





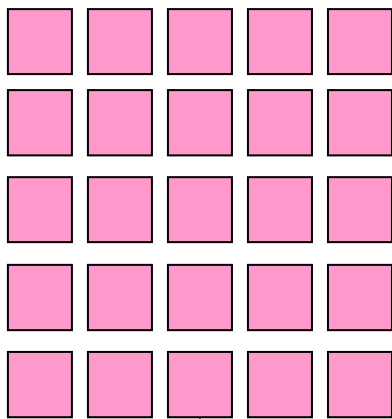
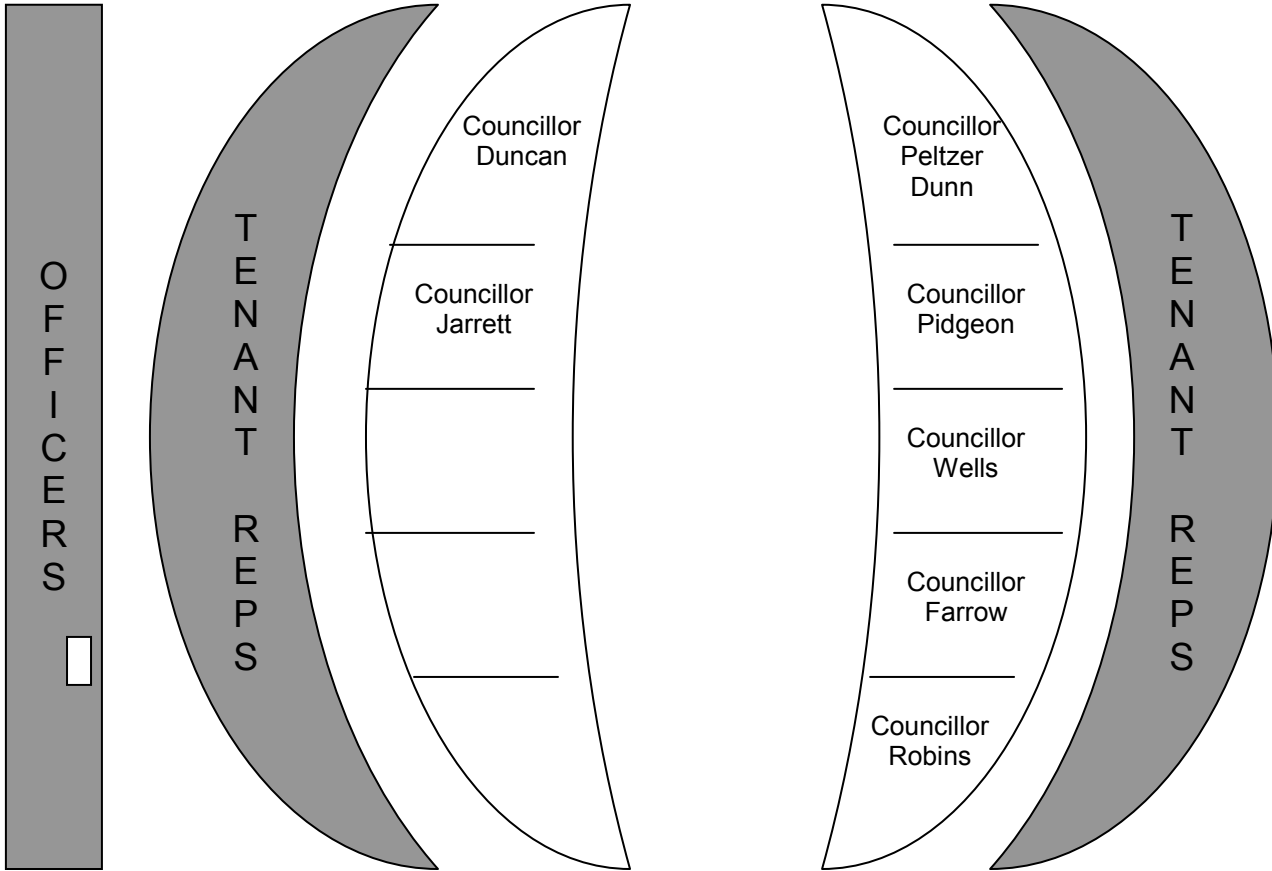
**Brighton & Hove
City Council**

Housing Management Consultative Committee

Title:	Housing Management Consultative Sub-Committee
Date:	12 February 2013
Time:	3.00pm
Venue:	Council Chamber, Hove Town Hall
Members:	Councillors: Wakefield (Chair), Peltzer Dunn (Opposition Spokesperson), Farrow, Jarrett, Duncan, Pidgeon, Robins and Wells
Contact:	Lisa Johnson Senior Democratic Services Officer 01273 291228 lisa.johnson@brighton-hove.gov.uk

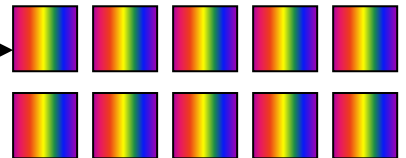
	The Town Hall has facilities for wheelchair users, including lifts and toilets
	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.
	FIRE / EMERGENCY EVACUATION PROCEDURE If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions: <ul style="list-style-type: none">• You should proceed calmly; do not run and do not use the lifts;• Do not stop to collect personal belongings;• Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and• Do not re-enter the building until told that it is safe to do so.

