 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **advance equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected within the context

The greater the impacts, the more thorough and demanding the process required by the Act will be.

⁴ **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

Do you need to complete an EIA? Consider:

- Is the policy, decision or service likely to be relevant to a specific group or groups (eg: older people)?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

⁵ **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

⁶ **ID no:** The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

⁷ **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

⁸ **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

⁹ **Previous actions:** If there is no previous EIA or this assessment if of a new service, then simply write 'not applicable'.

¹⁰ **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on specific groups of the policy/decision/service is available?¹⁰
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the groups identified above in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#>) and national ones where they are relevant.

¹¹ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.

-
- Try to consult in ways that ensure all perspectives can be considered.
 - Identify any gaps in who has been consulted and identify ways to address this.

¹² Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

¹³ Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

¹⁴ **Age:** People of all ages

¹⁵ **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

¹⁶ **Gender Reassignment:** A transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected

¹⁷ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

¹⁸ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

¹⁹ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

²⁰ **Sex/Gender:** Both men and women are covered under the Act.

²¹ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

²² **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

²³ **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

²⁴ **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

²⁵ **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

²⁶ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

²⁷ **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

Brighton & Hove City Council

Housing Committee

Agenda Item 57

Subject: Housing Committee Workplan progress update and Housing performance report - Quarter 2 2022/23

Date of meeting: 18 January 2023

Report of: Executive Director Housing, Neighbourhoods & Communities

Contact Officer: Name: Diane Hughes
Email: diane.hughes@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

1.1 This report illustrates progress against Housing Committee work plan 2019-23 priorities and targets, as well as other Housing service targets. The report covers Quarter 2 of the 2022/23 financial year and is attached as Appendix 1.

1.2 Some key headline results from the quarter include:

- **Customer feedback** – 106 customer compliments received and 74% of stage one complaints responded to within 10 working days, an increase on the previous quarter.
- **Private sector housing** – 62.92% of Houses in Multiple Occupation have met all special conditions (of those licensed for over 12 months), an increase on the previous quarter.
- **Housing needs** – there were 1,774 households in temporary and emergency accommodation on the last day of the quarter. This is a decrease and a positive step toward our end of year target.
- **Housing supply** – 24 additional council homes delivered during Q2. This is an increase on Q1.
- **Council housing management** – 88% of calls answered by Housing Customer Services during Q2 is now above target and an increase from 83% in Q1.
- **Council housing – empty homes** – The average re-let time for empty council homes continues to improve and the number of empty council homes also reduced from 204 to 153 between Q1 and Q2.
- **Council housing repairs and maintenance** – 98.6% of emergency repairs were completed within 24 hours, an improvement on Q1, and 92% of calls were answered by Repairs Helpdesk, an increase on Q1 with performance remaining above target. Of the 924 tenants surveyed about recently completed repairs, 99% were satisfied with the standard of work and 98% were satisfied with overall customer service. Both these areas of performance are above target and both show an improvement on Q1 figures.
- **Council housing investment and asset management** – the proportion of 'Decent Homes' increased from 95.9% to 96.2% between Q1 and Q2.

2. Recommendations

2.1 That Housing Committee notes the report.

3. Context and background information

3.1 The report uses red, amber and green traffic light symbols to provide an indication of performance, and also trend arrows to provide an indication of movement from the previous quarter.

4. Analysis and consideration of alternative options

4.1 This report is for noting so alternative options are not required.

5. Community engagement and consultation

5.1 This report went to Area Panels in December 2022 for residents to comment and enquire upon and discuss.

6. Conclusion

6.1 There continue to be areas of strong performance, with 24 Housing Committee Work Plan objectives on track for delivery and 8 performance indicators on target. Furthermore, there has been an improvement in 15 of the performance indicators since the previous quarter.

7. Financial implications

7.1 The financial implications are contained in the body of the report. Two areas of performance with significant financial implications are the HRA property rents collection rate and the length of time that properties are empty. The rent collection figures at 15.1 in Appendix 1 show that for 2022/23 Quarter 2, 94.58% of collectable dwelling rents is forecasted to be collected, a 0.69% decrease on the forecast collection as at Quarter 1 equating to an increase in arrears of £0.400m since July 2022. Over the last two years the percentage of rent collected has fallen in the HRA but the latest Quarter 1 and Quarter 2 figures for 2022/23 shows further decline. The report identifies the actions being taken to improve this going forward. Monitoring of the HRA budget forms part of the usual Targeted Budget Management (TBM) Report to Policy & Resources committee periodically throughout the year.

7.2 Indicator 15.18 shows that the total number of council empty properties decreased from 204 to 153 during Quarter 2. The cost of empty council properties for 2021/22 was £1.479m but the forecast for 2022/23 is showing an improved position of £1.115m due to the significant reduction in the number of empty properties. Recovery efforts to tackle the backlog of empty council homes include using approved procurement routes to increase contractor capacity and largescale recruitment of new permanent staff who can carry out works directly.

Name of finance officer consulted: Monica Brooks Date consulted: 6/12/22

8. Legal implications

- 8.1 There are no significant legal implications to draw to Members' attention arising from this regular progress and performance report.

Name of lawyer consulted: Liz Woodley Date 09/12/2022

9. Equalities implications

- 9.1 There are no direct equalities implications arising from this report.

10. Sustainability implications

- 10.1 Although this report is for noting, the workplan updates within it include progress on objectives relating to sustainability, as well as monitoring of the average energy efficiency rating of council homes.

11. Other Implications

- 11.1 There are no other direct implications arising from this report, which is for noting

Supporting Documentation

1. Appendices

1. Housing Committee workplan progress update and Housing performance report - Quarter 2 2022/23

Committee workplan progress update and Housing performance report

Quarter 2 2022/23

This report provides updates on the Housing Committee priorities and work plan for 2019 to 2023, as well as a range of performance indicators. Delivery of a complex housing service during the Covid-19 pandemic and recovery phase had been a challenge, and gratitude is expressed to residents for the patience and understanding they have shown.

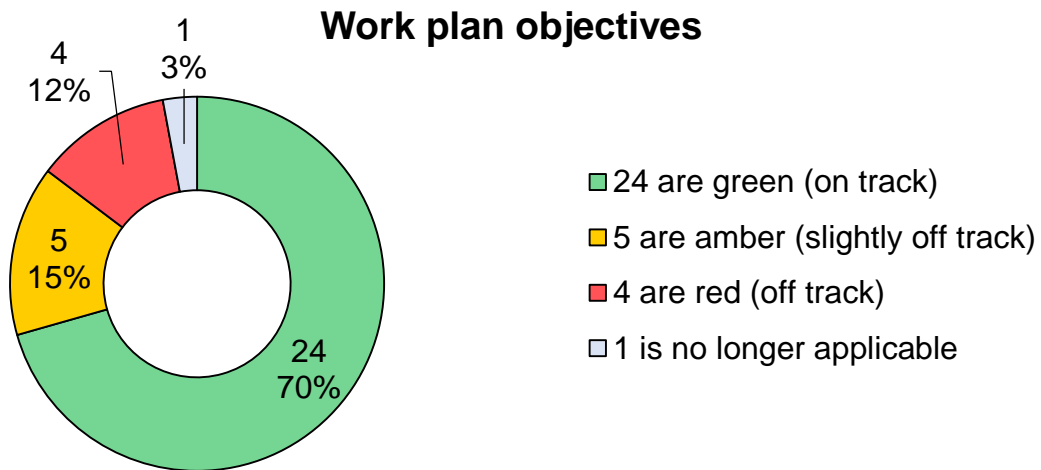
While there continue to be areas of strong performance, with 24 Housing Committee Work Plan objectives on track for delivery and 8 performance indicators on target, some delivery challenges remain. The report highlights actions being taken to improve services where performance has been adversely impacted by the Covid-19 pandemic and recovery phase, and resource capacity issues.

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This housing performance report covers Quarter 2 (Q2) of the 2022/23 financial year. It uses red, amber and green ratings to provide an indication of performance.

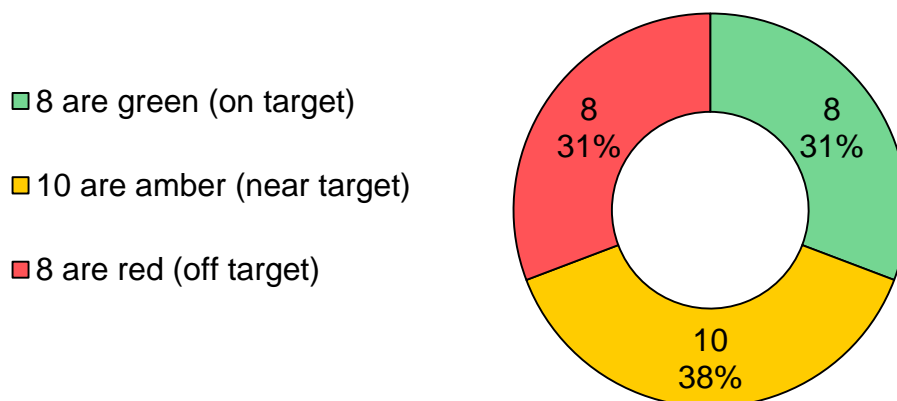
Part one provides an update of performance against the Housing Committee work plan objectives for 2019 – 2023:



Part two presents results for a range of performance indicators across Housing and similarly uses red, amber and green ratings, as well as trend arrows. Commentary has been included for indicators which are red. During Quarter 2, the ratings and trends were as follows:

- | | |
|---|--|
| <p>G Green – on target
(8 indicators)</p> <p>A Amber – near target
(10 indicators)</p> <p>R Red – off target
(8 indicators)</p> | <p>↑ Improved since last time
(15 indicators)</p> <p>↔ Same as last time
(0 indicators)</p> <p>↓ Poorer than last time
(11 indicators)</p> |
|---|--|

Performance indicators



Part one: Housing Committee priorities and work plan 2019-23

1. Provide additional affordable homes

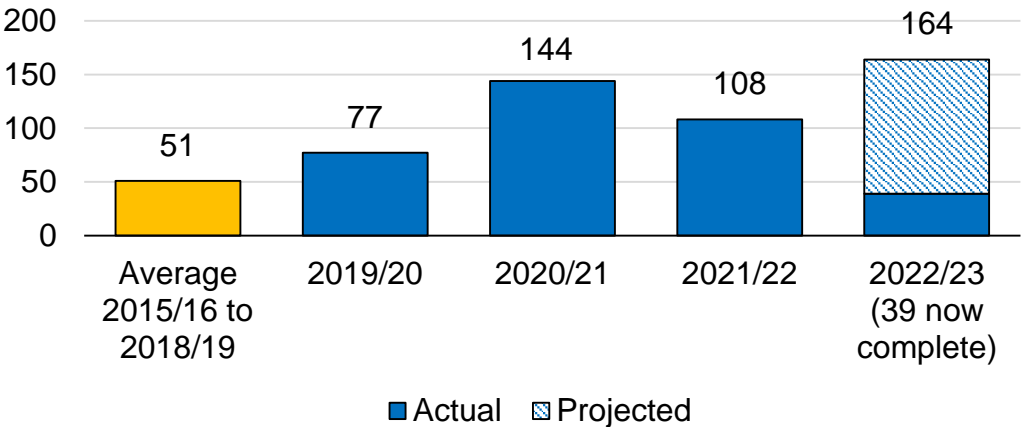
1.1 Off track: Achieve 800 additional council homes (including develop the existing Hidden Homes strategy)

Regular updates on progress are provided to Housing Supply Member Board.

A total of **493** homes are projected for completion between April 2019 and March 2023, including 368 already completed:

- 2019/20: 77 homes – buy backs (43 Home Purchase), Hidden Homes (6), Kensington Street (12), Tilbury Place (15) and Devon Lodge (1 lease handed back)
- 2020/21: 144 homes – buy backs (40 Home Purchase and 24 NSAP – Next Steps Accommodation Programme), Buckley Close (12), Hartington Road (38) and Hawkridge Court (30)
- 2021/22: 108 homes – buy backs (66 Home Purchase, 6 NSAP and 18 Rough Sleepers Accommodation Programme – RSAP), Hidden Homes (8) and Oxford Street (10)
- 2022/23: 164 homes – buy backs (107 general needs and 12 RSAP), Hidden Homes (3) and Victoria Road (42)
- Although outside of the timescale of the Housing Committee workplan, there are a further 204 homes projected for completion during 2023/24 (including 176 Homes for Brighton & Hove dwellings)

Additional council homes per year



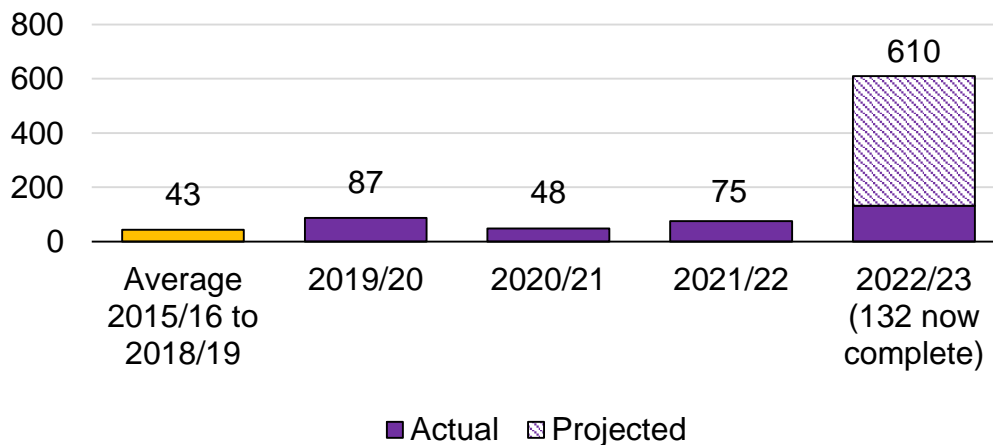
1. Provide additional affordable homes

1.2 On track: Achieve 700 other additional homes (registered provider, affordable rented, shared ownership)

A total of **820** homes (253 rent and 567 shared ownership) are projected for completion between April 2019 and March 2023, including 210 already completed:

- 2019/20: 87 homes – Montpelier Place (5), Kingsway (54) and Circus Street (28)
- 2020/21: 48 homes – Freehold Terrace (8), Plumpton Road (2), Nevill Road (4) and Preston Road (34 from two providers)
- 2021/22: 75 homes – Preston Barracks (19), Falmer Avenue (13), Hangleton Way (33) and Lions Gardens (10)
- 2022/23: 610 homes – Edward Street (33), School Road (104), Preston Barracks (226), Graham Avenue (125), Sackville Hotel (7), New Church Road (5), King’s House (92) and Ovingdean Road (18)

Other additional homes per year

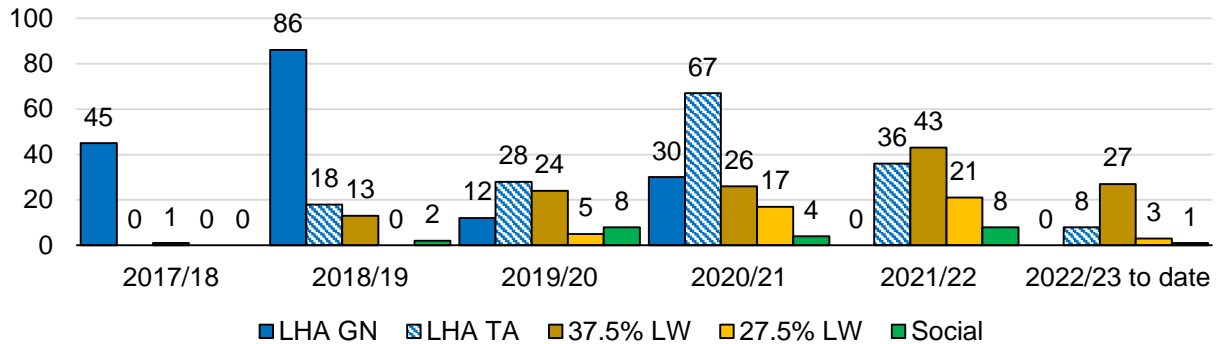


1. Provide additional affordable homes

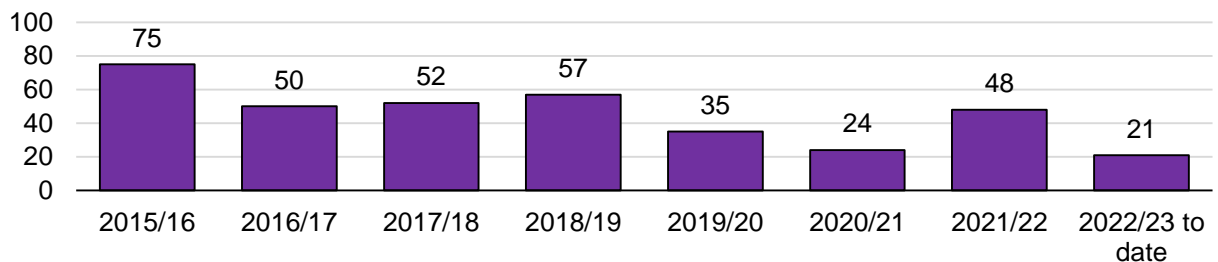
1.3 On track: Review the rent policy to maximise the number of council homes replaced at social or living wage rents (especially those at 27.5% Living Wage)

13% of new general needs (GN) council homes delivered during 2022/23 to date are at social or 27.5% Living Wage rents (4 of 31) and the remaining 87% (27 of 31) are at 37.5% Living Wage rents. The 8 new homes at Local Housing Allowance (LHA) rates are temporary accommodation, RSAP properties.

Additional council homes by rent level



Council homes sold through the Right to Buy (RTB)



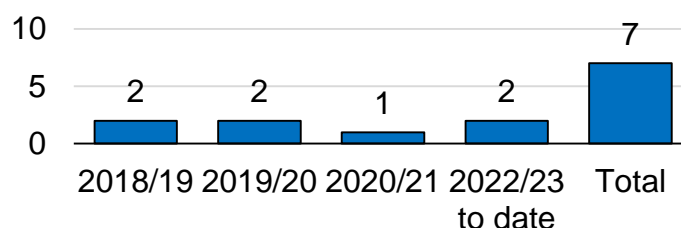
1.4 On track: Develop a policy for the council to take the role of developer on major sites

- Homes for Brighton & Hove Joint Venture is now a delivery company

1.5 Slightly off track: Bring a report to committee identifying suitable sites to work in partnership with Community Land Trust (CLT) for development

- 7 out of 10 sites so far identified for Community Land Trust development
- Planning applications are regularly reviewed to seek opportunities for self-build plots on large private development sites, but this has not yet yielded suitable plots

Sites identified



2. Improving private rented housing

2.1 On track: Review and resubmit selective licensing scheme proposal to improve the management and standards of private rented sector homes in the city

- Private Sector Housing Update went to Housing Committee in September 2022, which included progress on Selective Licensing, A report on progress is on the agenda at Housing Committee in January 2023

2.2 Off track: Research and review an ethical loan scheme

- This work has been deferred due to Covid-19 recovery priorities and resource capacity issues
- Community Housing Pilot update report to go to Housing Committee in November 2022, with an update on the proposed community led housing ethical loans scheme pilot

2.3 Off track: Develop or commission an information or advice hub for private renters and consider options for a private tenants' forum

- This work has been deferred due to Covid-19 recovery priorities and resource capacity issues

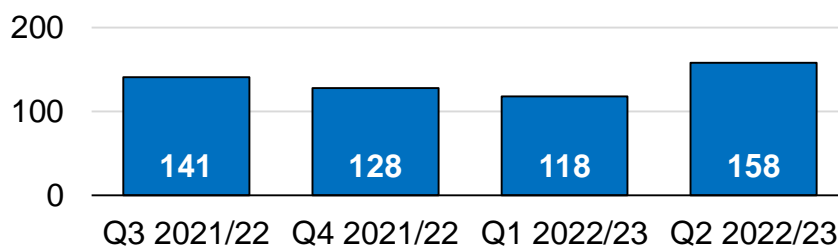
2.4 On track: Research and develop a social lettings agency

- Report due for Housing Committee by end of 2022/23
- Previous report taken to Housing Committee in September 2021, which agreed to re-brand 'Direct Lets' work which places households into the private rented sector

2.5 On track: Develop the enforcement approach to private sector housing to reflect the full range of potential options available to improve management and standards

- Private Sector Housing Update went to Housing Committee in September 2022
- A project for the enforcement of the Minimum Energy Efficiency Standards (MEES) has been ongoing since April 2022. Following a successful grant application to the Department for Business, Energy and Industrial Strategy (BEIS), £70,765 has been awarded for use up to May 2023
- A new set of Performance Indicators were agreed at Housing Committee in September 2022 and will be reported from Quarter 3 2022/23 onwards (additional indicators are listed on page 18 of this report)
- Request for assistance top categories during Q2: 42 disrepair (27%), 21 HMO noise nuisance (13%), 18 HMO rubbish nuisance (11%) and 14 dampness (9%)

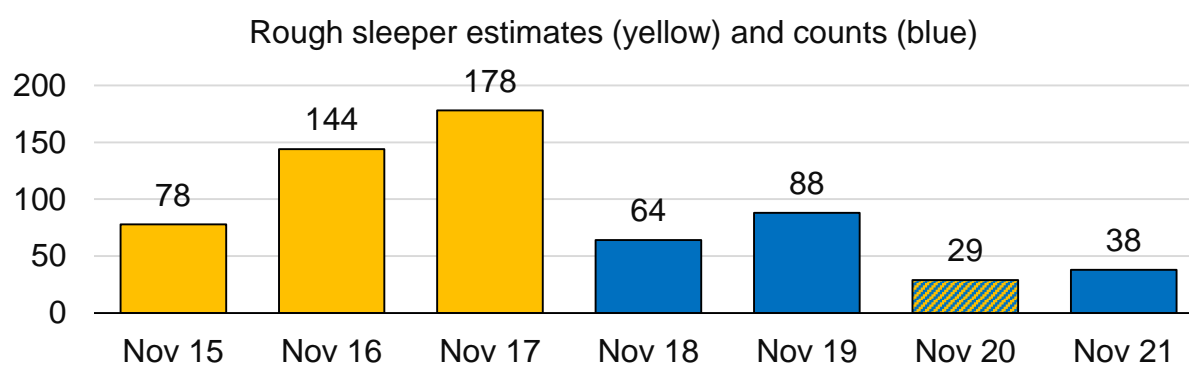
Requests for assistance received



3. Alleviating homeless and rough sleeping

3.1 On track: Develop a rough sleeping strategy (to include partnerships with community homeless and faith projects and delivery of homeless enterprise projects)

- Homeless & Rough Sleeper Strategy approved by Housing Cttee in June 2020
- Homelessness and Rough Sleeping update went to Housing Cttee in March 2022



The November 2020 figure used a blended methodology of an estimate with a spotlight count, due to the national Covid lockdown at the time. Please note that estimates have only been carried out at times when counts have not been.