Democratic Services: Meeting Layout



Public Seating

Members in Attendance



Press



Tenant Representatives:

Lynn Bennett, Brighton East Area Housing Management Panel

David Murtagh, Brighton East Area Housing Management Panel

Trish Barnard, Central Area Housing Management Panel

Jean Davis, Central Area Housing Management Panel

Tina Urquhart, West Area Housing Management Panel

Roy Crowhurst, West Hove & Portslade Area Housing Management Panel

Keith Cohen, Hi Rise Action Group

Tony Worsfold, Leaseholder Action Group

Barry Kent, Tenant Disability Network

Charles Penrose, Sheltered Housing Action Group

Rita King, North & East Area Housing Management Panel

Robert Spacie, North & East Area Housing Management Panel

AGENDA

39. PROCEDURAL BUSINESS

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

(b) Declarations of Interest:

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

In each case, you need to declare

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

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

(c) Exclusion of Press and Public: To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: *Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

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

40. MINUTES

1 - 8

To consider the draft Minutes of the meeting held 18 December 2012 (copy attached).

41. CHAIR'S COMMUNICATIONS

42. CALL-OVER

- (a) The following items will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.

43. 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 5 February 2013
- (d) **Deputations** – to receive any deputations submitted by the due date of 12 noon on the 5 February 2013

44. ISSUES RAISED BY COUNCILLORS

9 - 10

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** –
 - (1) To consider a letter from Sheltered Housing Action Group
- (d) **Notices of Motion** – to consider any notices of motion.

45. LETTINGS - PRESENTATION

11 - 24

Presentation by Lorraine Hamilton, Housing Manager

46. UPDATE ON RIGHT TO BUY AND LEASEHOLD MANAGEMENT - PRESENTATION

25 - 44

Presentation by Dave Arthur, Leasehold Manager

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

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

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

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

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

Date of Publication - Monday, 4 February 2013

BRIGHTON & HOVE CITY COUNCIL

HOUSING MANAGEMENT CONSULTATIVE SUB-COMMITTEE

3.00pm 18 DECEMBER 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Jarrett (Chair), Councillor Mears (Opposition Spokes Person), Councillor Farrow (Opposition Spokesperson), Barnett, Littman, Pidgeon and Robins.

Tenant Representatives Lynn Bennett (Brighton East Area Housing Management Panel), David Murtagh (Brighton East Area Housing Management Panel), Dave Avery (West Area Housing Management Panel), Roy Crowhurst (West Area Housing Management Panel), Rita King (North & East Area Housing Management Panel), Robert Spacie (North & East Area Housing Management Panel), Tony Worsfold (Leaseholder Action Group), Barry Kent (Tenant Disability Network), and Valerie Paynter (Hi Rise Action Group).

PART ONE

28. PROCEDURAL BUSINESS

28A Declarations of Substitute Members

28.1 Councillor Littman declared he was attending as a substitute for Councillor Wakefield
Councillor Mears declared that she was attending as a substitute for Councillor Peltzer
Dunn.

Councillor Barnett declared that she was attending as a substitute for Councillor Wells.

28.2 Councillor Wakefield (Chair) had sent her apologies and, as there was no Deputy Chair
to the Housing Management Consultative Sub Committee, nominations for Chair were
requested. Councillor Farrow nominated Councillor Jarrett and Councillor Littman
seconded the nomination.

28.3 **RESOLVED** – That Councillor Jarrett be Chair.

28B Declarations of Interests

28.4 There were none.

28C Exclusion of the Press and Public

28.5 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

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

29. MINUTES OF THE HOUSING MANAGEMENT CONSULTATIVE SUB COMMITTEE HELD ON 23 OCTOBER 2012

29.1 Councillor Mears referred to paragraph 24.3 and asked for confirmation on when the requested report would be provided. Officers advised that a report would go to Housing Committee at its meeting in March 2013. Councillor Mears noted that Budget Council was being held in February and asked if a briefing note could be provided at the next HMCSC meeting. The Chair agreed.

29.2 Councillor Robins referred to paragraph 27.8 and the use of 'days' and 'working days' in reports. He noted that in item 34 reference was again made to 'day's and asked whether that was calendar days or working days. Officers advised that 'days' would always mean calendar days unless otherwise stated. The Chair asked officers to make that clarification in future reports.

29.3 **RESOLVED** That the Minutes of the Housing Management Consultative Sub Committee held on 23 October 2012 be agreed and signed as a correct record.

30. CHAIR'S COMMUNICATIONS

30.1 The Chair welcomed Ms Rita King and Mr Robert Spacie to the meeting. Ms King and Mr Spacie had been elected to represent the North and East Area Housing Management Panel on the Housing Management Consultative Sub Committee. The Chair wished everyone present a very happy Christmas.