3.2 On track: Review/consult/adopt the Homeless Bill of Rights

- Values of the Homeless & Rough Sleeper Strategy approved by Housing Committee in June 2020 align to the Homeless Bill of Rights. Strategy states that *'The Homeless Bill of Rights should be viewed as a standard against which the Council and its partners judge our policies and practices'*
- The Homeless Bill of Rights was adopted by Full Council in March 2021 and is an aspirational document against which to measure services and progress

3.3 No longer applicable: Provide a 365 day night shelter

- Night shelter was closed in early April 2020 on the advice of what was then the Ministry of Housing, Communities & Local Government (MHCLG) and Public Health England due to Covid-19 restrictions, as it had congregate sleep sites

3.4 On track: Expand Housing First

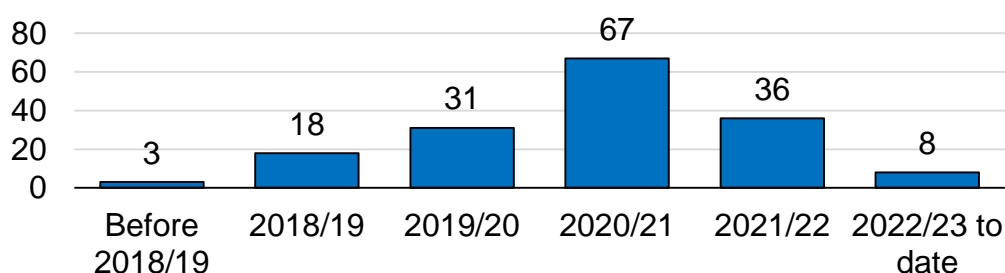
- As of end September 2022, there were 99 homes used for Housing First including Housing-led support

3. Alleviating homeless and rough sleeping

3.5 On track: Develop a strategy for the provision of council run temporary accommodation including Seaside Homes

- Report due for Housing Committee in Quarter 4 2022/23
- Manoj House (Hartington Road) – 38 homes became ready in February 2021
- George Cooper House (Oxford Street) – 10 homes completed in March 2022
- Buy backs – 29 of 226 homes purchased are for temporary accommodation, plus 30 NSAP and 25 RSAP (84 dwellings across all three categories)

Council owned temporary accommodation, NSAP and RSAP dwellings by year delivered



3.6 On track: Develop a homeless strategy, ensuring homeless people are involved in the design and development of services which directly affect them

- Homelessness & Rough Sleeper Strategy approved by Housing Committee in June 2020
- Homeless Reduction Board has been meeting since September 2020 and its role includes monitoring progress of the aspirations contained in the Homeless Bill of Rights and making recommendations to Housing Committee
- Homeless Reduction Operational Board has been meeting quarterly since July 2021 and includes people with a lived experience of homelessness. It reports to the Homeless Reduction Board

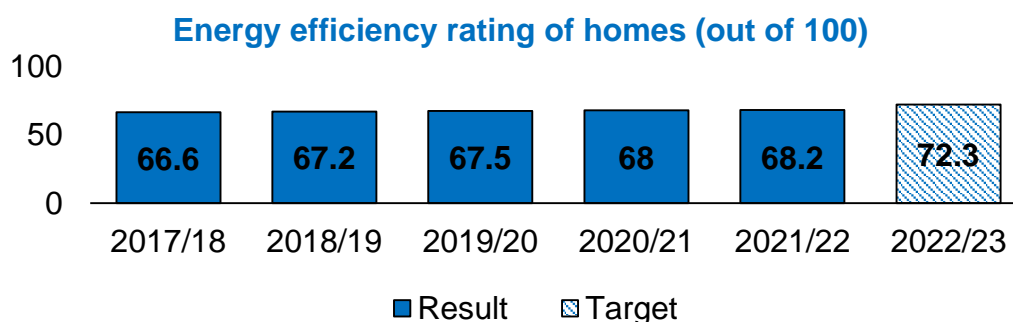
4. Achieving carbon reductions and sustainability in housing including address fuel poverty

4.1 On track: Develop an action plan to set out how we will work collaboratively to ensure housing contributes to making the city carbon neutral by 2030

- Latest 'Carbon Reduction in Housing Update' report went to Housing Committee in September 2022 which details work towards developing an Energy Plan, aligned to a revised Asset Management Strategy, and outlines work to inform a plan towards the 2030 carbon neutral target
- Energy modelling software is currently being used to enable costed retrofit plans to be developed for council homes
- Work progressing with the Retrofit Taskforce, led by Lewes and Eastbourne and University of Brighton to identify regional approach to retrofitting council homes
- Over 40 Air Source Heat Pumps have been installed in properties with inefficient electric heating, with insulation upgrades at the same time where appropriate, and a further 50-60 installs are planned in the remainder of the current financial year
- Options appraisals are currently being carried out to install low carbon heating and hot water services in five high rise blocks and one seniors housing scheme

4.2 Slightly off track: Develop a new PV and energy efficiency strategy for council homes to include standards for new homes

- A New Builds Sustainability Policy has been produced and agreed. The revised HRA Energy Strategy is in progress and will be finalised when the revised HRA Asset Management Strategy has been approved at Housing Committee
- Standards for new council homes are guided by the revised new build specification – minimum Energy Performance Certificate rating of A
- Procurement of domestic solar PV programme on council homes (1,000 households to be delivered over three years) began October 2022 with install programme expected to start in Spring 2023



4.3 On track: Review the energy efficiency and provision on all new developments

- A report providing an 'Update on Sustainability Measures for New Homes and Housing Supply Sustainability Policy' went to Housing Committee in January 2021 and the committee endorsed a draft New Build Housing Sustainability Policy
- Victoria Road new build scheme will pilot a low energy 'microgrid' heating and electricity solution integrating ground source heat pumps and solar panels to reduce residents' bills

4. Achieving carbon reductions and sustainability in housing including address fuel poverty

4.4 On track: Investigate and report the possibility of bulk buying PV panels and other energy saving resources

- Round 1 of the Solar Together Sussex (STS) scheme was launched in Autumn 2020 with over 80 installations completed in this phase
- Round 2 of STS was launched in September 2021: over 7,000 homes registered across Sussex and a local supplier has been appointed to carry out installations, with remaining installations to be completed during Quarter 3 2022/23
- Options for Round 3 of the scheme are currently being considered by the partnership of Sussex local authorities

5. Improving council housing and community involvement

5.1 On track: Work with tenants to develop a 'decent environment' standard

- Report due for Housing Committee in Quarter 4 2022/23
- A twelve-week pilot of estate walkabouts was undertaken from May to August 2022: these will help establish a schedule of improvements and budget allocation
- A review of the pilot was completed and reported to area panels in October 2022, and information from it will be used to consider a decent environment standard
- The Estates Walkabout schedule will be published for two years and promoted with ward councillors, lead councillors and residents

5.2 On track: Develop a fire safety programme in conjunction with tenants and residents

- Sprinklers are now fitted as standard in all council new build homes
- The Building Safety Bill is now confirmed as an act and consultants are now in place to provide a road map to support the council's responsibilities under the new act, which has links to the Social Housing White Paper
- Fire Risk Assessments are up to date and carried out within target dates to all applicable properties
- A full Fire, Health & Safety and Compliance report is currently being undertaken on council housing stock and the requirements on the council. This will detail the current arrangements and the resources needed to meet future arrangements
- Meetings with East Sussex Fire and Rescue (ESFR) take place every four weeks and they are fully engaged with the council processes

5.3 On track: Review and develop a new tenant and community involvement policy/strategy for housing, ensuring we learn from the lived experience of our clients, meet the 'Involvement and Empowerment' standard and that co-production is at the heart of our tenant and resident involvement work

- New Tenant and Leaseholder Engagement Strategy was approved at Housing Committee in March 2021

5. Improving council housing and community involvement

5.4 On track: Extend participatory budgeting

- Report approved at March 2021 Housing Committee including development of a policy for extending participatory budgeting

5.5 On track: Develop the work undertaken with leaseholders to develop a new leasehold involvement policy, setting out how leaseholders can be supported to be more proactively involved in capital works and other leasehold matters

- New Tenant and Leaseholder Engagement Strategy was approved at Housing Committee in March 2021
- Consultation with leaseholders on planned and major capital works and other improvement projects has concluded and our contracts and framework are now operating
- Leaseholders are being consulted where the council has plans to undertake works under these contracts on a block-by-block basis
- A procedure for engagement with tenants and leaseholders for proposed projects that will be tendered through the major works framework has been established and a more robust resident engagement process adopted
- Our planned works contracts and all other projects will be consulted with residents in the same manner as capital major projects
- Extended leaseholder payment options are approved and available to leaseholders who request this

6. Enabling more affordable home ownership

6.1 On track: Work with Community Land Trust (CLT) to develop self-build opportunities

- CLT focus is on affordable rented homes which are likely to be self-build
- Self-build plots including for community led housing groups have been included as part of planning agreement for Toad's Hole Valley

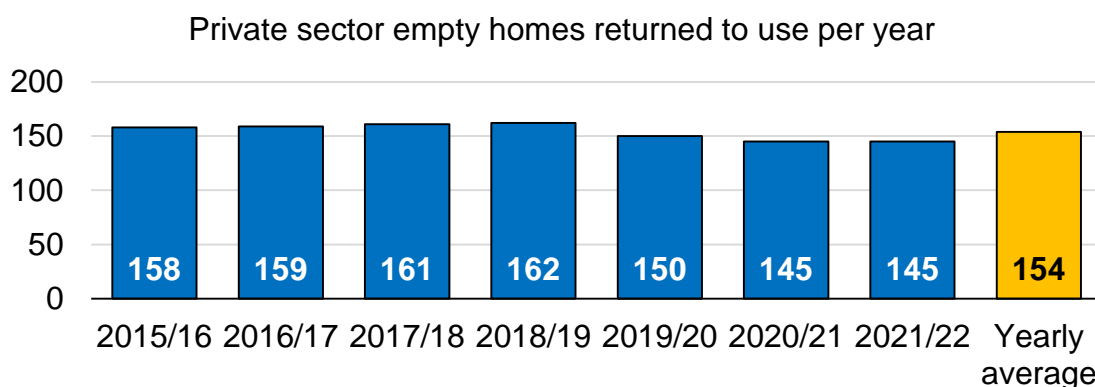
6.2 On track: Work with Homes for Brighton & Hove and registered providers in the city to develop 500 shared ownership properties for essential workers who live and work in the city

- 567 shared ownership homes are projected for development between April 2019 and March 2023
- The Living Wage Joint Venture, Homes for Brighton & Hove, has started construction on its first two sites totalling 346 homes
- Homes for Brighton & Hove is becoming a delivery company, with 168 Hyde shared ownership homes and 178 rented homes (176 council and 2 Hyde) expected for completion in 2023/24

7. Make fuller use of shared housing capacity

7.1 Slightly off track: Review our empty homes policy to ensure 650 empty homes are brought back into use

- 440 private sector vacant dwellings (empty for more than six months) were returned into occupation within the first three years of the timescale of the Housing Committee workplan, with one year remaining



7.2 On track: Develop a policy to incentivise households to relinquish council tenancies as an alternative to right to buy

- Report due to Housing Committee in Quarter 3 2023/24

7.3 Off track: Investigate the possibility of supporting a 'lodger' scheme and report to Committee

- Committee report due for March 2021 – deferred due to service pressures and Covid-19 recovery priorities

7.4 On track: Undertake an impact assessment of short-term holiday lets and Air BnB in the city and consider options that may inform an approach to alleviate the most detrimental issues arising

- Report on Regulation of Short-Term Holiday Lets was agreed at Tourism, Equalities, Communities & Culture and Housing committees in March 2020. It included using existing powers to deal with complaints, ensuring coordinated approach to enforcement between services and lobbying central government for enhanced enforcement powers and a national registration scheme
- A system is in place for the public to report issues with short term holiday lets, so that relevant council teams can take appropriate enforcement action where possible
- The council responded to the Government's call for evidence on a Tourist Accommodation Registration Scheme

8. Alleviating poverty

8.1 Slightly off track: Ensure the in house repairs services include measures to: provide opportunities for young people to develop skills for example through apprenticeships; maximise community benefits, including through use of local firms and labour for supply chain as well as planned and major works; and, develop pathways to employment that are inclusive in offering opportunities to all the communities we serve

- The Repairs & Maintenance service currently employs seven electrical apprentices and is planning to expand to 20 apprenticeships in total by the end of 2023

8.2 Slightly off track: Review arrears policy to ensure all action is taken at the earliest stage, support given and eviction is used as a last resort








- Business Process Review of income collection, including arrears policies, has been delayed while resources have been diverted to other service pressures and Covid-19 recovery priorities







8.3 On track: Develop an arrears policy for temporary accommodation, which gives tenants the same level of support and assistance as those in permanent accommodation

- Policy is in place for long term temporary accommodation which matches that in council owned housing

Part two: Performance indicators






The council is responsible for managing 11,764 council owned homes and 2,282 leaseholder homes, as well as providing temporary accommodation for 1,774 households.




 Customer feedback – all Housing services	Target	Q1 2022/23	Q2 2022/23	Status against target	Trend since Q1
9.1  Compliments received from customers	Info	126	106	n/a	n/a
9.2  Stage one complaints responded to within 10 working days	80%	65% (124 of 191)	74% (111 of 150)		
9.3 Stage one complaints upheld	Info	40% (76 of 191)	38% (57 of 150)	n/a	n/a
9.4 Stage two complaints upheld	18%	41% (7 of 17)	35% (8 of 23)		
<p>Performance has continued to improve compared to the previous quarter but is still off target. Stage one complaints are investigated by Housing service managers and stage two complaints are investigated by the Corporate Customer Feedback team. A key reason some stage two complaints were upheld during Q2 was delays in resolving issues raised at stage one.</p>					












  Private sector housing		Target	Q1 2022/23	Q2 2022/23	Status against target	Trend since Q1
10.1	Total licensed Houses in Multiple Occupation (HMOs)	Info	3,503	3,527	n/a	n/a
10.2	Corporate KPI: HMOs where all special conditions have been met (for licences issued over 12 months ago)	58%	59.59% (1,156 of 1,940)	62.92% (1,205 of 1,915)		
<p>The target of 58% for the end of Q2 is set as a step towards a target of 60% at the end of Q4. The indicator above measures cases where the council has verified that conditions have been completed and it is anticipated this figure will continue to rise over the course of the year.</p>						
10.3	Corporate KPI: Private sector vacant dwellings returned into occupation (empty for more than two years)	9	19	18		
<p>This indicator used to apply to properties empty for longer than six months but has now changed to focus on properties empty for more than two years, which require more intensive casework. Most properties empty for less than two years do not require intensive casework and may often come back in to use without intervention.</p>						




NB Additional indicators relating to private sector housing are being developed with the aim of including them in these reports starting with Quarter 3 2022/23. These are as follows:

- Number of requests for action
- Number of property inspections completed
- Number of Category 1 and 2 hazards identified
- Proportion of Category 1 and 2 hazards resolved through informal action
- Proportion of cases escalated following non-compliance of improvement notice.

 Housing adaptations		Target	Q1 2022/23	Q2 2022/23	Status against target	Trend since Q1
11.1	Private housing – average weeks taken to approve Disabled Facilities Grant applications	10	17.2	18.4		
The amber threshold for this indicator is set at 26 weeks based on historic guidance timescales, with the target of 10 weeks reflecting revised guidance timescales.						
11.2	New: Private housing – average weeks taken for contractor to complete works	Info	41.4	38.4	n/a	n/a
11.3	Council housing – average weeks taken to approve applications and commence works	10	8.0	21.2		
11.4	New: Council housing – average weeks taken for contractor to complete works	Info	26.4	23.9	n/a	n/a
The amber threshold for the two targeted indicators above is set at 26 weeks based on historic guidance timescales, with the target of 10 weeks reflecting revised guidance timescales. We are now also able to provide two additional indicators measuring the average time taken to complete adaptations works, as requested at Housing Committee.						

 Housing Needs – Housing Options and allocations		Target	Q1 2022/23	Q2 2022/23	Status against target	Trend since Q1
12.1	Corporate KPI: Households where homelessness was prevented due to casework by the council and partner agencies	424	414	403		
We are planning to introduce new performance indicators relating to homelessness prevention and relief for 2023/24. The indicator above is not an ideal measure of performance, as lower numbers of preventions could occur because fewer people are being threatened with homelessness, rather than a lower proportion of overall cases resulting in a prevention.						
12.2	New households accepted as homeless	Info	109	136	n/a	n/a
12.3	Number of households on the housing register	Info	7,592	7,506	n/a	n/a

 Housing Needs – temporary accommodation (including emergency accommodation)	Target	Q1 2022/23	Q2 2022/23	Status against target	Trend since Q1
13.1 Corporate KPI: Total households in temporary accommodation	1,800 or fewer	1,773	1,774		
The target of 1,800 for the end of Q2 is set as a step towards a target of 1,700 at the end of Q4. This indicator has been revised to exclude 35 NSAP and RSAP households.					
13.2 Rent collected for emergency accommodation (year to date including loss from empty homes)	89.21%	71.10% (£634k of £892k)	88.97% (£1.9m of £2.2m)		
13.3 ... as above but excluding rent loss from empty homes	For info	94.88% (£634k of £669k)	105.49% (£1.9m of £1.8m)	n/a	n/a
The indicator above (like the other rent collection indicators in this table) measures the actual amount of rent collected during the year to date compared to the amount due within the same period. It is sometimes possible for the former to be larger, thereby producing results over 100%.					
13.4 Rent collected for leased properties (year to date including loss from empty homes)	96.96%	89.82% (£1.5m of £1.7m)	89.00% (£3.1m of £3.5m)		
13.5 ... as above but excluding rent loss from empty homes	For info	97.01% (£1.5m of £1.54m)	94.99% (£3.1m of £3.3m)	n/a	n/a
13.6 Rent collected for Seaside Homes (year to date including loss from empty homes)	91.00%	89.41% (£1.1m of £1.3m)	89.02% (£2.4m of £2.7m)		
13.7 ... as above but excluding rent loss from empty homes	For info	95.60% (£1.1m of £1.2m)	94.57% (£2.4m of £2.6m)	n/a	n/a
13.8 Empty temporary accommodation homes	For info	98	79	n/a	n/a
The indicator above includes 45 block-booked, 27 private sector leased and 7 Seaside Homes dwellings. These are dwellings that were available to let as temporary accommodation.					
13.9 Seaside Homes properties with a valid Landlord's Gas Safety Record	100%	99.8% (421 of 422)	99.4% (419 of 422)		
13.10 Leased properties with a valid Landlord's Gas Safety Record	For info	86.4% (514 of 595)	84.6% (498 of 589)	n/a	n/a
The indicator above does not have a target because when it comes to leased properties the council's role is to monitor progress and remind landlords to arrange gas safety checks, whereas the council's gas contractor carries out checks in Seaside and council owned temporary accommodation homes.					

 Council housing – supply		Q1 2022/23	Q2 2022/23
14.1	 Additional council homes	15	24
14.2	... at Local Housing Allowance (LHA) rents	13% (2 of 15)	25% (6 of 25)
All homes at LHA rates delivered during Q2 were for use as temporary housing			
14.3	... at 37.5% Living Wage rents	73% (11 of 15)	64% (16 of 25)
14.4	... at 27.5% Living Wage rents	13% (2 of 15)	4% (1 of 25)
14.5	... at social rents	0% (0 of 15)	4% (1 of 25)
14.6	Council homes sold through the Right to Buy	16	5
Of the 5 homes sold during Q2, 4 were leasehold (flats) and 1 was freehold (houses)			
14.7	Net change in the number of council homes – all rent levels	-1	+19
14.8	Net change in the number of council homes – social and 27.5% Living Wage rent homes only	-14	-3
14.9	 Total council owned homes	11,745	11,764
Total council owned dwelling stock of 11,764 includes 10,724 general needs, 877 seniors housing, 109 temporary accommodation, 30 NSAP and 25 RSAP dwellings (including new dwellings not yet handed over for letting).			

14.10 Council housing – buy backs (Home Purchase and Next Steps / Rough Sleepers accommodation)

Buy backs by application date	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23 to date	Total
Total applications	5	53	88	157	159	50	512
Of which, became purchases	2	32	53	91	70	2	250
Council declined	1	13	11	16	10	6	57
Owner declined offer	1	5	12	15	14	1	48
Owner withdrew	1	3	12	33	51	13	113
Outcome pending	0	0	0	2	14	28	44

Completed buy backs by rent level	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23 to date	Total
Completed purchases	1	13	43	64	90	39	250
... general needs social rent	0	0	1	4	0	1	6
... general needs 27.5% Living Wage	0	0	5	17	21	3	46
... general needs 37.5% Living Wage	1	5	24	14	43	27	114
... temporary housing at LHA rates	0	8	13	29	26	8	84





Summary of all buy backs since start of programmes, September 2017







Total purchases	Social rent	27.5% LWR	37.5% LWR	LHA rate	No. rent reserve applied	Total rent reserve applied	Net modelled subsidy (surplus) over all properties to date (£)
250*	6	46	114	84	46 **	£1.973m ***	£232,000

* Of which 224 are flats (6 studio, 77 one bed, 123 two bed, 20 three beds plus) and 26 are houses (4 two bed, 22 three beds plus)






** Following Housing Committee decision to use rent reserve to keep rents as low as possible

*** Applied during 2021/22 – a further £830k is anticipated to be used during 2022/23

















 Council housing – management		Target	Q1 2022/23	Q2 2022/23	Status against target	Trend since Q1
15.1	Corporate KPI: Rent collected as proportion of rent due (current tenants)	96.65%	95.27% (£55.9m of £58.7m)	94.58% (£55.5m of £58.7m)		
<p>The Q1 and Q2 figures above are forecasts for the whole of the 2022/23 financial year. The methodology excludes rent loss from empty properties and includes arrears from the end of the previous financial year. Analysis from Housemark has found that rent arrears across the social housing sector have increased steadily since the summer of 2021 (when emergency uplifts to benefits ended and inflation started to rise) and continue to increase with ongoing cost-of-living crisis. Locally, a recovery plan is being implemented to reduce arrears and vacancies in the Income Management team are being recruited to, which should improve collection rates. The team will also be reviewing its approach to income collection, working closely with the council's corporate debt board to implement a 'training standard' and are also looking at some proactive work with LIFT to identify and support households with multiple debts.</p>						
15.2	 Tenancies on Universal Credit (UC)	Info	28% (3,229 of 11,337)	29% (3,377 of 11,405)	n/a	n/a
15.3	Tenancies on UC who are in arrears and have an Alternative Payment Arrangement (APA)	Info	52% (972 of 1,881)	43% (1,006 of 2,332)	n/a	n/a
<p>Of the 3,377 tenants on UC there were 2,332 who also had rent arrears. Of the latter, 1,006 had an APA in place, whereby housing costs of UC are paid direct to the council as their landlord.</p>						
15.4	Arrears of UC tenancies as a proportion of total arrears	Info	60% (£1.7m of £2.8m)	59% (£1.9m of £3.2m)	n/a	n/a
15.5	Evictions due to rent arrears	Info	0	0	n/a	n/a
15.6	Evictions due to anti-social behaviour (ASB)	Info	0	0	n/a	n/a
15.7	New reports of ASB from victims and witnesses	Info	200	206	n/a	n/a
15.8	ASB perpetrator cases opened	Info	146	147	n/a	n/a
15.9	ASB perpetrator cases closed	Info	136	154	n/a	n/a
15.10	Average days to close ASB perpetrator cases	Info	81	80	n/a	n/a
15.11	Active ASB perpetrator cases at quarter end	Info	171	164	n/a	n/a
<p>The anti-social behaviour (ASB) indicators in this section have been developed to reflect the way ASB is recorded on the new housing management IT system, which includes reports from victims and witnesses as well as linked cases dealt with in relation to the perpetrators. There are often multiple victims and witnesses linked to a single perpetrator.</p>						













 Council housing – management		Target	Q1 2022/23	Q2 2022/23	Status against target	Trend since Q1
15.12	 Calls answered by Housing Customer Services	85%	83% (5,137 of 6,159)	88% (6,123 of 6,972)		
15.13	Tenancies sustained following difficulties (Tenancy Sustainment Team cases)	90%	86% (18 of 21)	100% (20 of 20)		


Please note the indicators in the table below and their targets are being reviewed as part of a project across Housing focused on reducing the number of empty council homes.

 Council housing – empty homes		Target	Q1 2022/23	Q2 2022/23	Status against target	Trend since Q1
15.14	 Average re-let time in calendar days excluding time spent in major works	21	93	76		
<p>Re-let times are high while recovery efforts remain underway to tackle a backlog of empty council homes, which includes many homes which have been empty for long periods of time. However, the number of re-lets during 2021/22 (472) was up on 2020/21 (213) and above pre-pandemic levels seen during 2019/20 (445). Furthermore, the number of re-lets during the first half of 2022/23 (330) is significantly above 2021/22 levels (which averaged 118 per quarter) and the number of empty homes has decreased from 204 to 153 during the quarter.</p>						
15.15	Average 'key to key' re-let time in calendar days including time spent in major works	Info	163	130	n/a	n/a
15.16	Number of previously occupied council homes re-let (general needs and seniors)	Info	176	154	n/a	n/a
15.17	Number of new council homes let for the first time (general needs and seniors)	Info	22	18	n/a	n/a
15.18	 Empty general needs and seniors council homes (includes new homes)	Info	204	153	n/a	n/a
15.19	Empty council owned temporary accommodation homes (includes new homes, NSAP and RSAP)	Info	24	33	n/a	n/a

Please note the figures for the first three indicators in the table below are provisional as there are currently issues with reporting of repairs data arising from the switchover of our main housing management IT system since the start of July 2021. At present two IT systems are being used and it is not possible to integrate reporting between them, meaning that performance data is currently being extracted and manually combined from the two systems, which is likely to be less accurate than automatic system reporting (due to the volume and multiple stages of the jobs managed by the Repairs & Maintenance service). We are in the process of procuring a new works management system. Once we have this new system, we should be able to report on all jobs automatically.

 Council housing – repairs and maintenance		Target	Q1 2022/23	Q2 2022/23	Status against target	Trend since Q1
16.1	 Emergency repairs completed within 24 hours	99%	98.1% (2,120 of 2,160)	98.6% (2,645 of 2,682)		
16.2	Corporate KPI: Routine repairs completed within 28 calendar days	70%	44.9% (1,773 of 3,952)	58.5% (2,384 of 4,077)		
<p>Although performance has improved, recently completed routine repairs have included jobs from a backlog which has built up since the start of the pandemic and due to reduced staffing levels and availability of contractors. This means that these jobs took longer than their target timescales once they were completed. The Repairs & Maintenance service has completed the recruitment of trade staff and has recruited additional staff to help deal with the current backlog. Sub-contractors have also been mobilised to increase capacity.</p>						
16.3	Average time to complete routine repairs (calendar days)	15	71	55		
As above.						
16.4	 Calls answered by Repairs Helpdesk	85%	86% (16,497 of 19,092)	92% (15,973 of 17,315)		
16.5	 Surveyed tenants satisfied with repairs: standard of work	96%	96% (207 of 216)	99% (911 of 924)		
16.6	Surveyed tenants satisfied with repairs: overall customer service	96%	95% (206 of 216)	98% (908 of 924)		

 Council housing – investment and asset management		Target	Q1 2022/23	Q2 2022/23	Status against target	Trend since Q1
17.1	 Corporate KPI: Dwellings meeting Decent Homes Standard	100%	95.9% (11,263 of 11,745)	96.2% (11,317 of 11,764)		
<p>There had been a lack of planned installations of new kitchens and bathrooms throughout much of 2020/21 and 2021/22 due to Covid restrictions, shortages of supplies and components. Performance was 92.9% at the same time a year ago and so has improved considerably since then and is expected to improve further with the recent Housing Committee decision to approve the appointment of up to two new contractors for kitchens and bathrooms.</p>						
17.2	Corporate KPI: Energy efficiency rating of homes (out of 100)	72.3	68.2	68.3		
<p>An ambitious corporate target has been set for 2022/23 in line with a trajectory towards Band A by 2024 (from Band D). Please see the workplan updates for 'Achieving carbon reductions and sustainability in housing including address fuel poverty' in this report for more information about these objectives, including improving energy efficiency of council homes.</p>						
17.3	 Council properties with a valid Landlord's Gas Safety Record	100%	100% (10,012 of 10,012)	99.99% (10,102 of 10,103)		
17.4	 Lifts restored to service within 24 hours	95%	100% (87 of 87)	83% (134 of 161)		

 Leaseholder disputes		Q1 2021/22	Q2 2022/23
18.1	Stage one disputes opened	1	5
18.2	Stage one disputes closed	3	1
18.3	Active stage one disputes (end quarter)	22	26
18.4	Stage two disputes opened	4	0
18.5	Stage two disputes closed	0	1
18.6	Active stage two disputes (end quarter)	7	6
18.7	Stage three disputes opened	0	1
18.8	Stage three disputes closed	0	0
18.9	Active stage three disputes (end quarter)	1	2

Brighton & Hove City Council

Housing Committee

Agenda Item 58

Subject: Housing Anti-Social Behaviour Policy

Date of meeting: 18th January 2022

Report of: Executive Director Housing, Neighbourhoods & Communities

Contact Officer: Name: Justine Harris (Head of Tenancy Services)
Janet Dowdell (Operations Manager)

Email: justine.harris@brighton-hove.gov.uk
Janet.dowdell@brighton-hove.gov.uk

Ward(s) affected: All

1. Purpose of the report and policy context

- 1.1 The Housing service aims to ensure that our residents feel safe and secure in their homes and do not suffer from anti-social behaviour (ASB), nuisance, or harassment. The service is committed to taking steps to prevent anti-social behaviour from occurring and where it does occur, aiming to take swift and effective action to find a lasting solution, whilst supporting the victims of ASB and supporting behaviour change of the perpetrator.
- 1.2 The purpose of this report is to bring the new Housing Anti-Social Behaviour Policy to Housing Committee for approval.
- 1.3 The Housing service received requests from residents via Housing Area Panels to review the Anti-Social Behaviour (ASB) policy. In response to these requests, and to improve overall resident satisfaction with the Housing ASB service and outcomes, a review of Housing's response to ASB was undertaken.
- 1.4 The review was conducted by undertaking tenant and staff surveys, the establishment of a resident Task and Finish group, peer review of other council services, analysis of ombudsman complaints and closed ASB cases. It also included feedback from external agencies. The Anti-Social Behaviour (ASB) Review Recommendations Report was shared with Housing Committee in June 2022. Housing Committee noted the report and approved the recommendation that a new ASB policy is presented to Housing Committee for approval.
- 1.5 Housing Committee were advised that implementation of the review recommendations would commence from July 2022.

2. Recommendations

- 2.1 That Housing Committee approve the Anti-Social Behaviour Policy.

3. Context and background information

3.1 The Housing Anti-Social Behaviour Policy was drafted following a review of ASB within the council's Housing landlord service. The aim of the review was to improve overall satisfaction of Housing's ASB service and outcomes for residents. The review recommendations were:

- Revise the current policy and procedure.
- Provide training to staff.
- Review how we effectively resource our response to ASB.
- Increase use of satisfaction surveys.
- Review Sensitive Lets policy.
- Devise a rapid response strategy.
- Explore the use of Community Protection Notices (CPN).
- Explore the use of an App.
- Publicise statistics on court outcomes.

An update on progress to date against these recommendations is outlined in the paragraphs below.

3.2 The review highlighted areas for improvement, these have informed the Policy and are framing the implementation of new ways of working which aim to improve the response to ASB.

3.3 The strategic aims of the Policy are aligned with the Council's priorities in relation to inclusion. It also has a focus on collaborative working. The strategic aims as set out in the Policy include preventing ASB from occurring and when it does, provision of a victim centered service which aims to take swift and effective action.

3.4 The drafting of a new ASB Policy formed one of the recommendations of the ASB review. Other recommendations that came out of the review, are informing service improvements which in some cases have already been implemented and in others are included in planning for future ways of working. Progress and plans were outlined in information provided to Housing Committee on 16 November 2022 in responses to:

- Public Involvement - Petition on Anti-Social Behaviour on Craven Vale Estate.
- Councillor Question - Craven Vale update.
- Member Letter: Suggestion of a weekly 'catch up' call between the Housing Department and Police.
- Notice of Motion - Use of Council Powers on Housing Estates.

3.5 A training and an implementation plan has been devised. The training plan includes a rolling program of training for staff on emerging ASB trends such as 'cuckooing' and modern-day slavery. It also includes training on the use of Community Protection Notices (CPNs). Training will commence in early 2023.

3.6 There are instances where anti-social behaviour affects the wider community, with many victims and/or more than one perpetrator. These cases can cause long lasting harm to local residents and can have an impact on community cohesion. In recognition of this, a recommendation of the review is to implement

a rapid response strategy. The purpose of this is to provide a framework in which this type of ASB is managed. Once a case that requires this response is identified by an officer, they will request a multi-agency meeting, where it will be agreed if the strategy needs to be applied and who the lead officer will be.

- 3.7 The process for a rapid response strategy has been developed. Elements, such as the multi-agency response are in use. This expedited a multi-agency response in a recent case of ASB within a community.
- 3.8 A key part of managing ASB within the rapid response strategy is to ensure regular communication with all the victims, ward councillors and other interested parties. This may include resident organisations and local businesses if they are also impacted by the situation. The responsibility of providing weekly updates will be with one officer to ensure a consistent joined up approach. This will be in addition to the Housing Officer's regular contact with the victims, it will complement, not replace this.
- 3.9 Another key recommendation coming out of the review is use of Community Protection Notices (CPNs). Use of CPNs for ASB within the Housing Management service will commence by April 2023, following a training program across the relevant teams. This will enhance the response to ASB, enabling another form of action to be considered.
- 3.10 CPNs can be used within Housing to address issues such as tackling the accumulation of rubbish, to clear overgrown gardens, loud playing of music in common ways or public areas surrounding our housing stock, regular use of public areas for unauthorised activity such as repairing vehicles or disruptive social gatherings, and the smoking of cannabis in and around the property.
- 3.11 In the review, residents also raised concerns about communication with the victims of ASB. In response, improvements to the service will be in line with expectations of Victim and Witness Standards. These are a set of standards; people can expect to receive when they report ASB. This will help increase public confidence in reporting, and ensure that people who report ASB feel supported, and are clear about actions being taken to address their concerns. Training for frontline staff on responding to victims and witnesses sensitively forms part of the training plan. Improved communication will also be in the provision of regular updates for victims and witnesses.
- 3.12 Where it is in the public interest and where we are able, information on court action will be publicised. This is to help act as a deterrent to perpetrators of ASB and give reassurance to residents that the Council takes action.
- 3.13 With the implementation of the ASB Policy, updated procedures and implementation of the training plan, the revised initial assessment will include additional elements to identify hate crime and support victims of hate crime.
- 3.14 The Policy and procedure have been split into two documents, making the Policy easier to read. Once agreed by Housing Committee, the Policy will be published on the Council website. As requested by residents, we will publish alongside this

a flow chart which explains the potential journey an ASB case may take, including points of Council intervention and legal recourse.

- 3.15 Whilst the Policy is focused on ASB in the context of Housing and tenancy management, it sets out how we work collaboratively with internal and external partners. This includes coordination of action; this means we may take tenancy action after and because of action taken by another team or organisation. An example of this is taking possession proceedings as a result of a criminal conviction or serving a notice seeking possession after a noise abatement notice.
- 3.16 Other implementation work that is ongoing includes reviewing how we effectively resource a robust response to ASB within existing budget parameters. We are also starting a separate review of the Sensitive Lets Policy.

4. Analysis and consideration of alternative options

- 4.1 The ASB Policy was drafted following a request from residents. It takes resident feedback and customer satisfaction into account and is informed by legal advice and statutory guidance.

5. Community engagement and consultation

- 5.1 Housing received requests from residents via Area Panels to review the ASB policy. A review was conducted, this has informed the Policy. The review included tenant surveys, consideration at Area Panel, the establishment of a resident Task and Finish group, analysis of ombudsman complaints and closed ASB cases. The review was carried out between August 2021 – June 2022. 140 individuals were surveyed, some were contacted by phone, all were sent an online survey. Additionally, we surveyed 36 tenants who'd suffered hate related ASB. In engaging with the Task and Finish group, of the 13 original members, we were able to meet with nine, in person and virtually.

6. Conclusion

- 6.1 Everyone should be able to live peacefully and feel safe and secure in their homes and communities, and should not suffer from antisocial behaviour, nuisance or harassment.
- 6.2 The focus of the ASB Policy is on reducing harm for the victim by preventing anti-social behaviour from occurring and when it does the aim will be to take swift effective action to find a resolution.
- 6.3 The Policy was drafted following a review of the response to ASB by the Council as a social housing landlord. It is aligned with improvements being implemented in the Housing service following this review. These have an overall aim to improve the satisfaction of Housing's ASB service and outcomes for residents.

7. Financial implications

- 7.1 There are no financial implications directly arising from this report. However, the 2023/24 HRA budget report has set aside one-off funding for additional resources to support the work related to Anti-Social Behaviour amongst other areas. As outlined in this report a review of staff workload will also be undertaken to ensure that support that is required is kept within existing budget parameters where possible.
- 7.2 Any significant budget implications arising once the plan is implemented early in 2023 will be reported via the Council's Targeted Budget Monitoring (TBM) reporting process, this being the key component of the council's overall performance monitoring and control framework.

Name of finance officer consulted: Craig Garoghan Date consulted:
(20/12/2022):

8. Legal implication

- 8.1 The Report commits to a process that is lawful. There are several points to note:
- CPN's are used extensively by other local authorities and are already used within Brighton and Hove to address low level nuisance and anti-social behaviour.
 - The report refers to rapid response actions. It should be noted that the Equalities Act 2014 and the Human Rights Act 1998 both apply to this area of legislation. This means that Housing Officers and Legal must take equalities and human rights matters into account. This generally means having to obtain information from third parties. We note that this often brings delay to the process and is beyond Housing Officers control. For instance, the Police generally require a formal Data Protection Application to be made. It is also important to note that other third parties influence the ability to respond. While it is normally possible for instance to get an urgent matter listed before the Court, thereafter (and on non-urgent matters), the system is dependent on Court time availability.
 - There are situations where a tenant may have such significant mental health issues, that a Court order is not a practical solution. It is not possible in law to enforce an order against someone who lacks the ability to understand the order.
 - We also note that many of the victims will themselves be highly vulnerable and not be able to support any judicial process (which can be lengthy and stressful).

Name of lawyer consulted: Simon Court Date consulted (22.12.22):

9. Equalities implications

- 9.1 As part of the Public Sector Equality Duty under the Equality Act 2010, the Council must seek to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - Foster good relations between people who share a protected characteristic and those who do not.

The new ASB Policy will help to address responsibilities under the Equality Act. It will strengthen a coordinated multi agency response, creating clear lines of responsibility for action and communication to reporters and other parties.

This action will help target resources and identify cases of discrimination on the basis of a protected characteristic. It will also recognise that where applicable there will be Equalities consideration for the perpetrator. We will seek to address those issues where possible.

The new Policy is victim centred, each report of ASB will be considered based on the circumstances, such as frequency, harm caused and the impact on the victim. This approach puts the reporter at the centre of decision making.