31. CALL-OVER

31.1 It was agreed that all items be reserved for debate and determination

32. PUBLIC INVOLVEMENT

32.1 There were no petitions, written questions or deputations.

33. ISSUES RAISED BY COUNCILLORS

33.1 There were no petitions, written questions, letters or notices of motion from councillors.

34. HOUSING & SOCIAL INCLUSION PERFORMANCE REPORT QUARTER 2 2012/13

- 34.1 The Housing Management Consultative Sub Committee considered the Housing and Social Inclusion Performance report for Quarter 2 for the financial year 2012-13.
- 34.2 Councillor Mears referred to paragraph 4.3 of the report, and asked how it could ever take longer than 7 days to change a light bulb, and why although 98% of cleaning passed inspection, some residents were still unhappy with the cleaning service provided. Officers said that in the vast majority of cases light bulbs were changed quickly, but there was one occasion where a particular bulb had been hard to source and therefore there had been a delay. With regard to cleaning, the service was regularly inspected.
- 34.3 Councillor Mears asked how many homes had been transferred to Seaside Homes. The Head of Housing said he did not have the information to hand, but believed it was in the region of 200. Mr Crowhurst confirmed it was 238 homes. Ms King said that a property near to hers had been empty and had been occupied by squatters; the property had now been transferred to Seaside Homes and re-let and she wanted to thank those involved. Councillor Mears asked if the HMCSC could receive regular update on the transfer of homes. The Chair agreed.
- 34.4 Ms V Paynter referred to paragraph 4.3 and asked how often the cleaning was inspected. Officers confirmed the cleaning was checked each week, with a full inspection every quarter. Ms Paynter referred to paragraph 4.2.3 and noted that of the 1496 repair jobs which were cancelled, 33% were due to difficulties gaining access to the property. Officers confirmed that was mostly due to people making appointments and then not being at home.
- 34.5 Ms L Bennett, Ms R King and Mr B Kent said that some tenants were unhappy with the standard of cleaning provided; there had been concerns that the same water and cloth were being used for large and different areas. A complaint had been made. Officers invited tenant reps to meet with the cleaners to discuss what they do and how they clean.
- 34.6 Mr T Worsfold said that there had been problems with the lifts being out of order and noted that the meetings were to be held with contractors. Councillor Mears said that lifts did break down and parts were sometimes hard to source, but said that it was important to look after tenants particularly those who had mobility problems when lifts were not working. Officers advised that when lifts could not be repaired the same day, they had a list of those who would be affected and contacted each resident; in extreme cases people would be re-housed. Ms King confirmed that that did happen and that officers did a very good job in those situations and ensured that everyone was looked after.
- 34.7 RESOLVED** – That the Housing Management Consultative Sub Committee note the report.

35. HOUSING FINANCIAL INCLUSION COMMUNITY BANKING PROJECT - INTERIM REPORT

- 35.1 The Housing Management Consultative Sub Committee considered a report of the Strategic Director Place which provided an update on the progress of the Housing Financial Inclusion Community Banking Project.
- 35.2 Mr Crowhurst asked how those who would benefit from the service would be identified. Officers said that there would be a publicity campaign to encourage people to self refer, and those households who could be affected by the benefit changes or those who were in arrears with their rent etc would be encouraged to use the service.
- 35.3 Councillor Mears referred to paragraph 5.2 and asked if the 'one off funding' would be a revenue cost. It was confirmed it would, and that £150,000 had identified to cover the cost for two financial years.
- 35.4 Councillor Robins suggested that a more appropriate name for the 'Loan Shark Advocates' could be used. Officers said that that was the title of the training provided by Trading Standards.
- 35.5 Ms Bennett said that residents found the service very helpful.
- 35.6 **RESOLVED** – That the Housing Management Consultative Sub Committee note the interim report.

36. INNOVATION GROUP ON RESIDENT INVOLVEMENT

- 36.1 The Housing Management Consultative Sub Committee considered the report of the Strategic Director, Place which provided the final report for the Innovation Group.
- 36.2 Councillor Mears referred to paragraph 3.6 and asked how many staff there would be. Officers confirmed there would be 9 staff.
- 36.3 Councillor Mears asked why the true cost of Area Panels was not known. Officers said it would be necessary to look at attendance for both panel members and staff. The cost of staff was inbuilt, but if looking at cost would need to apportion the amount of time spent. Other costs such as hire of the venue, paper, printing, taxis, childcare for tenants and the cost of other council employees such as Cityclean who might attend a meeting would need to be considered.
- 36.4 Councillor Farrow was pleased to note how dedicated the officers were in looking after tenants, and asked that when arranging training sessions that some be held out of work hours to enable as many people to attend as possible.
- 36.5 Mr Kent asked if it were possible to have a breakdown of money spent such as taxis together with a sample cost of having officers attend etc. The Chair agreed.

- 36.6 Mr Crowhurst questioned the use of 'neighbourhoods'. Officers advised that neighbourhood was used to include a whole area rather than just one tower block or development. Mr Crowhurst asked if tenants would be able to vote on the Action Plan as he felt there were some points his Area Panel would agree to and some they wouldn't. Officers advised that agreement to the Action Plan was sought at this meeting.
- 36.7 Ms Paynter was concerned that Area Panels had not voted on the Plan, and suggested that an Extraordinary meeting of the Area Panels be held.
- 36.8 Councillor Robins said that the last time the HMCSC considered the report, it had been discussed line by line and so had been fully reviewed, and recommended that the report now be endorsed.
- 36.9 Councillor Mears asked what would happen if Area Panels did not like the Action Plan. Officers said that any issue could be looked at. Councillor Mears asked when tenants would have any involvement with the Action Plan. Officers advised that the proposed Action Plan had already been discussed with tenant reps and with Area Panels.
- 36.10 Mr Worsfold suggested that the word 'proposed' be removed from the Action Plan, and officers be allowed to implement the proposals now.
- 36.11 Mr Crowhurst said the matter had been considered by Area Panels, but they had not seen the report and Action Plan which was before the HMCSC today.
- 36.12 Ms Paynter said she had concerns over the word 'endorse' and that if the HMCSC endorsed the Action Plan, tenants would think that all tenant reps agreed with it.
- 36.13 Councillor Farrow said he wanted tenants to be able to represent themselves, and although there had been different views on the matter it was important that the matter move forward. If anyone didn't agree with it they should put forward alternative suggestions.
- 36.14 Councillor Mears said that she couldn't endorse the report unless it was seen by Area Panels.
- 36.15 Mr Murtagh said that the Area Panels had seen the document, and the only changes made had been those suggested by councillors. Mr Crowhurst said that the Area Panels had discussed the issues, but they had not seen the final Action Plan. Officers said that Area Panels had seen the document before it was considered at the HMCSC meeting in September 2012 and their thoughts had been incorporated. Officers reminded everyone that staff had worked with residents, different tenant groups, City Assembly etc and the matter had been fully consulted on and people's view taken into account. Ms Paynter said that Area Panels should see the report.
- 36.16 Councillor Robins said the Action Plan had been fully discussed and it was time to move the matter on. Ms King agreed.
- 36.17 Councillor Farrow noted the comments made and proposed that as a way of moving the matter on, the following recommendation be considered:

- (i) That the Housing Management Consultative Sub Committee endorse the final report of the Innovation Group.
- (ii) That the suggested action plan for broadening the reach and outcomes of resident involvement be passed to Area Panels for consideration.