The ASB policy gives specific focus to domestic abuse and hate related incidents. Training provided to staff will embed the emphasis on victim support, enabling each reporter to have an enhanced level of service with a single point of contact. This will improve the ability of individuals to engage with the Housing service and improve the ability to identify hate crime. Women are disproportionately disadvantaged by domestic violence situations and / or gender based violence. This will be a consideration in decision making. As will issues around honour based problematic behaviour. Where applicable we will consider human trafficking and related matters.

The casework approach of seeking to actively work with a perpetrator to change behaviour, where appropriate, is hoped to result in a sustained improvement in the wellbeing and life experience of the individual and works to removing or minimising disadvantages suffered by persons who share a relevant Protected Characteristic.

The commitment to acting proportionate to the case will enable robust action to tackle situations of ASB. Improved collection of customer feedback will enable continued service improvement. This will result in timely interventions and case progression to resolve a situation as quickly as it is possible to do. Each reported situation of ASB interferes with people ability to live peacefully in their homes, the approach set out in the Policy will result in a reduction in the risk and harm experienced by individuals.

10. Sustainability implications

10.1 None identified.

11. Other Implications

11.1 None identified.

Crime & disorder implications:

11.2 Implementation of the new policy in conjunction with new procedures will improve Housing's response to crime and disorder in the context of anti-social behaviour.

Public health implications:

- 11.3 An improved response to ASB, including the sensitivity of dealing with victims and witnesses will impact positively on wellbeing of individuals and communities.

Supporting Documentation

1. Appendices

1. Housing Anti-Social Behaviour Policy

Anti-Social Behaviour Policy

This policy covers how we as a council deal with anti-social behaviour relating to residents in Brighton & Hove City Council's housing stock and the council's specific responsibilities as a landlord. Anti-social behaviour in the city not involving residents of council housing is dealt with by the council's Community Safety Team.

Overview of our service

1. Strategic Statement

- 1.1 Brighton & Hove is a unique place in which to live, work, visit and relax. All residents, visitors, tourists and businesses in the city have the right to enjoy the city, to live peacefully in their homes and neighbourhoods, to feel safe and secure and should not suffer from anti-social behaviour, nuisance or harassment.
- 1.2 We will take active steps to investigate whether any anti-social act might be motivated by hate and will treat any incident as a hate crime if and where the victim perceives it as such. [Our equality and inclusion policy statement and strategy \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk/equality-and-inclusion-policy-statement-and-strategy)
- 1.3 We will take steps to prevent anti-social behaviour from taking place. Where it does, we aim to take swift and effective action to find a resolution.
- 1.4 Our focus is on reducing the harm caused to the victim and communities, as well as provide support where a perpetrator has vulnerabilities that cause, or contribute to, the situation.
- 1.5 We will work in partnership with other organisations, victims, witnesses and members of the community to ensure that Brighton and Hove is a safe and secure place to live, work and visit.

2. Definition of Anti-Social Behaviour

- 2.1 The term 'anti-social behaviour' is used to describe a variety of problems which can cause nuisance, annoyance, harassment, alarm or distress. This can range from a relatively minor issue to serious criminal activity. We consider each report of anti-social behaviour based on the specific circumstances, such as frequency, harm caused, and the impact on the victim.

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- 2.2 We are careful to avoid focusing purely on very violent and abusive behaviour at the expense of ignoring neighbour nuisance. If not dealt with in an appropriate and timely fashion, nuisance can easily develop into more serious behaviour.
- 2.3 Council housing tenants are required to comply with the conditions set out in their tenancy agreement. We will take appropriate action if the tenancy conditions are breached.
- 2.4 Section 5 of the tenancy agreement (called 'Being a good neighbour') covers antisocial behaviour.

'You are responsible for the behaviour of all members of your household, including your children and any lodgers, sub-tenants or visitors ('they'). This applies in your home and in the shared parts of your block, estate and neighbourhood and at any council office.

You or anyone living with you or visiting you must not do or threaten to do anything which causes, or is likely to cause, a nuisance or annoy someone else.

You or anyone living with you or visiting you must not harass or threaten any other person (or group of people) at all and in particular not do so because of their age, disability (which includes mental health conditions) ethnicity/ race, gender reassignment, religion or belief, sex, sexual orientation, or for any other reason'.

3. What to do

- 3.1 When the council receives a report of anti-social behaviour, we will carry out an initial assessment taking into consideration the needs of the victim to determine the most appropriate action. We will advise as necessary if the situation needs to be dealt with by another service (such as Sussex Police or a housing association). The information in this document applies to reports dealt with by the council's Housing Service.
- 3.2 **Report to Sussex Police**
- If you feel in immediate danger or in an emergency phone 999 and ask for the police.
 - If it is not an emergency, you can contact the police by phoning 101.
 - You can also report online at www.sussex.police.uk.

Housing Tenancy Management Policy

Report to Brighton & Hove City Council

Council tenants, council leaseholders and tenants of leaseholders should report anti-social behaviour and Hate Incidents to Housing Customer Services by:

- phone - 01273 293030
- or email Housing.CustomerServices@brighton-hove.gov.uk

You can also [report anti-social behaviour online](#).

Housing association tenants should report anti-social behaviour and Hate Incidents to their housing provider. Brighton & Hove City Council cannot intervene in housing association cases.

The Community Safety Team

Private rented sector tenants and owner occupiers can report anti-social behaviour and Hate Incidents to the Community Safety Team by:

- phone - 01273 292735 (please leave a voicemail)
- or email CommunitySafety.Casework@brighton-hove.gov.uk

You can also [report anti-social behaviour online](#).

4. Examples of What May/May Not be Anti-Social Behaviour

4.1 The examples below are intended to illustrate the types of behaviours which we may consider to be anti-social. However, each issue will be looked at individually and decisions will be made on the specific circumstances of that particular issue.

4.2 Examples of behaviour we may consider to be anti-social include:

- Noise nuisance, including from loud music or a television
- Threatening or verbally abusing another person
- Domestic abuse
- Damaging property and graffiti
- Attacking another person
- Drug related activities
- Hate related incidents targeting someone because of their personal characteristics.
- Failing to control a pet
- Littering or dumping of rubbish

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- Obstruction or misuse of communal areas
- Squatting and illegal activities.

4.3 Examples of behaviour we may not consider to be anti-social include:

- Reasonable household noise
- Carrying out DIY at reasonable times
- Babies crying
- A one-off party if noise was the only issue and it is unlikely to be repeated
- Children playing. We will not consider this to be anti-social behaviour unless there is evidence of other issues such as verbal abuse or deliberate damage.

5. Expectations

5.1 We expect people to be respectful and considerate towards their neighbours and not do anything which spoils the quality of life of other people in their community.

5.2 We also expect people to be tolerant and accept the reasonable needs, choices and lifestyles of other people.

5.3 We expect people to take responsibility for minor personal disputes with their neighbours and, where necessary, will offer advice and information to support an effective resolution.

5.4 If someone is suffering anti-social behaviour, we will seek to help them. We can only do this by working together and we need people who ask for our help to co-operate with reasonable requests to help resolve their case. This may include:

- Agreeing to actions to help resolve their situation themselves, such as talking to their neighbour.
- Keeping a record of incidents.
- Keeping appointments with us.
- Taking part in mediation or a community resolution.

Without this co-operation, we may not be able to resolve the problem.

5.5 We will aim to work to bring an end to a situation by supporting a change in any problem behaviour. We will only take action to end a tenancy where this approach fails or is not appropriate.

Working With Vulnerable People

6. Supporting Victims and Witnesses

- 6.1 We recognise that experiencing anti-social behaviour can be a worrying and stressful time. We understand the harm it causes and impact it has on quality of life.
- 6.2 We will therefore provide a service focussing on the victim by assessing the impact on people and tailoring support based on individual needs.
- 6.3 We will keep in regular contact with victims and witnesses throughout the investigation and ensure they understand what action we are taking and why.
- 6.4 We will give advice, support and guidance throughout our investigation.
- 6.5 Examples of how we may support victims based on their individual circumstances include:
- Providing a single point of contact, usually a Housing Officer if they are a council tenant.
 - Referral or signposting to other organisations for support (such as Victim Support or Rise).
 - Visits to court before a trial and advice and/or support through any legal hearings.
 - Advice about additional security measures, where appropriate.
- 6.6 There are instances where anti-social behaviour affects a community, with many victims and sometimes more than one perpetrator. These particular cases can cause long lasting damage and can have an impact on community cohesion.
- 6.7 When there are multiple cases in a neighbourhood, a lead officer will coordinate the response to ensure strong communication with all the victims.

7. Vulnerable Perpetrators

- 7.1 Where necessary, we will work with the person causing the anti-social behaviour to identify support needs which may address the underlying causes of their behaviour. This may include reasons such as drug or alcohol addiction, mental health issues or support with parenting. We will work with partner agencies in seeking to resolve or improve the underlying issues, which may be the best way to find a lasting solution. This is often necessary if

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a case needs to go to court, where we will need to account for all action taken. It is also important to note that there are rare occasions where someone cannot control their behaviour. In these cases, we may have to look at other ways of dealing with the situation

- 7.2 If someone has been offered support but does not engage and their anti-social behaviour continues, we will take appropriate action. We will ensure that any action we take is reasonable and proportionate and meets our obligations under the Equality Act 2010 and any other relevant legislation. We will make reasonable adjustments to our policy and procedures where appropriate.

Taking Action

8. Overview

- 8.1 We will investigate reports of anti-social behaviour and seek both sides of the story to get the facts of the situation. We will get information from other individuals or sources where necessary.
- 8.2 We will decide on the most appropriate action based on factors such as the evidence available, the impact on the victim and the best way to achieve a lasting solution.
- 8.3 Action we take will be proportionate to the behaviour exhibited and circumstances of the case.
- 8.4 In general, we aim to use interventions and give perpetrators of anti-social behaviour a reasonable amount of time to change their behaviour before escalating a case. However, if the evidence and circumstances justify it, we may take legal action straightaway.
- 8.5 Where there are multiple victims in a location, a named officer will be nominated with responsibility for coordinating and maintaining communication with residents and other agencies.

9. Preventative Action

- 9.1 We will take steps to try and prevent anti-social behaviour from occurring in the first place.

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9.2 We will work with partner organisations:

- to identify areas/issues of concern at an early stage
- to identify support for vulnerable individuals where appropriate.

10. Non-Legal Action

10.1 Where appropriate, before considering legal action, we will take action which attempts to resolve issues at an early stage. These actions may include:

- Warning letters/meetings
- Mediation
- Acceptable Behaviour Contracts.

11. Legal Action

11.1 We will take legal action where necessary and appropriate to resolve the issue. This may be because a serious incident or breach of tenancy has occurred, or it may be a result of continuous and/or escalating incidents which have been not resolved by other means.

11.2 Decisions on whether to take legal action and what type of action is most appropriate will be made by the Housing Team in consultation with our Legal team and statutory partners based on the facts of each case. The council may have information that we cannot share due to General Data Protection Regulation (2016).

11.3 Legal action we can take may include:

- Extending or ending an introductory tenancy
- Possession (eviction) proceedings
- Injunction
- Closure of a property
- Community Protection Notice
- Criminal Behaviour Order.

11.4 Taking a case to court is a serious matter. We need the help of the witnesses of ASB to do this. Without this, it becomes very difficult to take successful legal action. We appreciate this can be a difficult experience for victims and the council will offer to support victims through this process.

12. Publicity

12.1 Where we believe it is in the public interest, we will publicise details of

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Court results. We may prepare a press release containing the name, age and street of the people causing anti-social behaviour, along with details of the case and court decision.

- 12.2 We do this to make sure communities are aware of the action we take and to discourage other people from causing anti-social behaviour.

Working in Partnership

13. Co-ordination of Action

- 13.1 We will work in partnership with other organisations and council teams to ensure appropriate action is taken to address anti-social behaviour. This may mean we take action after, and as a result of, action taken by another team/organisation. For example, taking possession proceedings as a result of a criminal conviction or serving a Notice of Seeking Possession after a Noise Abatement Notice.
- 13.2 We may also work with other council teams (such as Environmental Protection or Trading Standards) and other organisations such as Sussex Police to ensure the most appropriate enforcement action is taken.

14. Sharing Information

- 14.1 We will seek information from and share information with other council teams and other organisations for the purpose of effectively investigating and tackling anti-social behaviour.
- 14.2 We will ensure that we share information in a way that complies with our obligations under the General Data Protection Regulation.
- 14.3 The way we share information to tackle anti-social behaviour is covered in the [Housing Service's privacy notice](#).
- 14.4 We will respect privacy and requests to remain anonymous. We will not tell the people alleged to be causing anti-social behaviour who has complained about them unless we have permission.

15. Closing the case

- 15.1 We will regularly review cases and close them at the appropriate time. We will aim to do this only when the situation is resolved, and no further action is required or because we have concluded that no action is possible

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(for example because evidence is not available). We may close the case if we can't contact the person who has reported the problem.

- 15.2 We will always tell the person who reported the problem that we intend to close the case and why. Where necessary we will also give them advice on what to do next.
- 15.3 If there are further incidents reported after a case has been closed, we will take appropriate action based on the circumstances of the report. This may mean we start a new investigation or escalate the case from the last action.
- 15.4 In some cases, we may decide that a new investigation is not required, for example where the report is of a substantially similar nature to something we have already investigated and concluded that action is not possible. We will always explain what we are doing and why to the person making the report.

16. Measuring Performance

- 16.1 We will measure our ASB service based on customer satisfaction. We will aim to send a customer survey with the case closure letter for each case. We ask questions such as how satisfied they were with:
 - The service they received when they first reported the problem.
 - The service they received throughout the investigation.
 - The outcome of their report.

We will ensure our performance results are available to customers.

17. Feedback and Complaints

- 17.1 We welcome any feedback from customers, please contact us by phoning 01273 293030 or emailing housing.customerservices@brighton-hove.gov.uk.
- 17.2 We will seek to fully resolve any complaints about our service. If you have a complaint about the Housing Service please get in touch with us directly, so that we have the opportunity to put things right. If you still remain dissatisfied you are able to [Make a complaint using our corporate complaints procedure \(brighton-hove.gov.uk\)](#)

18. The Community Trigger / ASB Case Review

- 18.1 The Community Trigger (also known as the 'ASB Case Review') is a

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process available to people who are suffering anti-social behaviour and feel that the organisations involved are not doing enough to resolve the problem.

- 18.2 The Community Trigger can be raised with Brighton & Hove City Council or Sussex Police. Where it meets the criteria, the Housing Team, alongside any other organisations involved in a case, will review the action that has been taken and make recommendations if there are additional actions that can be taken to resolve the problem.
- 18.3 Further information about Community Triggers can be found on the Brighton & Hove City Council or Sussex Police websites or by telephoning Housing Customer Services on (01273) 293030 or emailing housing.customerservices@brighton-hove.gov.uk

DRAFT

Brighton & Hove City Council

Housing Committee

Agenda Item 59

Subject: Private Sector Housing Update

Date of meeting: 18 January 2023

Report of: Executive Director Housing, Neighbourhoods and Communities

Contact Officer: Paul Cooper, Assistant Director Housing Needs & Supply
Tel: 07923 442200
Email: paul.cooper@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

1.1 To update Housing Committee on progress since the *Private Rented Housing Update* was last reported on 28 September 2022, including:

- Feedback on research in establishing an Ethical Lettings Agency;
- Progress on selective licensing and additional HMO licensing;
- The Private Sector Housing Enforcement Policy;
- Restrictions relating to a 'Rogue Landlord database';
- Activity in relation to private sector housing enforcement

2. Recommendations

That Housing Committee:

- 2.1 Agree that development of an in-house Ethical Lettings Agency will not be pursued at this time.
- 2.2 Note the progress on the Selective Licensing Feasibility Study and the proposal to arrange a Housing Committee Member Workshop (early February 2023) on options to progress.
- 2.3 Note that evidence suggests a new Additional HMO Licensing Scheme is potentially viable, and if so that required consultation on this should be linked to any consultation agreed to progress selective licensing.
- 2.4 Agree a review of the current Private Sector Enforcement Policy is undertaken. and that in the interim where appropriate proactive use of improvement notices is exercised against landlords and letting agents as referred to in 4.3.4.
- 2.5 Note the options and restrictions relating to a 'Rogue Landlord database'. To approve further investigation of the establishment a 'Rogue Landlord database' in Brighton & Hove and report back to Housing Committee in March 2023.
- 2.6 Note activity during 2022/23 (to 30 November 2022) in relation to private sector housing enforcement.

3 Context and background information

3.1 Background

3.1.1 Housing Committee considered Private Sector Housing Update report on 28 September 2022 and agreed actions listed with updates below:

3.1.1.1 *That Committee notes the updates made to the Council's website, providing advice to private renters on what to do if they feel discriminated against, and encouraging landlords to support the Council's commitment to prevent homelessness.*

This has been implemented.

3.1.1.2 *That Committee agrees that the council website is updated, in line with the Labour Group motion passed at Housing Committee on 17 November 2021, to reflect the agreed zero-tolerance policy on rogue landlords, including a link to the national rogue landlord database.*

The 'national rogue landlord database' is not publicly available and therefore a link cannot be provided through the council's website. (See also 8. *Legal Implications* in this report). Section 4.4 considers other options available to the local authority.

3.1.1.3 *That Committee notes the information made available on minimum standards by the Council when assisting households to access more affordable private rented accommodation as enforceable Good Landlord Standards.*

No further action required.

3.1.1.4 *That Committee agrees the Council explore becoming members of an arms-length ethical lettings agency as a possible alternative to establishing an in-house Ethical Lettings Agency and reports back to this Committee on the potential benefits and costs.*

See Section 4.2 of this report.

3.1.1.5 *That Committee notes the additional monitoring agreed in the Quarterly Housing Performance Report.*

The additional monitoring agreed will be reported from Quarter 3 in the Quarterly Housing Performance Report. In the interim a summary of enforcement activity for 2022/23 (until 30 November 2022) is provided in Section 4.5.

3.1.1.6 *That Committee notes the potential changes to private rented accommodation, should the proposals set out in the New deal for private renters white paper be adopted into future legislation, and agrees the Director for Housing writes to the Government's Housing Secretary, to lobby for the standards set out in the white paper to be enacted as a bare minimum.*

See Section 4.6 of this report.

4 Analysis and consideration of alternative options

4.1 Establishing an Ethical Lettings Agency

4.1.1 At Housing Committee on 28 September 2022, it was agreed options on establishing an Ethical Lettings Agency would be further researched, including membership of an arms-length organization rather than establishing an agency in-house. Four options have subsequently been investigated.

4.1.2 Option 1: Membership of Ethical Lettings CIC

4.1.2.1 Ethical Lettings CIC work in collaboration with other local authorities. Most of these are within the South-East, although some London local authorities are also members (see: [Ethical Lettings CIC \(South East\) – Guaranteed rent and fee-free property management \(ethical-lettings.com\)](#))

4.1.2.2 A comparison of Ethical Lettings CIC in relation to Direct Lets is provided in table 1.

	Ethical Lettings CIC	Direct Lets
No. of lets:Jan22-Nov22	104	181
The 'offer'	Bespoke letting service mainly focussing on the relationship with their tenants. Transparency is described as 'key to their success'	'Tenant finding' service, offering additional support in the event of any issues. It is reactive to situations as they arise and will take enquiries direct from landlords
Full property management	Yes, including management of repairs. They also offer an 'out of hours' contact for emergencies	No – although will intervene if there is a threat of the tenancy breaking down. Will carry out home visits and inventory checks
Not for profit?	Yes	Yes
How they attract/retain landlords	Direct advertising, word of mouth and establishing a good relationship with their landlords, which builds their 'reputation credibility'	Promotion through word of mouth, council webpage and calling landlords/agencies when properties are advertised, building relationships in the process.
How they address benefit cap/high rents	They rely on the local authority 'subsidising' any shortfall. This would be outside the standard fee	Direct negotiation with landlord/agent prior to letting and 'Landlord incentive' payment to compensate for shortfall
Referral mechanism	Signposted, rather than referred. They would not provide a service to Schedule 1 offenders or convicted arsonists	As part of a Prevention Duty or Relief Duty, established as a 'reasonable step' within the Personalised Housing Plan
Fee	£3.5k per placement (+VAT)	None
Other	They would also be looking for the local authority to provide a marketing budget of £3k-£4kpa	-

Table 1: Comparison of 'offer': Ethical Lettings CIC vs Direct Lets

4.1.2.3 There is no membership fee, instead a fee is charged 'per let'. This fee is in addition to any other offer made to secure the property, such as deposit and/or rent in advance. Should 50 placements be made over a year, this would require an additional annual budget of £175k (+VAT).

4.1.2.4 Ethical Lettings CIC do not have an operation within Brighton & Hove. They would therefore either be looking to run the agency remotely or establish a new base in the City. However, as they don't already have established relationships with local landlords, there is a high risk of developing a partnership which is in direct competition with Direct Lets, which is likely to increase rents and/or fees paid to landlords. Ethical Lettings CIC estimate an initial cost of £250k to establish a presence in Brighton & Hove.