The proposal was seconded by the Chair. All councillors agreed.

36.18 An indicative vote was taken from the tenant reps, and they agreed with both recommendations.

36.19 RESOLVED:

- (i) That the Housing Management Consultative Sub Committee endorse the final report of the Innovation Group.
- (ii) That the suggested action plan for broadening the reach and outcomes of resident involvement be passed to Area Panels for consideration.

37. HRA CAPITAL PROGRAMME 2013-16

37.1 The Housing Management Consultative Sub Committee considered a report of the Strategic Director Place, on the Housing Revenue Account Capital Programme 2013-2016

37.2 Councillor Farrow suggested that more money be put into loft conversions; it was a good way to provide an additional bedroom which could enable an adult child to remain in the family home.

37.3 Councillor Mears noted that at the last HMCSC meeting reference was made to a report which had gone to an earlier Policy & Resources Committee concerning cladding, and was told that a briefing note would be provided for HMCSC members but none had been provided. Officers said that a briefing note had been distributed, but it would be resent. Councillor Mears asked for clarity on the replacement of doors, as some tenants had advised her that they had had new door/s fitted when new ones weren't required. Officers said doors and handles were replaced when necessary but not otherwise, and asked her to provide details of who had had new ones fitted. Councillor Mears said she would abstain from voting on the recommendation as the report had been received late and councillors had not received a briefing.

37.4 Councillor Robins referred to the issue of loft conversion and suggested that the level of insulation would be lower as there had to be a certain height between floor and ceiling. Officers advised that any insulation would be put in the eaves, and that the thickness would be around 150mm which was less than the thickness which would be used if a loft were not being converted.

37.5 Councillor Farrow said that he was not happy with the report and felt that it wasn't good enough for tenants, and suggested that a summit be held to discuss how things could be moved forward. Officers advised that the matter had been discussed at Area Panels and at City Assembly. Councillor Farrow was unhappy that there had been insufficient time to fully consider the report, and said that he would therefore not be voting for the proposed recommendation.

- 37.6 **RESOLVED** That the Housing Management Consultative Sub Committee declined to agree with the recommendation that the report be noted.
- 38. HOUSING REVENUE ACCOUNT BUDGET 2013/14**
- 38.1 The Housing Management Consultative Sub Committee considered a report of the Strategic Director Place, which provided information on the draft Housing Revenue Account Budget 2013/14.
- 38.2 Councillor Farrow noted that when the level of rent was set a prescribed calculation was used. This calculation included an element for the average manual wage for Sussex, and suggested that an average wage for Brighton & Hove be used instead. Officers noted the suggestion.
- 38.3 Councillor Mears referred to paragraph 3.8 and asked who had taken the decision to move money from the Capital Fund to the Revenue Fund. Officers advised that Mears had now provided improved information for all their overhead costs that had now been more accurately divided between the two funds. The change was a more accurate way of recording the amount spent, but the overall costs remained the same. Councillor Mears referred to paragraph 3.12 regarding additional staff needed to support the future HRA housing development and regeneration projects and asked who had authorised it. Officers confirmed that a new position had been created to oversee the developments. The Chair said that clarification would be obtained on who had taken that decision. Councillor Mears was concerned that the report had been provided late and she had not had time to fully consider the issues.
- 38.4 Councillor Robins asked why the report had been late, and was advised that the report was due to go to the next Housing Committee but it had been 'early' to HMCSC for information.
- 38.5 **RESOLVED** That the Housing Management Consultative Sub Committee declined to agree with the recommendation that the report be noted.

The meeting concluded at 6.50pm

Signed

Chair

Dated this

day of

**HOUSING MANAGEMENT
CONSULTATIVE SUB-COMMITTEE**

12 February 2013

Agenda Item 44(c)

Brighton & Hove City Council

Letter from Sheltered Action Housing Group

At the Sheltered housing action group meeting on 9th January tenant representatives expressed concern that recent new tenants require more care and attention. Sheltered housing is changing and new tenants being housed more and more care and attention and scheme managers time is being devoted to these tenants to the detriment of the rest of the tenants. We are close to the time we will require more scheme managers to cope with the situation so S.H.A.G. ask Council to consider increasing the Sheltered budget, bearing in mind it is cheaper to keep tenants in their own home than try to accommodate them in nursing homes. Sheltered can help complex needs tenants be independent for longer.

As Sheltered housing is moving away from it's original purpose and new tenants have higher and more complex needs, we will have to alter services to cope with the care of these tenants. The current structure of on site scheme managers needs to be improved to cover for the extra attention these more complex tenants need. The existing tenants do not receive the attention they have been used to or also need.

At the last meeting representatives voiced concern over this issue and would urge Council to increase the budget so the services provided can be maintained and improved.

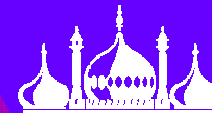
Central government has a 300 million pound fund to provide care for the elderly. That would do nicely.

Charles Penrose Chair.

The **Re-housing** Team

(formerly Lettings)

12 February 2013

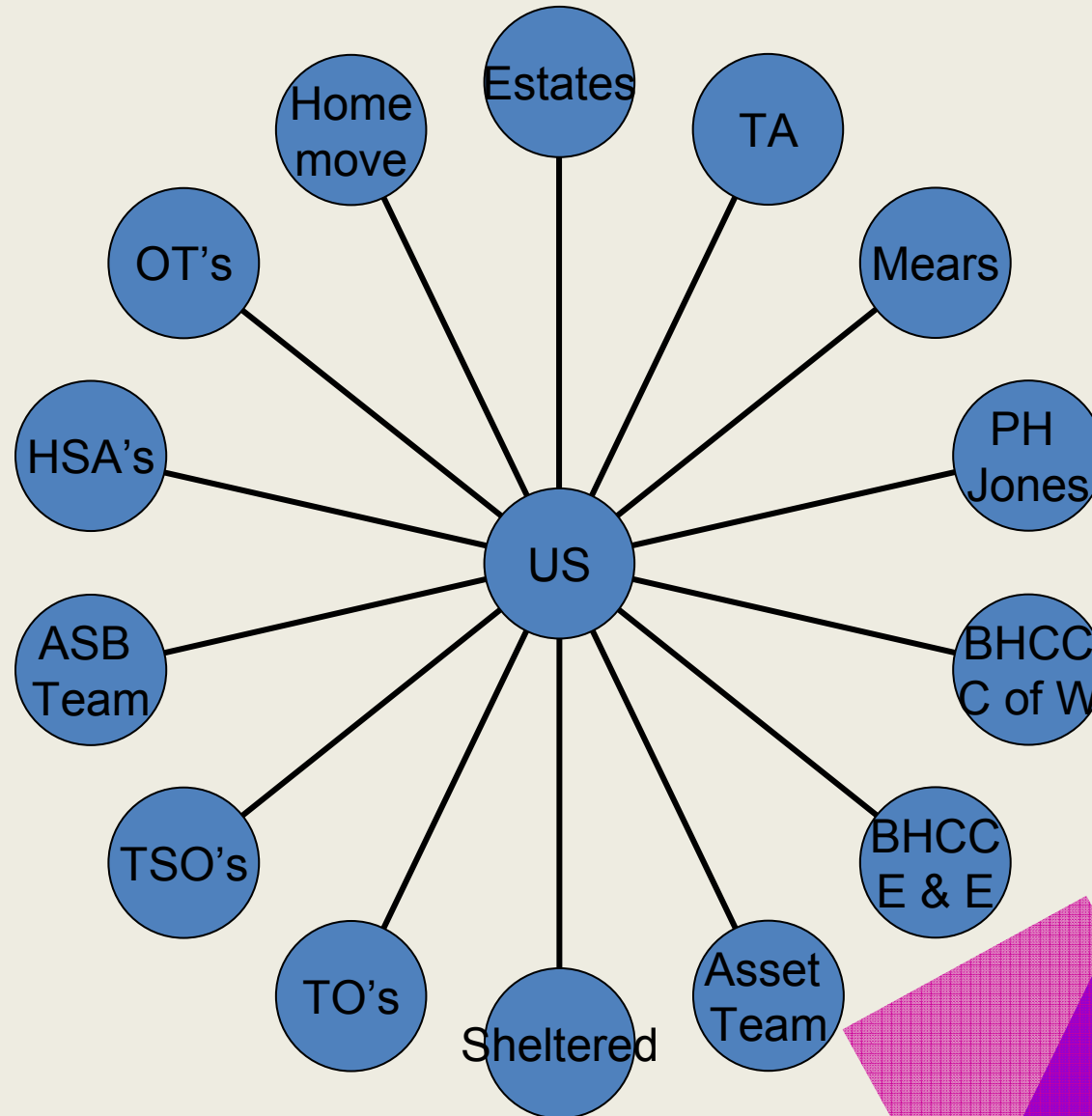


Brighton & Hove
City Council

Who are we?

- 1 Manager; 6 Officers & 2 Administrators
- Passionate & caring
- Want to improve standard of living
- Conscientious; hard working & enthusiastic
- Knowledgeable
- Committed & compassionate
- From a variety of backgrounds

Who do we work with?



Policy

- Choice Based Lettings
- Sets out priorities & procedures for letting permanent council housing & nominations to Registered Social Landlords
- Applies to existing tenants & Housing Association tenants on the Joint Housing Register

Why is it important to let empty properties quickly?

- Minimise rent loss
- Time spent in temporary or unsuitable accommodation
- Cost to the Authority of Temporary Accommodation
- Cost of empty property management
- Cost of securing properties
- Risk of fly-tipping; vandalism & squatting
- Impact on the neighbourhood; area or estate
- It creates a positive image of the Council

Re-housing process

- Tenancy legally ends
- End of tenancy visit takes place
- Advertising
- Short listing
- Communication with Mears & Estate Services
- Contacting applicants
- Viewing
- Dealing with refusals; sign ups; agree key collection and/or decorating allowance
- Referrals to Tenancy Sustainment/Financial Inclusion Teams
- Processing paperwork & updating computer system
- First new tenancy visit within 14 days



**Brighton & Hove
City Council**

Adaptations

- Equipment left & repaired where possible
- Age & condition of equipment taken into account
- Training given to Re-housing Officers by the Adaptations team
- Properties and people have a Mobility rating 1, 2 & 3