4.1.3 Option 2: Establish a partnership through an existing agency

4.1.3.1 Officers have spoken to two possible agencies already operating within Brighton & Hove. An 'enhanced' ethical standard does not currently exist. A partnership through an existing agency would require a legal contract to be agreed, including the standard that would need to be met in order to be defined as 'ethical'. Ultimately, this would mean only working with those landlords that met that 'ethical' standard. Other lets through that agency would not then be at the 'enhanced' standard. This would create a two-tier system, which agencies are keen to avoid.

4.1.3.2 Inevitably, the 'enhanced' standard would be at extra cost, which the council would be expected to meet. It is estimated this enhanced cost would be between £1.5k – £2k (+VAT) per let. In addition, the agency would seek to employ a dedicated member of staff to attract landlords and manage the properties. With management costs and on-costs, this is estimated to be £50k per year.

4.1.3.3 On these estimates, and based on making 50 placements per year, the annual budget required would be £137,000. This cost does not include any fees relating to establishing the legal agreement. It should be noted if this option were to be pursued, it would be subject to the council's procurement policies and procedures and therefore we could not pre-determine the agency we would be partnering with.

4.1.4 Option 3: Establish an 'in-house' Ethical Lettings Agency

4.1.4.1 Officers have engaged with four other local authorities providing an 'arms-length lettings agency'. It should be noted these were not necessarily 'ethical' in the sense they did not provide an 'enhanced offer' other meeting the minimal standards. However, they did operate 'arms-length' from the local authority on a 'not-for-profit' basis.

4.1.4.2 To effectively operate at 'arms-length', 5 staff and a manager is the recommended minimum. Estimates based on current staff performing this function within Direct Lets, would require a budget of £252k. Additional set-up costs would be required. Advice sought from other local authorities indicates this would be in the region of £250k, and would incorporate the following:

- Purchase of IT system: This would need to be bespoke from an existing IT system. It would need to identify rent paid by the tenant, payment to the landlord, additional charges to the landlord or tenant (eg carrying gas service checks or lock replacements on the landlord's behalf).
- Legal Advice: A critical element here is ensuring the agency operates as a commercial venture. Failure to do so could leave the council open to

legal challenge from other letting agencies of using public subsidy to gain an unfair market advantage

- Obtaining references, credit checks, etc: In practice this cost would be recharged to the landlord, but initially there would be a cost in setting up the relevant systems
- Emergency repairs and disputes: A mechanism to report and respond to emergency matters outside the usual office hours

4.1.4.3 Experience from other local authorities also indicates this would take 12 months to establish. These costs do not take into consideration any additional financial incentives to attract landlords, encouraging them to provide accommodation at an enhanced standard. Costs associated with leasing a premises have not been explored at this point. As a letting agent operating on behalf of landlords, the agency would be required serve notices on tenants and issue court proceedings. It should be noted this carries a potential reputational risk to the council.

4.1.5 Option 4: ‘Rebrand’ Direct Lets

4.1.5.1 ‘Rebranding’ of Direct Lets could be achieved at a minimum cost, with the key elements relating to website design and materials; assuming this is not set up as an ‘arms-length’ organisation (see 3.2.4). This would be based on delivering a service based on the minimum enforceable standards currently applied - and making sure rents are affordable for the household. However, it would not involve an ‘enhanced’ offer in terms of property standard or housing management.

4.1.5.2 As previously advised, establishing (or becoming members of) an ‘ethical lettings agency’ is likely to have a minimal impact on reducing homelessness or the number of households in temporary accommodation. It would be a voluntary scheme residents would be signposted to, if they wanted private rented accommodation at an ‘enhanced standard’ or ‘enhanced management practice’ above that which is enforceable.

4.1.5.3 A one-off budget allocation of £100,000 has been set aside to explore the options in setting up an Ethical Lettings Agency. Table 2 provides a breakdown of this based on each option.

Option	Year 1	Year 2 (and ongoing)
<u>Option 1:</u> Membership of Ethical Lettings CIC	£425k	£175k
<u>Option 2:</u> Establish a partnership through an existing agency	£137k (plus legal fees)	£137k
<u>Option 3:</u> Establish an ‘in-house’ Ethical Lettings Agency	£500k (not inc. landlord incentives)	£250k (not inc. landlord incentives)
<u>Option 4:</u> ‘Rebrand’ Direct Lets	£30k	-

Table 2: Budget requirement per option

4.1.6 In conclusion there is limited value in establishing an Ethical Lettings Agency at this time. It is therefore recommended (**Recommendation 2.1**) to agree that development of an in-house Ethical Lettings Agency will not be pursued at this stage. The £100k resource previously set aside for developing an Ethical Lettings Agency will be reported as an underspend as part of month 9 Targeted Budget Management (TBM) report to P&R Committee.

4.2 Selective and additional licensing

4.2.1 At Housing Committee on 28 September 2022, it was reported that consultants had been appointed to undertake a feasibility study on the private rented sector, the outcome of which would determine whether there was a sufficient case to apply for a Selective Licensing and/or a new Additional HMO Licensing Scheme.

4.2.2 The initial data analysis has now been completed and will be presented at the proposed member workshop (see 4.2.7). At the time of writing this report, the full feasibility study is not available. However, the headline data has been considered and initial findings suggest a predominantly city-wide scheme based on designations of 'Poor Property Conditions', in alignment to council strategies, may be an option (Appendix 1). It should also be noted that 'Census 21 Housing Topic Summary' data due to be released by the Office of National Statistics in January 2023 could also have an impact on the evidence and will require reviewing.

4.2.3 As reported previously to Housing Committee (most recently in Private Sector Housing Update, 28 September 2022, para 3.6.5), there would be a break between the existing Additional HMO licensing scheme ending and any new scheme commencing. The current scheme, which expires in February 2023, was approved in order to address concerns relating to HMOs which did not require mandatory licensing. Evidence is needed to justify why a new scheme could achieve improvements which were not possible under the previous scheme (or to maintain the improvements of the previous scheme).

4.2.4 It should be noted that although there would be a break between the current Additional HMO licensing scheme expiring and any new scheme being approved, there is no break for HMOs requiring mandatory licensing. Grounds for mandatory licensing expanded in 2018, so some properties requiring licensing under the Additional Licensing scheme would now require mandatory licensing when the current scheme expires. (For example, mandatory licensing is now required for smaller properties consisting of 5 or more people comprising of 2 or more households, with a 3-storey element no longer being required).

4.2.5 Caution is recommended in reaching any conclusions before the final version of the feasibility study is produced. Although initial indications of the headline data may suggest certain courses of action, this cannot be confirmed until all data has been verified and the full report produced. Reaching conclusions prior to this being available could potentially jeopardise subsequent actions. The full report, options arising from this, and resources required to deliver these options will be the subject of the member workshop proposed.

- 4.2.6 If evidence indicates a new borough-wide Additional HMO scheme is feasible, this would still require consultation before a decision could be taken on implementation of a scheme. It is recommended, (**Recommendation 2.3**) from a cost and engagement perspective, that this consultation is incorporated into any wider consultation on licensing. If Selective Licensing is not pursued, but a new Additional HMO Licensing scheme is, then consultation on Additional HMO Licensing can still proceed if Housing Committee agree to progress this.
- 4.2.7 A Housing Committee Member Workshop is planned for early February to provide a detailed briefing on the feasibility study and to consider the different options for progressing this work, prior to recommendations to Housing Committee in March for a decision. It is clearly important that all the relevant information has been considered in formulating options for progressing or not progressing this policy initiative, that it is clear to interested members of the public what information has been considered by Housing Committee members and that Housing Committee have the opportunity to fully consider all the implications (including legal and financial implications) of the possible options before being asked to make a final decision on licensing schemes.

4.3 Private Sector Housing Enforcement Policy

- 4.3.1 Brighton & Hove City Council's current Private Sector Housing Enforcement Policy has been effective since April 2020 and is set out on the council's website ([Private Sector Housing Enforcement Policy \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk/private-sector-housing-enforcement-policy)).
- 4.3.2 The policy initially seeks to use informal enforcement measures to make improvements to properties where these are reported. Many landlords may not be aware that improvements are required or may have a limited understanding of their responsibilities. The approach set out provides the opportunity for landlords to make improvements, without the immediate threat of formal enforcement action such as court action or penalty notices.
- 4.3.3 There is evidence that this is successful. Of the 339 cases closed since April 2022, 328 (96.8%) have been as a result of working with the landlord to make the necessary improvements. Only 11 cases have required escalation to Statutory Notices or Civil Notices being served (see 4.5.3).
- 4.3.4 One area of consideration for a revision to the current Enforcement Policy would be to reduce the risk of 'revenge evictions'. Analysis of cases requiring intervention from the Private Sector Housing Team since April 2022 indicate five cases (1%) had a section 21 notice being served. This evidence would suggest this type of action is rare, but nevertheless has a serious impact on those affected. However, it acknowledged that some cases where landlords have subsequently served s21 notice to tenants after being asked to make improvements to the property may not be known to the council, as we would be reliant on those tenants informing us of the notice being served.
- 4.3.5 As such, in line with the policy an escalated approach will be considered where the Council has previously taken action against a landlord (or agent), or where the landlord (or agent) has taken retribution against a tenant in the past.

- 4.3.6 If a ‘zero tolerance’ type approach had been adopted since April 2022, then potentially 462 Notices could have been served. This wouldn’t have necessarily increased the number of properties improved. Potentially this could have reduced improvements or delayed required improvements as landlords would be taking legal action to challenge the notices, rather than working with the local authority to make the required changes to their properties.
- 4.3.7 The initial data analysis carried out for the purposes of establishing any evidence based for licensing (see 4.2), estimates the private rented stock in Brighton & Hove as being 48,206 properties¹. A ‘zero tolerance’ type approach could be deemed as being disproportionate based on available evidence about the level of serious disrepair.
- 4.3.8 However, research and analysis produced by the Department of Levelling Up, Housing & Communities (DLUHC) in June 2022 (see *Background Documents*) identifies that many local authority enforcement teams operate a reactive, rather than proactive service, narrowly focused on fulfilling statutory duties and targeting only the worst properties.
- 4.3.9 The initial data in the feasibility study predicts 18 (of 23 wards) in Brighton & Hove have a private rented stock where more than 19% have Category 1 & 2 hazards (see also 4.2.5). This suggests a ‘proactive’ approach would require significantly more resource. A purely ‘enforcement-led’ methodology would be unmanageable and would not necessarily lead to any improvements.
- 4.3.10 An evidence based approach is needed to underpin changes to the enforcement policy.
- 4.3.11 It is recommended (**Recommendation 2.4**) that a review of the existing Enforcement Policy is carried out, based upon the emerging evidence, best practice and required resources, rather than adopting an approach which is neither evidence-based nor has the necessary capacity to deliver.

4.4 ‘Rogue Landlord database’

- 4.4.1 The Housing and Planning Act 2016 introduced a range of measures to help local housing authorities tackle rogue landlords and drive up standards in the private rented sector. These measures include establishing and operating a database which is a tool for local housing authorities in England to keep track of rogue landlords and property agents. Information held on this national database is restricted through GDPR and is not publicly available.
- 4.4.2 The Greater London Authority (GLA) has established a public facing rogue landlord and agent checker. This register requires a prosecution of a landlord by a local authority or the fire authority. To avoid litigation, there has to be a factual basis for any inclusion on the list, and it has to be verifiable, accurate and up to date to avoid a defamation claim. All London councils with enforcement records submit them to the checker which contains information about private landlords and letting agents who have been prosecuted or fined.

¹ As already mentioned, this figure is caveated, and could be adjusted when Census 2021 data is produced in January 2023

- 4.4.3 There have been calls for a similar measure to be introduced nationally but decisions on any national legislation in support of this have currently been delayed. A recent review of other local authorities in Sussex indicates a consistent approach to publicising actions whereby only prosecutions or anonymised publicity about civil penalties being issued is reported. This is in line with Brighton & Hove's current approach.
- 4.4.4 The specific powers available to the GLA under the Local Government Act and Localism Act, also apply to unitary local authorities. Therefore, we could utilise the same legislation, which would need to be considered as a new policy.
- 4.4.5 If adopted, the local authority would be publicly exposing people to scrutiny which could lead to challenge. Legal opinion is that it would be subject to external consultation and a committee decision.
- 4.4.6 In addition, there are a number of other practical considerations:
- This would require set up on our website and processes would need to be put in place to review and evidence inclusions, oversee appeals for inclusion and remove entries. This would need to be resourced and could take up a significant amount of time. Tight ongoing management would be required to ensure the council is not in breach of GDPR.
 - At any given time, there would be an incomplete list – due to exclusions being upheld or ongoing appeals, and entries are time limited.
 - There could be unintended consequences of alienating landlords who currently do not challenge and pay fines and who subsequently change their behaviour. If landlords think that they are going to be named and shamed there could be the risk, they will become less co-operative and appeal the process. This could make the process much harder which might lead to tenants experiencing greater not lesser issues.
 - Decisions on national legislation have been delayed but they might be brought in which would place the council on a level with other local authorities. Recent articles led by the London Mayor have pushed for a national database once again.
- 4.4.7 If Housing Committee approve further investigation being undertaken to establish a 'Rogue Landlord database' (**Recommendation 2.4**), then this will be reported to Housing Committee in March 2023. This will set out the implications in terms of cost (and identification of an appropriate budget), necessary changes to policy and risk. This will then inform Housing Committee in any decision to adopt a 'Rogue Landlord database'.

4.5 Private Sector Housing Enforcement Update

- 4.5.1 At Housing Committee on 28 September 2022, a new set of performance indicators relating to Private Sector Housing were agreed. Outputs against these indicators will be reported from 2022/23 Q3 (i.e. October 2022-December 2022).
- 4.5.2 In the interim, the following update on HMO licensing is provided (Table 3).

Table 3: HMO licensing activity (November 22)	
Total at Application Stage	413
Total at Draft Licence Stage	108
Total at Full Licence Stage	3,562
Total Current HMO Activity	4,083

4.5.3 Since April 2022, 462 new cases of disrepair have been raised. Of these five (1%) have resulted in the landlord serving a s21 Notice (sometimes referred to as a ‘revenge eviction’). Of the 462 cases, eight resulted in Statutory Notices being served and three Civil Notice penalties were imposed (compared with two Civil Notices served during 2021/22).

4.5.4 To date fines issued are set out in table 4 (below)

Period	Number of fines	Amount of fines
April 22-Dec 22	13	<ul style="list-style-type: none"> • 3 x £8,000 • 4 x £6,000 • 6 x £1,200
April 21- March 22	2	<ul style="list-style-type: none"> • 1 x £1,000 • 1 x £2,000
April 20- March 21	0	-
Prior March 20	0	-

Table 4: Breakdown of fines issued

4.6 Technical consultation on consequential changes to the homelessness legislation

4.6.1 On 7 December 2022, the Department for Levelling Up, Housing & Communities (DLUHC) commenced a technical consultation, open for 7 weeks, and closing on 25 January 2023.

4.6.2 The consultation seeks views on the consequential amendments to homelessness legislation as a result of the Renters Reform Bill, namely, the removal of section 21 evictions, assured shorthold tenancies and fixed-term tenancies. The consultation aims to identify and understand the impacts these changes will have on the sector, ensuring councils can continue to deliver their homelessness duties effectively and give people the support they need.

4.6.3 The scope is limited to responses on the legislative technical amendments, following ‘*A Fairer Private Rented Sector*’ White paper produced in June 2022 (see *Background Documents*). The majority of the amendments to the legislation are minor and, while the consultation is open to everyone, we expect most responses to be from local authorities and charities in the homelessness space.

5 Community engagement and consultation

- 5.1 Not applicable. However, should the council decide to progress to consultation on selective or additional licensing; and/or adopting a Rogue Landlord Database, then full consultation will be required.

6 Conclusion

- 6.1 Establishing an in-house Ethical Lettings Agency (or becoming members of an existing scheme) should not be pursued at this time. The resources already allocated to this should be re-purposed for consultation on licensing.
- 6.2 Initial evidence on the feasibility study for licensing has identified some potential options which need further consideration. A member workshop should be run (early February 2023) to establish a preferred approach to option(s) and the resources required to deliver this.
- 6.3 A review of the current Private Sector Housing Enforcement Policy, taking an evidence-based approach, should be undertaken. Further investigation should also be taken on establishing a 'Rogue Landlord Database'.

7 Financial implications

- 7.1 There is currently £0.100m one-off resources available for the ethical lettings agency feasibility work for 2022/23 which has not been spent. This is not required in 2022/23 for this purpose and therefore it will be reported as an underspend in the Month 9 Targeted Budget Management (TBM) report to P&R Committee to help reduce the significant overspend of the council in 2022/23.

Name of finance officer consulted: Monica Brooks Date consulted : 10-01-23

8 Legal implications

- 8.1 The recommendations in relation to Additional HMO licensing are simply to note, so there are no legal implications to draw to members' attention at this stage. Pending a full review of the Private Sector Enforcement Policy, an interim proposal to proactively use Improvement Notices, where appropriate, is an acceptable addition to the policy. The use of the phrase, "where appropriate" allows for individual consideration of the merits of each case, and does not amount to an unlawful fettering of the council's powers.
- 8.2 As noted in paragraph 3.1.1.2 of the report, the national rogue landlord database established under the Housing and Planning Act 2016 is not publicly accessible. Government consultation in 2019 on widening access to it to existing and prospective tenants has not come to fruition. Whilst it is probable that the council's powers are wide enough to establish its own database, careful consideration will need to be given to the nature of information to be provided, and the length of time that information should remain accessible. The Information Commissioner's response to the 2019 consultation flagged up data protection areas of concern, such as data minimisation, and these will need to be taken into account.

Name of lawyer consulted: Liz Woodley Date consulted 04/01/23

9 Equalities implications

9.1 There are no equalities implications relating to this report.

10 Sustainability implications

10.1 There are no sustainability implications relating to this report.

11 **Other Implications** [delete any or all that are not applicable]

Social Value and procurement implications:

There are no social value or procurement implications relating to this report.

Crime & disorder implications:

There are no crime and disorder implications relating to this report.

Public health implications:

There are no public health implications relating to this report

Supporting Documentation

Appendix 1: Summary of PRS licensing feasibility study

Background Documents

1. Local authority enforcement in the private rented sector: headline report (published 16 June 2022) ([Local authority enforcement in the private rented sector: headline report - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/114222/local-authority-enforcement-in-the-private-rented-sector-headline-report-16-june-2022.pdf))
2. *A Fairer Private Rented Sector* White Paper (published 16 June 2022) ([A fairer private rented sector - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/114222/a-fairer-private-rented-sector-white-paper-16-june-2022.pdf))
3. Brighton & Hove City Council: [Private Sector Housing Enforcement Policy](#)

Appendix 1: Summary of PRS licensing feasibility study

Important Note:

The Feasibility Study will provide the evidence which will be the basis for determining whether Selective Licensing and/or Additional Licensing is recommended to be progressed in Brighton & Hove. At the time of the Private Sector Housing Update report to January 2023 Housing Committee, this had not been signed-off. Therefore, findings could not be included within the body of the report.

This appendix provides an overview of the initial data. This does not represent a final position and therefore cannot be the basis of any conclusions or recommendations at this stage.

The final report is expected by the end of January and will be the basis of the Housing Committee Member Workshop referred to in the report.

Since September 2022 the council has been collating a range of council data sets for Metastreet (the contractor working with Cadence who are leading on the study) to analyse. This will determine whether evidence thresholds are met for possible discretionary licensing schemes. This analysis has been completed on the new ward boundaries which (subject to parliamentary approval) will be in place for May 2023 elections and would apply to any new scheme that is introduced.

This initial analysis has determined that three of the 23 wards in the city do not have sufficient levels of private rented homes to be considered for a selective licensing scheme. It has also ruled out various grounds, including ASB, as the prevalence levels are not sufficient.

However, it has highlighted poor property conditions as a theme based on prediction of the level of category 1 and 2 hazards that might exist in the Wards. Analysis was for both Houses in Multiple Occupation (HMOs) and other private rented homes, so could support both an Additional HMO Licensing Scheme and/or a Selective Licensing Scheme for other private rented homes.

The analysis also highlighted deprivation levels in some wards in the city may be an additional ground to consider as they are in the 30% more deprived wards in the country.

At the time of writing this report a further review of the data is in progress to enable a final report to be produced. This includes

- Reviewing data against the ONS Census 2021 figures released on 5 January 2023 and adjusting and/or accounting for any discrepancies
- Reviewing Local Super Output Areas against new wards to cross reference deprivation data
- Assessing other sources of evidence, such as employment, education, health statistics to build the evidence base for a potential scheme on deprivation grounds
- Producing separate tables for HMOs and other private rented homes on category 1 and 2 hazards in support of different schemes
- Further validation work against the data to ensure that it is tested and checked which will enable the council to have a strong confidence level in the data.