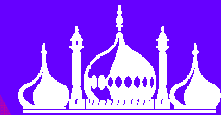


Brighton & Hove
City Council

Local Lettings Plans (LLP's)

To make better use of housing stock or other local need

Can apply to a block of flats; estate; neighbourhood or to certain types of property



**Brighton & Hove
City Council**

Local Lettings Plans in place

1. Priority to positively contributing applicants
2. Sheltered housing – priority to those who live in the same/other scheme
3. Over 50's age restricted blocks
4. Bungalows

Definitions around performance (BV212)

Exclusion reasons

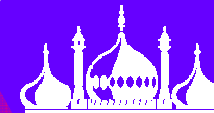
- Decanted for works
- Structural works, including floors; walls & roofs
- Safety & security of tenants e.g. asbestos removal
- Lacking amenities e.g. gas; electricity & heating
- Fire & flood
- Consequential works
- Used by police or squatted



Brighton & Hove
City Council

Performance & comparative data

Average re-let times in days - GN & HfOP April to Dec 2012		
	Standard lets	Any time spent in works
Our result	15 days	31 days
Our ranking	5 of 46	9 of 26
Our Quartile	Top quartile	2nd Quartile



**Brighton & Hove
City Council**

Empty property rent loss for all re-lets

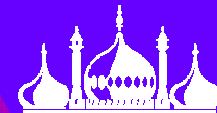
- 2011/12 – average £492 for 546 lets
- April to Dec 2012 – average £391 for 352 lets



Brighton & Hove
City Council

Exciting initiatives

- Web staff
- Early key collection
- Discretionary Housing Payments for removal costs
- E-benefits
- Re-cycling furniture – Estate Services



**Brighton & Hove
City Council**

Update on Right to Buy & Leasehold Management

Dave Arthur
Leasehold Manager



What this update will cover

- Recent changes to the Right to Buy
- Imminent government department marketing activity
- Major works and implications for leaseholders
- Working with leaseholders when major works are proposed or carried out
- Payment options

Context

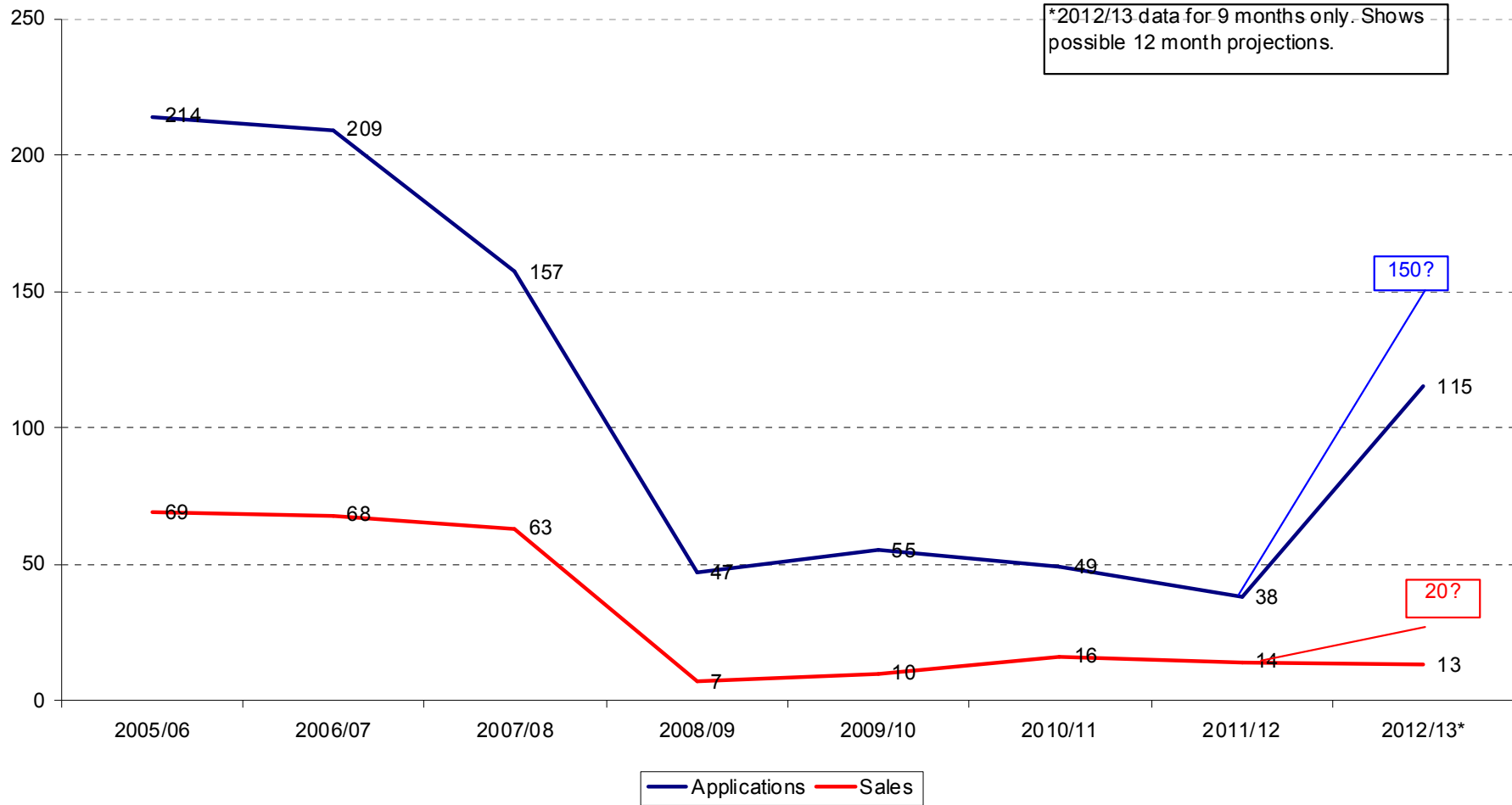
- The council owns & manages around 4,500 houses
- It manages 10,000 flats in over 1,400 buildings where it is freeholder
- 2,500 of the flats are leasehold (now including Seaside Homes leases)
- Around 35-40% are being sub-let