The full feasibility report will be produced by Cadence in late January ahead of the Members workshop to review options for future discretionary licensing schemes in early February.

Options for possible schemes to go out to consultation will then be considered at Housing Committee in March 2023.

Brighton & Hove City Council

Housing Committee

Agenda Item 60

Subject: Housing Revenue Account Budget & Capital Investment Programme 2023/24 and Medium-Term Financial Strategy

Date of meeting: 18 January 2023 Housing Committee
9 February 2023 Policy & Resources Committee
23 February 2023 Budget Council

Report of: Chief Finance Officer
Executive Director for Housing, Neighbourhoods & Communities

Contact Officer: Name: Craig Garoghan
Martin Reid

Tel: 01273 29-1262
01273 29-3321

Email: craig.garoghan@brighton-hove.gov.uk
martin.reid@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1 Purpose of the report and policy context

1.1 This report presents the proposed Housing Revenue Account (HRA) revenue and capital budget for 2023/24 as required by the Local Government & Housing Act 1989. Members are required to consider the revenue budget proposals including investments and re-investments and changes to rents, fees and charges and the capital programme. This report also sets out the Medium-Term Financial Strategy and a 30-year financial forecast.

1.2 The HRA contains the income and expenditure relating to the council's social landlord duties covering approximately 11,700 rented properties and approximately 2,900 leasehold properties. The HRA is a ring-fenced account within the General Fund that covers the management and maintenance of council-owned housing stock. This must be in balance, meaning that the authority must show in its financial planning that HRA income meets expenditure and that the HRA is consequently viable.

1.3 Although the HRA is not subject to the same funding constraints as the General Fund, it is a ring-fenced account within the General Fund and still follows the principles of value for money and equally seeks to improve efficiency and achieve cost economies wherever possible. Benchmarking of both service quality and costs with comparator organisations is used to identify opportunities for better economy, efficiency, and service delivery.

- 1.4 For 2023/24 the position has become considerably more challenging than previous years, due to the continuing investment required from the building safety and fire safety regulations, impacting capital and revenue budgets. Including implications following the implementation of the Building Safety Act and the Fire Safety Act. Both of which will have implications from January 2023 and will require resource and investment. It is likely to be 2023/24 before the Act comes fully into force. In addition, significant investment is projected in carbon reduction measures to achieve net zero and tackle fuel poverty. The position is also being exacerbated by abnormally high inflation impacting upon areas including services, labour, materials and contracts.
- 1.5 The Chancellor's Autumn Statement announced in November that rent increases are to be capped at 7% for 2023/24. This announcement provides a degree of certainty allowing the council to balance affordability for tenants whilst continuing the investment required in homes.
- 1.6 For expediency, included as part of this report are the proposed fees and charges for 2023/24 relating to the Travellers sites in the city. These sites do not form part of the HRA and so need to be considered separately to the proposals for the HRA. Section 9 and Appendix 5 to the report outline the proposals for the Travellers sites.

2 Recommendations

That the Housing Committee:

- 2.1 Approves a rent increase of up to 7% in line with government legislation as detailed in paragraph 4.6 of the report.
- 2.2 Approves the service charges and fees as detailed in Appendix 2 to the report.
- 2.3 Notes the Medium-Term Financial Strategy and 30-year financial projections shown in Appendix 4 to the report.
- 2.4 Approves the Travellers fees and Charges set out in Appendix 5 to the report.

That Housing Committee approves and recommends to Policy & Resources Committee:

- 2.5 That the updated HRA Revenue Budget for 2023/24 as shown in section 4 of the main report and Appendix 1 to the report be agreed and recommended to Full Council for approval.
- 2.6 That the Capital Programme Budget of £54.041m for 2023/24 be agreed and the 5-year programme as set out in Appendix 3 to the report be noted, and recommended to Full Council for approval; and

That Full Council:

- 2.7 Approves the updated HRA Revenue Budget for 2023/24 as shown in section 4 of the main report and Appendix 1 to the report.
- 2.8 Approves the Capital Programme Budget of £54.041m for 2023/24 and notes the 5-year programme as set out in Appendix 3 to the report.

3 HRA Budget Strategy and Risks

- 3.1 The HRA Budget aims to balance the priorities of both the council and council housing residents within the context of the council's Housing Strategy, HRA Asset Management Strategy and the Housing Committee's priorities and work plan 2019-23 which set out the overall direction for Housing in the city over the 4-year period. As well as these commitments, the budget strategy anticipates the significant legal and regulatory changes expected to follow from the post Grenfell review of building safety through the Building Safety Act and the proposals that will change how social landlords operate as encompassed in the Social Housing White Paper.
- 3.2 The priorities and work plan for the Housing Committee and Housing Service for the four years between 2019-2023 were agreed in September 2019 to inform future reporting to Committee.
- 3.3 Key priorities of the Housing Strategy, Asset Management Strategy and Work Plan that inform the Housing Revenue Account Budget & Capital Investment Programme 2023/24 are:
- Improving Housing Supply
 - Improving Housing Quality
 - Improving Housing Support
- 3.4 Further details relating to the workplan and an update on progress to date can be found within the Housing Committee Workplan Progress Update and Housing Performance Report Quarter 2 2022/23, included within this Housing Committee agenda.
- 3.5 Understanding the demands on resources over the coming years is vital to ensure the HRA remains a viable model. This will entail scenario planning, regular reviews of the current budgets throughout the budget setting process and early identification of financial pressures during the given financial year. There are several areas that are yet to be quantified creating risk and uncertainty for the HRA, this is either due to further due diligence being required, the costs of which have been included in the budget for 2023/24, or not enough information being available on regulatory changes. These risks and uncertainties include but are not limited to:
- i. Backlog recovery works:**
Financial risks relating to the post-pandemic backlog of responsive repairs and empty property works was identified as a significant financial issue for 2022/23. This continues to be recognised as a financial risk for

the HRA during 2023/24. The revenue budgets have been increased by the assumed inflation rates set out in Appendix 1 to reflect some of the risk surrounding the cost of these works. Due to the level of the backlog, it is anticipated that costs during the financial year will exceed the budget provisions allowed for, however, this is only anticipated to be a short term impact whilst the backlog of works is cleared. The 2022/23 HRA budget report set aside a total of £1.500m to ensure one-off funding was available during the year to cope with this pressure. Due to underspends within the service during 2022/23 all of this funding is still available and will be used during 2023/24 to fund any cost overruns in-year.

ii. Building Safety and Fire Safety Regulations:

It is anticipated that the investment required from the building safety and fire safety regulations will be significant and will impact capital and revenue budgets. The 2023/24 budget proposals look to address this, including on the secondary legislation required to implement the Building Safety Act following Royal Assent in April 2022. It is likely to be 2023/24 before the Act comes fully into force.

iii. Social Housing White Paper:

There is significant uncertainty surrounding the impact of the Social Housing White Paper, including potential new duties placed on social housing landlords and a review of the Decent Homes Standard. There are resources allowed for within the HRA to review the impact of this legislation during 2023/24 to help inform how to best deal with the implications.

iv. Sustainability Investment:

It is recognised that Housing can play a significant part in reducing the City's carbon footprint and therefore the climate crisis. Improved energy performance of homes is addressed through investment in our planned and major works programmes, including improvements to roofing, windows, doors, external works, heating systems and solar PV's. The total proposed investment programme over 5 years including all the areas investment listed is estimated to be £52.000m with the 2023/24 programme being £9.000m.

However, through the work being undertaken by the council's sustainability team and in identifying opportunities to work collaboratively with neighboring authorities, it is recognised that investment is likely to need to increase beyond this level to ensure that the target of making the city carbon neutral by 2030 is met, therefore creating risk and uncertainty around future years' investments. The likelihood is this will increase the HRA's capital programme and borrowing requirements in the short term.

v. Rent setting policy updates:

The outcome of the social rent consultation which concluded on 6th October 2022 has provided clarity on the rent uplift allowable for 2023/24. This has allowed the council to set out a plan for the financial year to continue investing in tenants' homes, whilst limiting the increase to individuals' rents as much as possible. Beyond 2023/24 the policy for rent setting becomes less certain for multiple reasons. The first being that it is unclear if any further alterations to the rent policy will be made for 2024/25; currently it is assumed that the policy will revert to allow CPI+1%. The second reason is that notwithstanding the cap on rent increases for 2023/24 the rent policy allows for up to Consumer Price Index (CPI) at the previous September rate +1% to be applied to rents over a 5 year period; 2024/25 would be the final year. Currently, it is unknown what the rent policy will look like beyond this. Central Government have indicated that further consultation is likely to happen during 2023/24.

- 3.6 All of the above makes medium-term financial planning very challenging at a time when budgets are under growing and sustained pressure due to inflation and economic conditions. This is further demonstrated by the current financial forecast for 2022/23 where the HRA is estimated to overspend by £1.172m.
- 3.7 The HRA is having to manage the rising cost of inflation, including costs of utilities and repairs to tenants homes alongside increasing support for tenants. Work also continues to address the rent loss and other costs associated with the remaining back log of empty properties, albeit it is still anticipated that this will exceed the budget set in February 2022. The reported overspend also includes a short term pressure relating to financing costs as a result of borrowing being undertaken early than anticipated in order to take advantage of more favorable interest rates.
- 3.8 Officers continue to review expenditure in order to mitigate the forecast overspend as far as possible. If this cannot be managed within budget, then the overspend can be met from other HRA resources including reviewing the revenue contribution to capital and reserves position as outlined in the HRA budget report for 2022/23. Further details of the forecast can be found in the TBM month 7 report, presented to Policy & Resources Committee on 1st December 2022.
- 3.9 Where it has been identified that there will be a budget pressure that will continue through 2023/24, budgets have been increased to reflect this. Including an increase in financing costs which has resulted from borrowing earlier than anticipated to take advantage of more favorable interest rates. There is also additional budget allowed to reflect the current level of empty council homes and income collection. Since March 2020 empty council homes have increased and rent collection rates have decreased. Significant progress has been made during 2022/23 in reducing the number of empty council homes, from a starting position of 251 at March 2022 to 143 homes at the end of November. The downward trend is expected to continue during 2023/24 with the aim to be at the level of empty council homes pre-pandemic. The rent collection rate stands at 94.52% at the end of November

2022. Officers are working to review the reasons behind this and develop a recovery plan to support bringing this back up towards pre-pandemic rent collection levels.

- 3.10 Allowed for in the 2023/24 revenue budget is an increase in the bad debt provision, increase in costs of emergency accommodation linked to the current policy for Temporary Accommodation across the authority and in part to the number of empty council homes held in the HRA and Council Tax contributions. These are considered to be short term pressures and will reduce throughout the MTFs period as the number of empty council homes continue to reduce and the collection of income improves during 2023/24.

4 HRA Revenue Budget proposals 2023/24

- 4.1 When setting the revenue budgets for 2023/24, consideration of all known and quantifiable changes has been considered. In some instances, this has been managed by reallocating resources to reflect the change in service need and demand.

- 4.2 Assumptions around cost pressures are outlined in table 1 below, with further detail provided in Appendix 1 to the main report. The rising cost of inflation is having a significant impact on the budget particularly for repairs and maintenance and utilities costs. In contrast to the stable periods of inflation experienced for many years, the table shows the substantial impact of the higher inflation, which is expected to continue into 2023/24, albeit at a reducing level compared with the current financial year.

Table 1 – 2023/24 Revenue Budget changes	2022/23 Adjusted budget	2023/24 Inflation	2023/24 Investments	2023/24 Other Changes	2023/24 Original Budget	2023/24 FTE
	£'000	£'000	£'000	£'000	£'000	
Expenditure						
Housing Investment & Asset Management	4,997	312	0	24	5,333	64.6
Housing Management & Support	5,846	607	0	(77)	6,376	15.1
Housing Strategy & Supply	1,515	51	0	(110)	1,456	37.6
Repairs & Maintenance	14,112	990	1,146	(54)	16,194	201.4
Tenancy Services	12,233	1,153	438	219	14,043	214.7
Revenue Contribution to Capital	19,096	0	0	262	19,358	
Capital Financing Costs	5,865	0	0	489	6,354	
Total Expenditure	63,664	3,113	1,584	753	69,114	533.5
Income						
Rents Dwellings	(55,954)	(3,946)	0	(777)	(60,677)	
Rents Car Parking / Garages	(1,000)	(119)	0	(17)	(1,136)	
Commercial Rents	(600)	0	0	0	(600)	
Service Charges	(5,924)	(396)	0	(92)	(6,412)	
Other Income	(186)	(3)	0	(100)	(289)	
Total Income	(63,664)	(4,464)	0	(986)	(69,114)	
DEFICIT / (SURPLUS)	0	(1,351)	1,584	(233)	0	

- 4.3 The table includes a high level summary of recurrent cost assumptions offset by the increase in income predominantly from rental income for dwellings. The net revenue budget results in a 'surplus' of £19.358m which is then used to provide the Revenue Contribution to Capital in support of capital programme investments.
- 4.4 However, this surplus is not sufficient to meet the capital investment in existing homes during 2023/24 as outlined in Appendix 3 to this report. The impact of this means that borrowing will be required to meet this level of investment. The resources available to fund the capital programme will be kept under review during the financial year and any borrowing decision will be made in line with treasury advice. A review of the HRA's reserves and borrowing position will be carried out on a regular basis and reported in accordance with the council's financial regulations and procedures.

Rents and Service Charges

- 4.5 Social rents for council homes are calculated in accordance with government guidelines. Rent restructuring rules still apply and Target Rents for each property are calculated based on the relative property values, bedroom size and local earnings, the Target Rents will apply to all new social rent tenancies.
- 4.6 Affordable rents, which include the council's Living Wage rents and LHA rents, are calculated differently to social rents. For Living Wage rents this means that for any new tenancies and re-lets, rents are set using the new national living wage hourly rate due to be introduced from 1st April 2023. LHA rents are however capped at the lower of the LHA rate or 80% of the market value. For new tenancies and re-lets an assessment of the market value is undertaken at the time of letting to ensure the overall charge including service charges does not exceed those limits. For 2023/24, LHA rates have been frozen at the current rates. Further information on these rates can be found on the [council's website](#).
- 4.7 The Autumn Statement announced on 17 November 2022 that following consultation with stock holding Local Authorities and Housing Associations rent increases will be capped at 7% rather than allowing the potential 11.1% increase allowed under the current rent policy statement. The impact of this uplift has been factored into the budget proposals for 2023/24 and included in the Medium-Term Financial Strategy (MTFS) which inevitably results in less being available to directly fund capital investment together with a concomitant increase in the borrowing requirement. The table below provides the breakdown of the average rent increase across the 4 rent levels included within the HRA's rent policy.

Table 3 - Average weekly rent increases				
Rent Type	No. of tenancies	22/23 Average weekly rent £	23/24 Estimated average weekly rent £	% increase
Social	11,209	89.70	95.98	7.0%
Affordable at 27.5% Living Wage	464	141.61	151.52	7.0%
Affordable at 37.5% Living Wage	139	182.53	195.31	7.0%
Affordable at LHA	206	184.65	184.65	0.0%
Affordable at LHA TA	167	160.29	160.29	0.0%

- 4.8 It is important that when comparing the average rent levels above consideration is given to the mix of units within the specific rent categories. Table 4 below provides a summary of mix of units within each category.

Table 4 - Percentage of the number of bedrooms per rent type.						
Rent Type	0 Bed	1 Bed	2 bed	3 Bed	4 Bed	5 bed+
Social	5%	31%	38%	23%	2%	>1%
Affordable at 27.5% Living Wage	2%	2%	72%	24%	0%	0%
Affordable at 37.5% Living Wage	0%	12%	72%	10%	6%	1%
Affordable at LHA	0%	50%	34%	16%	0%	0%
Affordable at LHA TA	7%	69%	16%	7%	1%	0%

- 4.9 When setting the Affordable rents and Living Wage rents for current tenancies, consideration is given to the prevailing rates for Local Housing Allowance (LHA) and the national living wage for the new financial year. This is compared against the 7% increase to ensure they do not exceed the permitted uplift.
- 4.10 Rents are not calculated to include any service charges and only include charges associated with the occupation of a dwelling, such as maintenance of the building and general housing management services. Service charges are therefore calculated to reflect additional services which may not be provided to every tenant, or which may relate to communal facilities rather than to a specific occupation of a house or flat. Different tenants may receive different types of services reflecting their housing circumstances. All current service charges are reviewed annually to identify any service efficiencies which can be offset against inflationary increases, to keep increases to a minimum. The proposed fees and service charges for 2022/23 are set out in Appendix 2.

- 4.11 The largest increase in service charges relates to the cost of utilities. The expenditure inflation is currently estimated to be up to 45%, although could increase beyond this. To reduce the impact on tenants during the cost-of-living crisis, a phased increase is being proposed. This means an increase of 50% of the anticipated inflation rate will be applied, with a view to increasing charges up to the full cost over a period of time to ensure cost recovery but to help to mitigate the impact on tenants in the short term. The full year budget effect of phasing the increase is a reduction in income of £0.317m for the HRA during 2023/24. A review of the charges, which are impacted by utility costs, will be carried out during 2023/24 and changes applied where applicable.
- 4.12 In addition to the 2023/24 impact, it is estimated that a further £0.192m per annum is not being recovered as a result of Service Charges having not kept pace with inflation over a number of years. The review will need to consider the impact of this as well as ensuring that tenants continue to be supported throughout the cost-of-living crisis. Having a review of costs during the year will allow time to review the wider economic situation.

5 HRA Reserve position

- 5.1 The projected level of HRA reserves at 1st April 2023 and 31 March 2024 are shown in Appendix 1. A minimum reserve of £3.000m is recommended to meet general legal and financial risks including higher than expected inflationary pressures, cost overruns, legal challenges, and other contingencies. After taking this into account, current estimates mean that the level of usable reserves are estimated to be £9.137m at 1st April 2023, of which £8.657m has been earmarked for specific uses.
- 5.2 The remaining balance of £0.480m is low in relation to identified risks but because of the nature of the reserves, if funding were required urgently for health & safety works then officers can recommend that reserves are reviewed and their use switched subject to availability or, if the works required are capital in nature, works could be funded by borrowing or Revenue Contribution to Capital depending on the in-year capital programme position. Changes to reserves require Policy & Resources Committee approval.
- 5.3 The council's Section 151 Chief Finance Officer has reviewed the level of reserves and provisions in accordance with the requirements of Section 25 of the Local Government Act 2003 and considers them to be adequate and reasonable for their purpose.
- 5.4 Ongoing service reviews, and consultation with tenants and residents identified in the Housing Committee Work Plan, will continue to be undertaken in 2023/24 to ensure that resources accounted for in the HRA budget are set correctly, that Value for Money is being provided and that the council is meeting the needs of its residents. Where it is deemed that additional resources are required to further improve a service, an individual business case will need to be developed. Within the current resources, there is the flexibility to switch resources where necessary whilst keeping core

services running. Any major changes in budget resources during the year will be reported to Committee.

6 HRA Capital Programme 2023/24

- 6.1 The Housing Capital Programme seeks to provide substantial investment in the council's housing stock and improve the quality of homes. The implementation of the proposed programme will take account of all relevant best practice guidelines and has been informed by the priorities agreed in the current HRA Asset Management Strategy. The service is currently finalising the draft HRA Asset Management Strategy 2023-27 ahead of resident consultation and Housing Committee approval. The Programme also reflects the delivery of planned maintenance, improvement programmes and major capital projects to council housing informed by the recent stock condition survey and ongoing surveys of the council's housing stock.
- 6.2 Consideration has been given to the projects outlined in the capital investment programme and the impact of BCIS inflation rates on those. As tender packages are put together for specific projects there is a risk that there will be an increase in estimated budget costs, and this will need to be carefully managed and reviewed during the financial year. This is particularly prevalent for the major projects that are planned.
- 6.3 Table 3 below outlines the proposed capital investment programme between 2023/24 and 2027/28. Highlights of the capital programme are provided below with a full breakdown of the programmes in Appendix 3 to this paper.

Table 5 – Five year capital programme summary	Total Budget 2023/24 £'000	Provisional Budget 2024/25 £'000	Provisional Budget 2025/26 £'000	Provisional Budget 2026/27 £'000	Provisional Budget 2027/28 £'000
Investment in existing Housing Stock, including improving overall quality of homes, incorporates general carbon reduction and making homes more sustainable.	26,320	27,492	24,143	24,041	24,596
Investment in specific sustainability measures	5,140	5,810	7,480	5,772	5,911
Tackling Inequality	2,985	2,660	2,690	2,710	2,710
Supporting well-run services	250	250	100	100	100
Delivery of New Council Homes	45,047	18,029	6,900	2,650	-
Total Capital Investment	79,741	54,241	41,313	35,273	33,317

Investment in existing Housing Stock

- 6.4 Undertaking a programme of repairs to our existing housing stock is of prime importance to ensure the fabric of the buildings are maintained into the future. Our Asset Management Strategy has identified the areas of work that will be undertaken as a five year future plan, and this is being enhanced to beyond the five years to provide 10 and 15 year programmes. Housing Stock Surveyors will be undertaking this area of work and will continually appraise and update stock records. The planned programmes of work include roofs, doors, windows and external repairs and decorations. Major capital projects are more extensive and cover all elements of works and will also consider energy saving elements.

Investment in sustainability measures

- 6.5 Helping residents to live in well-insulated, efficiently heated, healthy homes addressing fuel poverty issues remains a key long-term objective, which is supported through the capital programme. The five year programme sets out resources of £30.113m; an average investment of £6.022m per annum. This includes investment in making improvements to communal and domestic heating systems as well as identifying opportunities to install energy efficient & low carbon heating systems.
- 6.6 The council's solar PV programme continues to be implemented. Following a service redesign, project management support is now in place to deliver the solar PV programme, procurement of a new contract has begun and should be in place Spring 2023. A 3 year programme is being planned to deliver up to 1000 new systems, and budgets have been re-profiled on this basis.
- 6.7 As well as these specific programmes being in place, other areas of investment will contribute to the energy efficiency rating of the council's housing stock. This includes work on replacement windows and doors that will improve energy efficiency and warmth. The current average SAP rating for Council homes is 73 (SAP ratings show the energy performance of a property on a scale of 1 to 100). The current average rating is equivalent to an Energy Performance Certificate C. The focus of the capital expenditure on energy efficiency, renewable energy and low carbon heating programmes will be on the worst performing properties with the aim to get all properties, where it is practicable, to a minimum of EPC C and where feasible to EPC B.
- 6.8 The current SAP rating is a reflection of the position across the whole of the council housing stock and is based on a broader data set than we have previously had available. We have also been able to update data to reflect all the capital investments to council homes carried out over the years to ensure these are reflected in the SAP score and predicted EPC ratings, as opposed to relying on older and potentially out of date SAP scores that do not reflect the current position after all improvement works.
- 6.9 Future capital investments such as planned window replacement programmes and major projects will have a positive impact on the SAP

rating for individual properties and the overall stock average. We will work across teams to anticipate and project these improvements for future reporting. The main focus over the next few years will continue to be targeted at the worst performing properties, EPC D and below. The current average home is already at EPC C. We are aiming to bring all properties, where practicable, up to this minimum standard as soon as possible.

- 6.10 In addition to the two areas of investment outlined above the capital programme allows for investment in supporting people to live independently in their homes for longer through housing adaptations, tackling overcrowding and adaptation needs through our extensions and conversions programme, and supporting environmental and communal area improvement work based on resident priorities.
- 6.11 There is an identified need for the council to have up to date Housing ICT systems required to support and develop our investment programmes, regulatory compliance, works and contractor management and customer service. The medium term capital programme allows for this continued investment.

Delivery of New Council Homes

- 6.12 Delivering new affordable housing remains a key investment priority for the HRA and is supported in the capital programme during 2023/24 and beyond. Dedicated staffing resources to continue to deliver on this priority are included in the revenue budget.
- 6.13 Delivering new council homes under the Home Purchase Policy scheme remains a key source of delivery for the HRA. The 2023/24 capital programme provides budget of £15.000m for the purchase of up to 60 properties. This does not include any slippage from the programme this year which is estimated could be up to 20 homes taking the overall delivery target to 80 homes during the year. Consideration has been given to the rising cost of properties, which has been experienced throughout 2022/23, and funding sources available. Delivering 60 homes is seen as a high but achievable target and allows for the most efficient use of funding to be applied to the programme over the medium term.
- 6.14 The number of homes purchased is dependent on market conditions at the time of purchasing and so the number of homes delivered is subject to change. At this time, the assumptions made are considered to be the most prudent.
- 6.15 Other delivery routes within the capital programme include the Hidden Homes programme, where work continues in utilising under-used spaces. As well as this, work continues at pace on the two sites at Portslade and Coldean that are being purchased from Homes for the City of Brighton & Hove LLP and on various projects under the New Homes for Neighbourhoods programme.

- 6.16 Only new build projects that have received scheme and budget approval have been included in the capital programme, this is a result of the need for an individual business case for each project to be signed off. The inclusion of any further budget would not be considered prudent or sufficiently robust to support its inclusion without concrete plans, with the detailed business cases needing full sign off from Committee.

7 HRA Medium Term & 30 Year Financial Forecasts

- 7.1 The introduction of self-financing in 2012 provided additional resources from the retention of all rental income and, through greater control locally, enabled longer term planning to improve the management and maintenance of council homes. The medium term and 30 year financial forecasts are provided in Appendix 4 along with the assumptions and risks identified for income and expenditure.
- 7.2 Since the update provided through the 2022/23 budget setting paper the financial landscape has changed significantly. The impact of high inflation and higher than anticipated interest rates has changed the make-up of the 30 year financial forecast. This updated forecast shows that the net income has reduced by £101m, whilst the capital investment programme has increased by £84m (88% of which relates to increased sustainability and retrofit investment) over the 30 years. As a result, the borrowing requirement has increased significantly by £178m over the 30 years. It is therefore vital that the HRA's costs are kept under review with efficiencies and savings identified early to ensure the HRA remains viable in the long term. This is particularly important when considering the investment that is likely to be required following the Building Safety Act, Fire Safety Act and the outcomes of the Social Housing White Paper.

8 Analysis and consideration of alternative options

- 8.1 The budget process allows all parties to engage in the scrutiny of budget proposals and put forward viable alternative budget proposals to Budget Council on 23 February 2023. Budget Council can debate both the proposals recommended by Policy & Resources Committee at the same time as any viable alternative proposals.
- 8.2 The government annually sets a limit rent, currently capped at 7%, which is used to determine how much Housing Benefit subsidy is received from the Department for Work and Pensions. Rises above the limit rent would reduce the amount of subsidy receivable by the council.

9 Travellers Fees and Charges

- 9.1 The council's travellers site has 12 permanent pitches and 21 transit site pitches. As part of the budget setting process, services are required to agree changes to fees and charges through the relevant Service Committee. The management of fees and charges is fundamental both to the financial performance of the City Council and the achievement of the Council's corporate priorities. The council's Corporate Fees & Charges Policy requires

that all fees and charges are reviewed at least annually and should normally be increased in line with the cost of providing the service to maintain income in proportion to the net cost of service.

- 9.2 The Corporate Fees & Charges Policy also stipulates that increases above or below a 'corporately applied rate of inflation' should be approved by committee. However, it should be noted that the corporate rate of inflation (3%) is not a default rate of increase and is a planning assumption only, set early in the financial year, and should not therefore determine actual increases which should normally reflect current inflation rates and cost increases to ensure that income is maintained in proportion to expenditure.
- 9.3 The committee are advised that if the proposed fees & charges recommended in this report for the Travellers service (a General Fund service) are not agreed, or if the committee wishes to amend the recommendations, then the item will normally need to be referred to the Policy & Resources Committee meeting on 9 February 2023 to be considered as part of the overall 2023/24 budget proposals. This is because the 2023/24 draft and final budget proposals are developed on the assumption that fees and charges are agreed as recommended and any failure to agree, or a proposal to agree different fees and charges, may have an impact on the overall budget proposals, which means it would need to be dealt with by Policy & Resources Committee as per the requirements of the constitution. However, this does not fetter the committee's ability to make alternative recommendations to Policy & Resources Committee.
- 9.4 The maximum increase that can be applied to Traveller pitch fees is based on RPI as per the Mobile Homes Act 1983. However, given the exceptionally high level of inflation currently (September 2022 12.6%), the proposed pitch increases are in line with those of the rent increases for Council Housing tenants, an increase of 7%.

10 Community engagement and consultation

- 10.1 The council is committed to ensuring tenants and leaseholders are engaged in the HRA budget setting process ahead of Committee decision making on the budget.
- 10.2 A Housing Budget Update workshop was held at the tenant and leaseholder City-Wide Conference on 8th October. This included a presentation, giving an outline of the current HRA budget and an initial high-level view of 2022/23 budget setting, budget pressures, service improvements, and efficiencies and savings.
- 10.3 A further budget presentation was shared at Housing Area Panels in week commencing 12th December 2022. This included the information shared at the City Wide Conference with an update on the outcome of the Government's Rent Cap consultation, utilities inflation and proposed increases in planned capital spend.

11 Conclusion

- 11.1 The Local Government and Housing Act 1989 requires each local authority to formulate proposals relating to income from rent and charges, expenditure on repairs, maintenance, supervision and management, capital expenditure and any other prescribed matters in respect of the HRA. In formulating these proposals using best estimates and assumptions, the Authority must set a balanced account. This budget report provides a capital programme, break-even revenue budget and recommends rent proposals in line with current government guidance.
- 11.2 This report also provides the latest medium and long term forecasts for the HRA. However, there are several uncertainties due to impending government legislation, which mean that the current forecasts should be treated with caution.

12 Financial implications

- 12.1 The financial implications are contained within the main body of the report.

Finance officer consulted: Craig Garoghan Date consulted: 09/01/2023

13 Legal implications

- 13.1 Under the Local Government and Housing Act 1989, the Council is obliged to maintain a separate HRA (Section 74) and by Section 76 must prevent a debit balance on that account. Rents and other charges must therefore be set to avoid such a debit. Section 24 of the Housing Act 1985 provides that a local authority may make such reasonable charges as they determine for the tenancy or occupation of their houses. The Council must review rents from time to time and make such charges as circumstances require. The council's standard secure tenancy agreement provides for tenants to be given "at least four weeks' notice in writing" of any increase in rents and other charges before any increases are implemented. Approval of the 7% increase in rents at January's Housing Committee will allow sufficient time for notice of any increase in rent and other charges to be given.
- 13.2 In its role as landlord, the council has contractual obligations to its tenants and leaseholders to maintain the structure of its housing stock. These obligations are complemented by statutory duties in the Landlord and Tenant Act 1985 as amended. The council must comply with other statutory regimes, including those relating to health and safety, legionella and fire safety. The measures outlined in the report will assist the council in discharging those duties.
- 13.3 The Housing Committee has delegated powers in relation to authorised sites and encampments, so is the appropriate committee to agree increased Traveller fees and charges set out in Appendix 5.

Lawyer consulted: Liz Woodley Date consulted 22/12/2022

14 Equalities implications

- 14.1 The HRA budget funds services for people with a range of needs including those related to age, vulnerability or health. All capital programme projects undertaken include full consideration of various equality issues and specifically the implications of the Equality Act. To ensure that the equality impact of budget proposals is fully considered as part of the decision making process, equality impact assessments have been developed on specific areas where required.

15 Sustainability implications

The sustainability implications are contained within the main body of the report.

Supporting Documentation

Appendices

1. Appendix 1 – 2023/24 HRA Revenue Budget
2. Appendix 2 – 2023/24 Tenant Service Charges
3. Appendix 3 – HRA Capital Programme 2023/24 – 2027/28
4. Appendix 4 – HRA Medium Term Financial Strategy and 30 Year Financial Forecast
5. Appendix 5 - Travellers fees and Charges.

Appendix 1 – HRA Revenue Budget 2023/24

The table below provides details of the budget changes between the 2022/23 adjusted budget and the proposed 2023/24 budget. A second table is also supplied which outlines the Inflation rate assumptions providing further context to the budget proposals.

Budget Reconciliation		
Inflation	£'000	£'000
Inflation related to the cost of utilities	885	
Inflation related to the cost of Repairs & Maintenance for works and materials	938	
Inflation related to salary costs	750	
Corporate Inflation rates applied to other expenditure (including SSC's)	540	
Total Expenditure Inflation		3,113
Income		
Rent inflation	(3,946)	
Service Charge inflation as per appendix 3	(396)	
Corporate Inflation rates applied to other income	(122)	
Total Income Inflation		(4,464)
Total Inflation related changes		(1,351)
Investments	£'000	£'000
Expenditure		
Investment in the HRA apprenticeship programme.	426	
Investment required for the Transition Team, including a key procurement role to assist with the continued implementation and optimisation of the in-house Repairs and Maintenance Service.	245	
Net revenue investment in resources to comply with Health & Safety requirements e.g. permanent Electrical Testing Resource.	335	
Professional fees associated with the resourcing of specialist support for materials supply chain re-procurement-required by the in-house Repairs and Maintenance service.	140	
Investment in Tenancy Services that will ensure further support is provided for the increasing number of complex tenant's' cases, Anti-Social Behaviour issues and wider stock growth in the HRA.	181	
Short term increase in the bad debt provision to reflect the current collection rate.	92	
Increased investment in the tenancy fraud service.	60	
Management of ASH Die back works on HRA estates.	55	
Medium term plan to replace furniture at the council's Seniors Housing schemes.	50	
Total Investments & Reinvestments changes		1,584

Appendix 1 – HRA Revenue Budget 2023/24

Budget Reconciliation		
Other Changes	£'000	£'000
Expenditure		
Increase in Financing Costs	489	
Salary changes to ensure funding matches changes affecting all staff, including the low pay implementation and the assumed NJC pay award for 2023/24.	(160)	
Direct Revenue Funding (DRF) Adjustment	262	
Net increase of other changes to bring budgets in line with expenditure	162	
Total Expenditure Other Changes		753
Income		
Increase in new Supply rents	(777)	
Other changes to bring budgets in line with income	(209)	
Total Income Other Changes		(986)
Total Other Changes		(233)
Deficit / (Surplus)		0

2023/24 Inflation Assumptions	2023/24
Rent	7%
Salary	4%
Premises Repairs	12%
Gas	44%
Electricity	45%
Water	13%
Other income*	6%
Other expenditure**	1%

*including service charges

**average rate

Appendix 1 – HRA Revenue Budget 2023/24

The table below provides further detail of the HRA's reserve levels. This shows the anticipated levels at the beginning of the financial year, movement in year and the closing balance.

Item	Estimated Balance as at 01/04/2022	Use during 2022/23	Estimated Balance as at 31/03/2023	Forecast use during 2023/24	Estimated Balance as at 31/03/2024	Conclusion
HRA Reserves	£'000	£'000	£'000	£'000	£'000	
HRA Working Balance	(3,000)		(3,000)		(3,000)	A minimum working balance of £3m is recommended by the Chief Finance Officer in accordance with the requirements of Section 25 of the Local Government Act 2003.
HRA General Reserves	(480)		(480)		(480)	
Capital Reserves (HRA)	(1,160)	480	(680)	680		
Repairs & Maintenance	(1,500)		(1,500)	1,500		Earmarked to clear the backlog of responsive repairs and voids works.
Rent Reduction Reserve	(1,292)	488	(804)	804		Earmarked to fund acquisitions in order to lower rents on eligible properties during 2022/23 and 2023/24.
EDB Reserves	(326)		(326)		(326)	Earmarked to support the revenue budget of £0.181m bringing the total available for EDB to £0.507m.
HRA - Renewable Energy Projects	(137)		(137)		(137)	
Sustainability and retrofit reserve	(5,210)		(5,210)	410	(4,800)	Earmarked for cost of sustainability work at Palace Place and for future years for sustainability measures and retrofit works required on Housing stock.
	(13,105)	968	(12,137)	3,394	(8,743)	

Appendix 1 – HRA Revenue Budget 2023/24

Support Service Charges & other recharges

The table below provides a breakdown of the support service charges and other charges for 2023/24 and compares this to 2022/23. These are subject to change following a review and finalisation of charges as part of the General Fund Budget proposals. Any change will impact the bottom line revenue surplus, a reduction in revenue surplus will increase the borrowing requirement for 2023/24.

Charging Service	Adjusted Budget 2022/23 £'000	Budget 2023/24 £'000
Support Functions:		
Insurance Costs	1,056	1,096
ICT	863	941
Finance	267	348
Legal & Democratic	712	676
Human Resources	333	401
Property	154	236
Procurement	131	230
Business Operations	78	105
Support Functions Total	3,594	4,033
Other charges:		
Director	100	108
Tenancy Fraud	62	133
Youth Service	255	255
Discretionary Community Grants	145	145
Disabled Adaptations	122	122
Field Officer support	52	-
Apprenticeship Levy	31	32
Homing in and Area Panels	30	30
Noise Pollution	16	16
Other Charges Total	813	841

Appendix 1 – HRA Revenue Budget 2023/24

Total	4,407	4,874
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Appendix 2 - Tenant Service Charges

All fees and service charges are reviewed annually to ensure full cost recovery (where appropriate) and also to identify any service efficiencies that can be offset against inflationary increases to keep increases to a minimum. Proposed fees and service charges for 2023/24 are detailed below. Please note that for the comparable 2022/23 figures, the average weekly charge may differ from the previous year's budget report as a result of stock changes (for example new builds and Right to Buy Sales).

	Tenants Charged (No.)	Approx. not eligible for Housing Benefit (No.)	2022/23 Average Weekly Charge £	2023/24 Average Weekly Charge £	Average Increase/Decrease £	Average Increase/Decrease %	Comments
Service Charges Eligible for Housing Benefit							
Seniors Housing - Common Ways	876	209	£11.46	£11.73	£0.27	2%	Charge increased in previous year to reflect increase in cleaning charge so smaller increase for 2023/24.
Communal Cleaning	5,465	2,996	£3.22	£3.62	£0.40	12%	The increase reflects pay and price inflation.
Seniors Housing - Laundry	850	191	£2.80	£3.43	£0.63	23%	The change is as a result of higher electricity prices and reflects 50% of the utility inflation phased in for 2023/24.
Seniors Housing - Intensive Management	873	195	£23.42	£24.67	£1.25	5%	Increase relates to costs incurred in providing the Intensive Management service.
Grounds Maintenance	5,777	2,777	£0.86	£0.93	£0.07	8%	The increase reflects the increased costs of the service due to recent revisions to the City Parks costings and charges to reflect actual costs.

Appendix 2 - Tenant Service Charges

	Tenants Charged (No.)	Approx. not eligible for Housing Benefit (No.)	2022/23 Average Weekly Charge £	2023/24 Average Weekly Charge £	Average Increase/Decrease £	Average Increase/Decrease %	Comments
TV Aerials	5,837	2,854	£0.84	£0.91	£0.07	8%	The increase reflects annual servicing contract inflation and reactive repairs.
Door Entry Servicing and Maintenance	4,020	2,358	£0.57	£0.62	£0.04	7%	The increase reflects contract inflation.
Electricity - Communal Ways	5,482	2,879	£1.01	£1.24	£0.23	23%	The change is as a result of higher electricity prices and reflects 50% of the utility inflation phased in for 2023/24.
Lift Servicing and Maintenance	2,606	1063	£1.07	£1.20	£0.13	12%	The increase reflects annual contract inflation and reflects reactive repair costs.

Appendix 2 - Tenant Service Charges

	Tenants Charged (No.)	Approx. not eligible for Housing Benefit (No.)	2022/23 Average Weekly Charge £	2023/24 Average Weekly Charge £	Average Increase/Decrease £	Average Increase/Decrease %	Comments
Service Charges NOT Eligible for Housing Benefit							
Water Charges	242	N/A	£4.98	£5.61	£0.63	13%	The increase is due to forecast inflation increase for water charges.
Communal Heating – Electricity	127	N/A	£11.77	£14.35	£2.58	22%	The change is as a result of higher electricity prices and reflects 50% of the utility inflation phased in for 2023/24.
Communal Heating – Gas	1,234	N/A	£8.13	£9.92	£1.79	22%	The change is as a result of higher electricity prices and reflects 50% of the utility inflation phased in for 2023/24.
Garages and Car Parking	2,629	N/A	£9.88	£10.88	£1.00	10.1%	CPI September inflationary increase.
Mobility Scooter and Cycle Storage	35	N/A	£2.60	£2.86	£0.26	10.1%	CPI September inflationary increase.