Right to Buy

- From 1 April 2012 the maximum discount was increased nationwide to £75,000
- For Brighton & Hove the previous level was £38,000
- In the first 6 months applications increased around 5-fold
- From October – uptake has reverted back

RTB Applications & Sales 2005-2013



Right to Buy

- A number of economic & social factors why tenants are not buying
- Council tenant home ownership drive (DCLG)
- Promoting in Brighton & Hove in February
- Letters/leaflets to estates
- Advertising/web & mobile pop-ups
- Link to DCLG phone advice line



Right to Buy

- Roadshow event – BHCC invited to co-promote
- DCLG advise the lessons learned – many ‘low quality’ applications arise
- Currently, BHCC rely on tenants to apply at a time they are ready
- Detailed information on RTB to all tenants so they are aware

Leaseholders and major works

- The council has an obligation under the leases to keep the building in repair, and the ability to carry out improvement works
- In general terms, leaseholders have to contribute their share of the costs the council incurs

Leaseholders' protections

- Leaseholders are protected on service charges
- Costs have to be allowed in the lease
- Costs must be reasonably incurred
- Works carried out to reasonable standard
- Consultation requirements complied with (or dispensed with by LVT)

Consultation on works

- In some cases leaseholders will know about works before a notice is issued
- High cost works are normally carried out under a long-term agreement – Mears, Liftec
- For these works, a notice is issued giving 30 days for written observations
- Major works information leaflet sets out payment options (offer of confidential visits)
- Higher cost works a meeting is held as well

If the work goes ahead...

- Unlike many other landlords, BHCC does not make a demand for service charge on major works until the works are finished
- September following completion a demand is made in annual Certificate of Expenditure
- The time between the consultation and the demand can be 12 months to 24 months

Payment options

- Once the demand is made, payment is due within 28 days
- Where someone has difficulty with payment they may be able to get help from an outside body (lender, Pension Service, etc)
- BHCC offers to spread the payment over 12 months
- Council loan at interest (currently 5.07%) up to 10 years
- Interest-only loans for pension age



Resident leaseholders

- For works costing £5,000 or more there are further options for resident leaseholders
- Spread the payment up to 5 years (depending on amount)
- Equity loan – amount converted to % of property repaid on transfer (no repayments)
- Maturity loan – no repayments (amount + interest repaid on transfer)
- Longer-term loan – with interest up to 25 years

Other options

- Subject to funding and eligibility common parts loans or assistance are sometimes available
- In cases of extreme hardship for resident leaseholders – a voluntary legal charge may be agreed
- A government directive gives discretion to limit charges to £10,000 in a 5 year period in individual cases of hardship (on application)

Update on Right to Buy & Leasehold Management

Dave Arthur
Leasehold Manager



Major Works

Information about major works, paying for major works and assistance for leaseholders facing large bills

The need for major works

From time to time the council needs to carry out extensive work to its buildings in order to keep them in repair. Projects might include replacing windows, refurbishing lifts, external brickwork repairs or redecorating the common areas. Major works are generally those that will cost individual leaseholders more than £250.

Consultation

If the council needs to carry out any major works to your building, you will be consulted beforehand in line with the legal requirements that apply to all landlords. This will include a formal notice setting out the estimated costs. Leaseholders have a 30 day period in which to make written observations on the works or the costs.

For larger scale works the council will hold meetings with residents, and keep you informed of progress, often through scheme newsletters.

Defects period

Once the works are completed there is normally a 'defects liability period' in which the contractor can be brought back to remedy any faults at no extra cost. This is the time to alert the council to any faults you are aware of - once this period is over, costs will be incurred to put right any defects.

Major works bills

Major works are not included in the interim charge you pay. Neither does the council manage a sinking or reserve fund to collect money in advance. Major works are normally billed at the end of the September following completion of the works. If you are liable to pay a service charge towards the works, the amount will be included in your annual Certificate of Expenditure.

However, if you are due a credit refund on your interim payments and would like the council to hold this money against any future costs – please contact our Central Collection Team on (01273) 291365.

Paying for major works

Due to the time between you first becoming aware of the costs you have to contribute to and when the works are actually billed, you should use this time to make the necessary provisions to make payment when you receive the invoice. When the demand is made, payment will be due within 28 days.

Payment options

If you have difficulty with payment and want to discuss an arrangement to pay or taking out a council loan, contact the Central Collection Team, Brighton & Hove City Council, Kings House, Grand Avenue, Hove BN3 2SR or phone (01273) 291365.

Independent money advice is available from certain agencies such as Citizens Advice Bureau (0845 120 3710) or Money Advice and Community Support (01273 664000).

From bodies other than the council:

- if you have a mortgage - your mortgage company may add the amount to your existing mortgage
- you may be able to get a loan from a private lending institution such as a bank or building society
- if you are a leaseholder and are over pension age you may be entitled to help with your service charge - Pension Credit can help with interest on certain loans for repairs or for service charge. To claim Pension Credit phone 0800 99 1234, or speak to the Pension Centre on 0845 6060 265 or www.direct.gov.uk
- The Pension Service offer a home visiting service to the most vulnerable customers within our communities (those unable to engage with DWP by any other method). To arrange you can either use the contact numbers above or phone the Benefit Enquiry Line 0800 8822 00 if you are seeking to claim Disability Living Allowance, Attendance Allowance or Carers Allowance
- if you are of working age, depending on your circumstances, you may be entitled to help with your service charge – Jobcentre Plus can help with claims or enquiries on Information & Services: 0800 055 6688 or www.direct.gov.uk

From the council:

- you can discuss spreading the payment with the council's collection team
- you can discuss with the council's collection team taking out a council loan to spread the cost for up to ten years (see below for further information)
- if you are of pensionable age – an interest-only loan from the council may help

For resident leaseholders only:

For works costing £5,000 or more, and where you are unable to take up any of the other options:

- we may be able to agree an equity loan with you (where there is no interest involved, but the council would receive an agreed share of the selling price on a future transfer)
- we may be able to agree a maturity loan (where the loan amount and interest are repaid on a future transfer of the flat)
- we may be able to agree a long-term loan at interest up to 25 years

Voluntary legal charge:

- In cases of extreme hardship, for resident leaseholders only, the council may consider placing a voluntary legal charge on the property (which could offset payment and interest until the property is transferred)

Discretionary Reduction of Charges over £10,000

The Social Landlords Discretionary Reduction of Service Charges Directions give the council the discretion to reduce major works charges costing more than £10,000 in any five year period. This is for cases of extreme hardship. There is no discretion, though, to reduce charges to less than £10,000.

If a leaseholder makes an application under this discretion, the council will consider the case on its merits, taking into account whether the dwelling is the leaseholder's

only home, their financial resources, their ability to pay over a longer period of time, the impact on the value of their home and other matters.

A formal report in each case with supporting documentation goes to the Head of Service for a decision in consultation with the Cabinet Member for Housing.

Applications for the council to exercise this discretion should be made to the Leasehold Team (the contact details are on the back page).

Council loans

Council loans have a variable interest rate. The rate from 1 April 2012 is 5.07%. This will be reviewed every six months. The council will give you a month's notice if there is to be a change in the rate.

If you have a mortgage we strongly recommend you talk to your lender before you apply for a council loan. This is because their terms may be better than those the council can offer.

With a council loan, we will register your flat with the Land Registry as security on the amount you borrow. There is a £50 fee for this registration and an £80 administration charge for setting up the loan. These fees will be added to the amount of the loan.

The table below shows indicative monthly repayments on a 10-year council loan at the current rate of interest:

Amount	Monthly repayments: 10 years	Monthly repayments: 10 years (interest only)
£2,500	£27	£11
£5,000	£54	£21
£10,000	£108	£42
£20,000	£216	£84
£30,000	£324	£126

Paying the Service Charge

So long as the costs incurred on the works are reasonable and the works are of a reasonable standard, service charge is payable. It is important you pay the service charge by the due date, or come to an arrangement to pay by one of the options for assistance set out above.

Any service charge debt where this does not happen will lead to legal proceedings being issued, in which case your home is put at risk.

Disputes

The council has a 3-stage Leaseholders Disputes Procedure for service charge disputes. We will not chase payment for service charge if you have written to us and we have put the matter in dispute.

A leaflet explaining the disputes procedure can be sent on request from the Leasehold Team (01273) 293074.

Inspection of accounts

Once the works are complete, a Certificate of Expenditure is issued to you the following September which shows the actual cost of the work along with your share. We also send you a breakdown of the costs and an invoice to pay within 28 days.

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At this stage the council will provide you with copies of the accounts, receipts and other documentation that support the service charge or offer facilities to inspect them on request to the Leasehold Team.

Leasehold Valuation Tribunal

The council has an extremely good record of resolving service charge disputes internally. However, leaseholders have the right to seek a determination from the Leasehold Valuation Tribunal (LVT).

There is an application fee, but the LVT acts as an independent arbitrator to decide whether service charges are reasonable and how much is payable. Leaseholders in the same building, or affected by the same costs, can bring a case jointly if they wish.

LVT proceedings are less formal than a court, and the panel is normally made up of a lawyer, a surveyor and a lay person. Written witness statements and supporting evidence such as surveyors reports are requested in advance of the hearing. The panel will most likely visit the building in question, and hear the evidence presented from both sides, asking questions along the way.

Useful contacts

Brighton & Hove City Council Property & Investment Housing Centre, Eastergate Road Brighton BN2 4QL (01273) 294649 contractsteam@brighton-hove.gov.uk	Brighton & Hove City Council Leasehold Team Housing Centre, Eastergate Road Brighton BN2 4QL (01273) 293074 rtleasehold@brighton-hove.gov.uk
Brighton & Hove City Council Central Collection Team Kings House, Grand Avenue Hove BN3 2SR (01273) 291365 cct@brighton-hove.gov.uk	The Pension Service PO Box 19013 Motherwell ML1 3YY 0845 606 0265 www.direct.gov.uk
Citizens Advice Bureau Hove Town Hall 1 Tisbury Road, Hove BN3 4AH 0845 120 3710 www.brightonhovecab.org.uk	Money Advice and Community Support 24 Old Steine Brighton BN1 1EL (01273) 664000 info@macss.org.uk
LEASE Leasehold Advisory Service Maple House, 149 Tottenham Court Rd London W1T 7BN 020 7383 9800 info@lease-advice.org www.lease-advice.org	Leasehold Valuation Tribunal Residential Property Tribunal Service 1 st Floor, 1 Market Avenue Chichester PO19 1JU (01243) 779394 southern.rap@communities.gsi.gov.uk

www.direct.gov.uk
www.brighton-hove.gov.uk