Appendix 3 - HRA Capital Programme 2023/24 – 2027/28

	For Approval	<i>For info</i>						
	Proposed Budget 2023/24 £'000	Profiled Budget 2023/24 £'000	Total Budget 2023/24 £'000	Provisional Budget 2024/25 £'000	Provisional Budget 2025/26 £'000	Provisional Budget 2026/27 £'000	Provisional Budget 2027/28 £'000	Description
Programme Expenditure								
Delivery of New Council Homes								
Home Purchase Policy	15,000	1,000	16,000	10,000	4,500	2,650		Continued delivery of the Home Purchase Policy. 2023/24 budget would allow up to 60 properties. 40 properties in 2024/25 and 20 properties 2025/26 and 10 properties in 2026/27.
Other Acquisitions		5,205	5,205					Budget for the purchase of properties outside of the Home Purchase Policy, where opportunities and business cases present themselves.
Feasibility	350		350	300	200			Feasibility budget required to bring forward the new supply pipeline.
Converting spaces in existing buildings	1,730	516	2,246	2,200	2,200			Continued delivery of the Hidden Homes scheme where underutilised spaces are converted into new council homes.
Design Competition	682	1,625	2,307					Previous budget approved for Frederick Street and Rotherfield Crescent profiled in the financial

Appendix 3 - HRA Capital Programme 2023/24 – 2027/28

	For Approval	For info						
	Proposed Budget 2023/24 £'000	Profiled Budget 2023/24 £'000	Total Budget 2023/24 £'000	Provisional Budget 2024/25 £'000	Provisional Budget 2025/26 £'000	Provisional Budget 2026/27 £'000	Provisional Budget 2027/28 £'000	Description
								years to match the latest deliver programme.
Moulsecoomb Hub land		9,014	9,014					The appropriation is expected to take place during 2023/24. The November committee report requested further budget to bring the project up to the planning with final scheme and budget approval to be taken back to committee during 2022. The budget line reflects the approvals given to bring the scheme up to RIBA stage 3. Further detail can be found in the Housing Committee report from 22 nd June 2022.
Windlesham Close	1,350	685	2,035	4,341				Approval given for this scheme at the 1st July 2022, the budget has been profiled to match the latest estimates of the cashflow.
Palace Place		1,608	1,608					Approval given for this scheme at the 1st July 2022, the budget has been profiled to match the latest estimates of the cashflow.
Belgrave Day Centre, Portslade	934		934	331				Purchase of 49 homes from HBH LLP at the Portslade site.

Appendix 3 - HRA Capital Programme 2023/24 – 2027/28

	For Approval	For info						
	Proposed Budget 2023/24 £'000	Profiled Budget 2023/24 £'000	Total Budget 2023/24 £'000	Provisional Budget 2024/25 £'000	Provisional Budget 2025/26 £'000	Provisional Budget 2026/27 £'000	Provisional Budget 2027/28 £'000	Description
Coldean Lane, North of Varley Halls	6,160	(813)	5,347	857				Purchase of 127 homes from HBH LLP at the Coldean site. Final budget lines following the construction of homes during the previous financial years.
Total Delivery of New Council Homes	26,206	18,840	45,046	18,029	6,900	2,650		
Improving Housing Quality								
Main Door Entry Systems & CCTV	817		817	700	700	700	700	Repair and replacement of Main Entrance Doors. Long term programme of door entry system replacements, as systems fail or reach the end of their serviceable life, with spare parts unable to be sourced. These two programmes are reviewed alongside each other and works coordinated where feasible to ensure value for money. Installation and upgrade of CCTV systems to increase security of blocks.
Water Tanks, Ventilation, Lighting & Lightning Protection & Fire Alarms	1,930		1,930	1,600	1,490	1,500	1,580	Projects help meet statutory requirements and ensure safety and welfare for residents through replacement and improvements.

Appendix 3 - HRA Capital Programme 2023/24 – 2027/28

	For Approval	<i>For info</i>						
	Proposed Budget 2023/24 £'000	Profiled Budget 2023/24 £'000	Total Budget 2023/24 £'000	Provisional Budget 2024/25 £'000	Provisional Budget 2025/26 £'000	Provisional Budget 2026/27 £'000	Provisional Budget 2027/28 £'000	Description
Lifts	880		880	1,980	1,130	1,000	1,000	The lift replacement and upgrade programme is a long-term commitment to council residents. The majority of lifts have now been replaced since its inception, and the programme is under ongoing review to ensure it continues to provide good value for money.
Fire Safety & Asbestos Management	3,320		3,320	2,590	2,590	2,390	2,390	Effectively managing the risks of both fire and asbestos materials is an ongoing need. Includes both statutory requirements and provision for enhanced fire safety measures. In particular, including provision for a programme of EWS1 surveys in 23/24.
Minor Capital Works	520		520	795	810	851	894	Investment in smaller capital repairs across the HRA stock as well as investing in car parks and garages.
Condensation & Damp Works	500		500	280	280	294	309	Health and welfare of council residents is assisted by tackling issues arising from condensation and damp in properties. The budget for 2023/24 has been increased

Appendix 3 - HRA Capital Programme 2023/24 – 2027/28

	For Approval	For info						
	Proposed Budget 2023/24 £'000	Profiled Budget 2023/24 £'000	Total Budget 2023/24 £'000	Provisional Budget 2024/25 £'000	Provisional Budget 2025/26 £'000	Provisional Budget 2026/27 £'000	Provisional Budget 2027/28 £'000	Description
								following the tragic Rochdale Borough Homes case and will keep this budget under review.
Major Structural works	2,338	5,760	8,098	8,383	6,500	6,300	6,200	Meeting our landlord obligations through maintaining the structural and general external integrity of properties.
Major Empty Property works	220		220	220	220	220	220	Extensive refurbishment of empty homes prior to re-letting.
Cyclical Repairs & Decorations	1,384		1,384	1,605	1,188	1,247	1,309	External and common way repairs and decorations across the city help reduce ongoing costs and keep properties well maintained. Housing Investment and Asset Management team work closely with residents to ensure internal decorations in blocks are consistently delivered across the city.
Seniors Housing Improvements	330		330	330	330	200	200	Meets the identified need from November 2019 to invest in the council's Seniors Housing schemes to improve security, accessibility and address any structural issues identified.
Future capital projects	250		250	250	250	250	250	Specialist and other surveys to support future programmes.

Appendix 3 - HRA Capital Programme 2023/24 – 2027/28

	For Approval	For info						
	Proposed Budget 2023/24 £'000	Profiled Budget 2023/24 £'000	Total Budget 2023/24 £'000	Provisional Budget 2024/25 £'000	Provisional Budget 2025/26 £'000	Provisional Budget 2026/27 £'000	Provisional Budget 2027/28 £'000	Description
Dwelling Doors	990		990	990	990	1,040	1,092	Replacing doors to properties with secure and efficient design helps residents feel safer. This programme includes the provision of fire-rated doors to dwellings where required.
Kitchens & Bathrooms	2,480		2,480	2,590	2,590	2,720	2,856	This budget helps to ensure homes comply with the Brighton & Hove Standard.
Rewiring - Domestic/ Communal	1,735		1,735	1,820	1,840	1,932	2,029	Safe and reliable and compliant electrical installations and efficient lighting are supported from this budget.
Windows	1,443	200	1,643	2,154	2,135	2,242	2,354	Window replacement programmes meet the council's landlord obligations, improve energy efficiency, warmth and reduce ongoing repair costs.
Roofing	1,223		1,223	1,205	1,100	1,155	1,213	Helps to extend the life of assets, improves insulation and reduces responsive repairs.
Sustainability & Carbon Reduction								
Domestic/Communal Heating Improvements	2,230		2,230	2,530	2,640	2,772	2,911	Efficient and modern replacement heating systems improve thermal comfort, reduce carbon emissions and resident fuel costs.

Appendix 3 - HRA Capital Programme 2023/24 – 2027/28

	For Approval	<i>For info</i>						
	Proposed Budget 2023/24 £'000	Profiled Budget 2023/24 £'000	Total Budget 2023/24 £'000	Provisional Budget 2024/25 £'000	Provisional Budget 2025/26 £'000	Provisional Budget 2026/27 £'000	Provisional Budget 2027/28 £'000	Description
Energy Efficiency & Low Carbon Heating	1,670		1,670	1,740	3,300	2,000	2,000	This programme will help take up a range of opportunities to further improve the energy rating of our homes and to identify projects that will help move towards zero carbon from our service delivery activities by 2030.
New Solar Panels Programme	440	800	1,240	1,540	1,540	1,000	1,000	Project Management support is now in place to deliver the solar PV programme, procurement of a new contract has begun and should be in place Spring 2023. We are planning a 3 year programme delivering up to 1000 new systems, budgets have been re-profiled on this basis.
Tackling Inequality								
Environmental Improvements	625	100	725	360	360	360	360	This budget funds environmental and communal area improvement work based on resident priorities. It also includes provision for the

Appendix 3 - HRA Capital Programme 2023/24 – 2027/28

	For Approval	<i>For info</i>						
	Proposed Budget 2023/24 £'000	Profiled Budget 2023/24 £'000	Total Budget 2023/24 £'000	Provisional Budget 2024/25 £'000	Provisional Budget 2025/26 £'000	Provisional Budget 2026/27 £'000	Provisional Budget 2027/28 £'000	Description
								refurbishment of housing owned playgrounds (as reported to ETS Committee in January 2021).
Disabled Aids & Adaptations	1,600		1,600	1,600	1,600	1,600	1,600	Enabling vulnerable residents to continue to live independently in their homes through investment in housing adaptations.
Conversions & Extensions	660		660	700	730	750	750	Tackling overcrowding across the city is of key importance to ensure good quality housing.
Total Investment in existing Housing Stock	27,585	6,860	34,445	35,962	34,313	32,523	33,217	
Total Other Projects	250		250	250	100	100	100	
Total Programme	54,041	25,700	79,741	54,241	41,313	35,273	33,317	
Programme Funding								
Revenue Contribution to investment in existing housing stock	19,358		19,358	18,949	20,096	18,614	18,901	24/25 to 27/28 figures are illustrative and will be adjusted accordingly as the 30 year business plan is updated.
Borrowing	28,035	20,872	48,907	26,760	19,687	15,864	14,416	Borrowing required to fund capital investment.
HRA reserves	1,090		1,090	4,800				Useable revenue and capital reserves.

Appendix 3 - HRA Capital Programme 2023/24 – 2027/28

	For Approval	<i>For info</i>						
	Proposed Budget 2023/24 £'000	Profiled Budget 2023/24 £'000	Total Budget 2023/24 £'000	Provisional Budget 2024/25 £'000	Provisional Budget 2025/26 £'000	Provisional Budget 2026/27 £'000	Provisional Budget 2027/28 £'000	Description
Capital Receipts	750		750					Capital receipts for use against new housing delivery.
RTB Receipts	2,028	1,074	3,102	2,652	1,350	795		Retained RTB receipts for New Build.
Energy Grants/FITs	180		180	180	180			Funding received to support sustainability and carbon projects.
Grant Funding		2,649	2,649					Land Release Funding grant received and Homes England grant for the purchase of HBH LLP Properties.
Commuted Sums	1,800	300	2,100	900				Funding to support the purchase of properties through the Home Purchase Policy.
Leaseholder Income	800		800					
Earmarked rent reserve		805	805					
Total Funding	54,041	25,700	79,741	54,241	41,313	35,273	33,317	

Appendix 4 - HRA Medium Term Financial Strategy and 30 Year Financial Forecast

Medium Term Financial Strategy (MTFS) 2023/24 to 2027/28

The Medium Term Financial revenue position provides a cumulative surplus of £95.918m that can be used to support the delivery of the Capital Programme during this period. The focus for the Medium Term will remain on delivering the key priorities outlined in the main report. To ensure Value for Money is maintained, an assumption has been made that the Medium Term Financial Strategy will identify efficiencies of c.0.5% per annum of expenditure budgets (excluding financing costs). This will also include a review of all income streams during 2023/24 to ensure the HRA maximises all of its income streams, for example a review of the commercial income.

	2023/24	2024/25	2025/26	2026/27	2027/28
Expenditure					
Management & Service Costs	23,099	24,919	25,275	25,624	25,971
Repairs and Maintenance	18,226	20,331	21,332	21,709	22,076
Other Costs	1,318	1,388	1,416	1,444	1,473
Borrowing costs	6,493	8,170	8,714	9,581	9,939
Total Expenditure	49,136	54,808	56,737	58,358	59,459
Income					
Rental Income	(59,970)	(64,802)	(67,559)	(67,637)	(68,829)
Service Charges (Tenants)	(4,718)	(4,945)	(5,131)	(5,125)	(5,218)
Other Income	(3,806)	(4,010)	(4,143)	(4,210)	(4,313)
Total Income	(68,494)	(73,757)	(76,833)	(76,972)	(78,360)
Net Revenue Income	(19,358)	(18,949)	(20,096)	(18,614)	(18,901)

Appendix 4 - HRA Medium Term Financial Strategy and 30 Year Financial Forecast

30 Year financial forecast

The introduction of self-financing provided local authorities with the opportunity to develop longer term planning to improve the management and maintenance of council homes. From April 2016, the Welfare Reform and Work Act 2016 required that rents should be reduced by 1% per annum for four years commencing in 2016/17, the final year of this decrease was 2019/20. The government then announced in 2018 that social rents could be increased by a maximum of CPI+1% over a 5-year period commencing in 2020/21. Following these changes for a six-week period from August 2022 to October 2022 DLUHC undertook a consultation with Social Housing providers, reviewing the rent policy and proposed uplift on rents for 2023/24. The result of this consultation was that from 1st April 2023 rents can be uplifted by 7% which is 4.1% lower than if the rent policy of CPI+1% was applied. This is factored into the financial forecast and has enabled a balance to be struck to keep investment stable and providing support for tenants during the current cost of living crisis.

The current financial plan projections shown below continue to provide a viable business plan over 30 years. This is a snapshot based on the 2023/24 budget proposals and is subject to change year-on-year. The overriding assumption is that a projection of costs and income are only included where projects and programmes have received formal Budget Council or Policy & Resources Committee approval.

The plan is designed to give an overview of the financial health of the HRA based on broad assumptions for the long term and current approvals. It is not a detailed plan and therefore surpluses or deficits indicated by the 30-year plan cannot be relied on and only provide a guide as to overall financial sustainability. Many factors can change including the funding and financing regime of the HRA itself. However, the movement in the 30 Year Plan year-on-year can provide a guide as to the direction of travel of HRA finances, particularly when looked at over a period of years.

Appendix 4 - HRA Medium Term Financial Strategy and 30 Year Financial Forecast

	Years 1-5	Years 6-10	Years 11-20	Years 21-30	Total
	£'000	£'000	£'000	£'000	£'000
Expenditure					
Management & Service Costs	124,887	134,702	301,253	350,432	911,274
Repairs and Maintenance	103,674	116,119	264,403	315,961	800,157
Other Costs	7,041	7,821	18,169	22,149	55,179
Borrowing costs	42,897	65,372	137,673	148,497	394,439
Total Expenditure	278,499	324,014	721,498	837,039	2,161,049
Income					
Rental Income	(328,799)	(364,526)	(830,560)	(992,463)	(2,516,348)
Service Charges (Tenants)	(25,136)	(27,662)	(63,538)	(76,569)	(192,905)
Other Income	(20,482)	(23,220)	(55,358)	(69,129)	(168,189)
Total Income	(374,417)	(415,408)	(949,456)	(1,138,161)	(2,877,442)
Net Revenue Income	(95,918)	(91,394)	(227,958)	(301,122)	(716,93)
Capital Expenditure					
Capital Investment programme	171,260	154,814	313,818	307,636	947,529
Development	72,624	-	-	-	72,624
Total Expenditure	243,884	154,814	313,818	307,636	1,020,153
Funded By:					
Other Capital Income	(22,422)	-	-	-	(22,422)
Borrowing	(125,533)	(63,420)	(91,041)	(15,875)	(295,870)
HRA Reserves	-	(2,064)	(3,922)	(28,328)	(34,313)
Direct Revenue Funding	(95,929)	(89,330)	(218,855)	(263,433)	(667,548)
Total Funding	(243,884)	(154,814)	(313,818)	(307,636)	(1,020,153)
Opening HRA reserves	(3,000)	(3,000)	(3,000)	(8,182)	(3,000)
(To) / From Reserves	(0)	0	(5,181)	(9,361)	(14,542)
Cash surplus at year 30	(3,000)	(3,000)	(8,181)	(17,543)	(17,542)

Appendix 4 - HRA Medium Term Financial Strategy and 30 Year Financial Forecast

The 30-year financial forecast has been developed based on the following assumptions:

- General inflation (CPI) is assumed at an average of 2.1% for years 1 to 30.
- Rents are assumed to increase by CPI+1% in 2024/25 and revert to CPI increases thereafter.
- For 2023/24 management and repairs & maintenance are inflated by 10% to reflect the uncertainty in the economic environment currently. Thereafter, management costs are inflated by CPI. Repairs and Maintenance however is assumed to inflate by 5% in 2025/26 and then revert to CPI beyond that.
- The forecast includes the council's commitment to a further 389 homes over a 5-year period; this is in addition to the 479 homes that have been delivered since 2019 up to March 2023. The policies around these homes have received formal committee approval, regarding the budget and rent to be set for the new homes. These include the following programmes:
 1. Home Purchase Policy
 2. Other acquisitions
 3. Hidden Homes
 4. Palace Place
 5. Belgrave Day Centre, Portslade
 6. Coldean Lane
 7. Design Competition (Rotherfield Crescent & Frederick Street)
 8. Windlesham Close
- No assumptions beyond formally approved programmes have been made.

Items not included

There are a number of items which have not been included in the financial plan; this is due to the risks and uncertainties around the costs and income associated with them. At this stage the financial landscape is changing significantly for the HRA and so careful consideration of what can be reasonably included has been taken.

- Any new supply of homes that is yet to receive full committee approval is not included. Over the last 12 months the construction landscape has continued to provide significant challenges, creating a high degree of uncertainty around the cost

Appendix 4 - HRA Medium Term Financial Strategy and 30 Year Financial Forecast

of investment. As well as this, there is uncertainty with the associated rent levels that can be included in the plan as these have not yet been approved. This could result in a significant difference in the long term financial forecast depending on the rents assumed. The overriding assumption is, normally, that new projects would be self-funding but until this is analysed alongside a strategic housing needs assessment the financial projections remain uncertain. Even small differences between assumptions and final costs can substantially skew long term forecasts. Therefore, at this stage the most prudent approach is to recognise there is a pipeline to deliver new homes but there is insufficient financial certainty for them to be included in the long term forecast. As budgets and rent levels are approved, schemes will be included within the financial forecast.

- Sustainability and retrofit works: currently, over the 30 years there is investment included of £274m within the capital investment programme line an increase of £75m when compared to the 2022/23 version. This is based on the information provided by the Asset Management System which is subject to review and change following the development of the Asset Management Plan. However, over the first 10 years of the plan there is uncertainty over the level of investment required to reach the council's priority of being a carbon neutral city by 2030. The retrofit task force, linked to Greater Brighton, is underway that continues to review the investment required and the funding that may become available from Central Government. As this becomes clearer, the financial forecast can be updated.
- The current investment in existing stock is based on the latest information provided by the council's Asset Management System and informs the cyclical programmes over the 30 years. This is though, subject to review and change based on the outcomes from the Building Safety Act, Social Housing White Paper and the further development of the Asset Management Plan. These are considered high risk and high cost items of which the outcome will be included in future iterations of the financial forecast. Consideration will be given to current budget provision to ascertain if there is already provision that is being made to deal with investment required.

Appendix 5 - Proposed Travellers Sites Fees and Charges 2023/24

	2022/23	2023/24		
	Charge	Proposed Charge	Change £	Change %
Travellers Transit Site				
Weekly Rent per pitch	£75.09	£80.35	£5.26	7%
Weekly Service Charges				
Litter Picking	£10.24	£10.93	£0.69	7%
Grounds Maintenance	£2.00	£2.13	£0.13	7%
Facilities Charges (including toilet/shower block)	£5.82	£7.13	£1.31	23%
Water Charges	£10.36	£10.88	£0.52	5%
Electricity Charges	£13.48	£19.55	£6.07	45%
Total Weekly Service Charges	£41.90	£50.62	£8.71	21%
Total Weekly Costs per Pitch (Transit)	£116.99	£130.96	£13.97	12%
Travellers Permanent Site				
Average Weekly Rent per pitch (Average across 12 pitches)	£97.26	£104.07	£6.81	7%
- Pitch 1 - Size M	£94.60	£101.22	£6.62	7%
- Pitch 2 - Size M	£94.60	£101.22	£6.62	7%
- Pitch 3 - Size L	£101.28	£108.37	£7.09	7%
- Pitch 4 - Size L	£101.40	£108.50	£7.10	7%
- Pitch 5 - Size L	£101.40	£108.50	£7.10	7%
- Pitch 6 - Size X/L	£108.61	£116.21	£7.60	7%
- Pitch 7 - Size X/L	£108.61	£116.21	£7.60	7%
- Pitch 8 - Size S	£90.52	£96.85	£6.34	7%
- Pitch 9 - Size S	£90.52	£96.85	£6.34	7%
- Pitch 10 - Size M	£94.60	£101.22	£6.62	7%
- Pitch 11 - Size S	£90.52	£96.85	£6.34	7%
- Pitch 12 - Size S	£90.52	£96.85	£6.34	7%
Weekly Service Charges				
Litter Picking	£10.39	£11.12	£0.73	7%
Grounds Maintenance	£1.95	£2.08	£0.13	7%
Facilities Charges	£0.60	£0.73	£0.13	23%
Total Weekly Service Charges	£12.94	£13.93	£0.99	8%
Total Weekly Costs per Pitch (Permanent)	£110.20	£118.00	£7.80	7%

