



**Brighton & Hove
City Council**

Housing Management Panel

Title:	East Area Housing Management Panel
Date:	26 January 2015
Time:	7.00pm
Venue	The Vale, 17A Hadlow Close, Brighton, BN2 0FH
Members:	Councillors: Wilson (Chair), ; Ward Councillors for the Area, Delegates of Tenants Association in the area.
Contact:	John Peel Democratic Services Officer 01273 29-1058 john.peel@brighton-hove.gov.uk

AGENDA

Part One	Page
35 APOLOGIES	
36 MINUTES OF THE PREVIOUS MEETING Minutes of the meeting held on 1 December 2014 (copy attached).	1 - 4
37 CHAIRMAN'S COMMUNICATIONS	
38 UPDATE ON NEW HOMES FOR NEIGHBOURHOODS PROGRAMME (copy attached).	5 - 8
39 LEVEL ACCESS SHOWERS (copy attached).	9 - 12
40 HIGH RISE SECURITY OPTIONS (copy attached).	13 - 24
41 IMPLICATIONS OF ASB AND POLICING ACT 2014 (copy attached).	25 - 44
42 SHELTERED HOUSING (copy attached).	45 - 72
43 ESTATES DEVELOPMENT BUDGET DECISION (copy attached).	73 - 74
44 CITY WIDE REPORTS To <u>note</u> the minutes and reports of the following Committees and City Wide groups (copies attached): A. Brighton & Hove Seaside Community Homes.	75 - 78
45 BRIGHTON LIONS LEASE (copy attached)	79 - 84
46 ANY OTHER BUSINESS	

BRIGHTON & HOVE CITY COUNCIL
EAST AREA HOUSING MANAGEMENT PANEL

7.00pm 1 DECEMBER 2014

BRISTOL ESTATE, REAR OF 146-192, DONALD HALL ROAD, BRIGHTON, BN2 5DJ

MINUTES

Present: Councillors Wilson (Chair)

Representatives: Alan Cooke (Craven Vale), Chris El-Shabba (Robert Lodge), Betty Crabb (North Whitehawk) , Martin Tudsbury (South Hawk)

Non-Voting Delegates: Maureen Langford (North Whitehawk), Mary Whitner (South Hawk)

Officers: Jane White (Performance & Improvement Officer), Anna Lee (Housing Customer Service Team Leader), Keith Dadswell (Project Manager- Mears), Janine Healey (Performance Manager), Hilary Edgar (Housing Service Operations Manager), James Cryer (Partnering Manager- Mears), Simon Pickles (Housing Stock Review Manager), Sharon Terry (Resident Involvement Officer), Becky Purnell (Resident Involvement Manager), Ododo Dafe (Head of Income, Inclusion & Improvement), John Peel (Democratic Services Officer)

Guests:

22 APOLOGIES

22.1 Apologies were received from Councillor Mitchell.

23 MINUTES OF THE PREVIOUS MEETING

23.1 **RESOLVED-** That the minutes of the previous meeting held on 22 September 2014 be approved and signed as the correct record.

24 PERFORMANCE REPORT Q2 2014/15

24.1 The Head of Income, Inclusion & Improvement presented a report that covered Housing Management Performance during Quarter 2 of the 2014/15 financial year. The Head of Income, Inclusion & Improvement stated that the table provided figures and a RAG rating system against key performance indicators adding that the intention of the report was to provide Area Panels with information on Housing services performance and, as with previous versions of the report, comments and feedback on its presentation was welcomed to improve future versions.

24.2 Alan Cooke noted that the 'Repairs Helpdesk- calls unanswered' had a target of 90% which meant there was an expectation that 10% of calls would not be answered.

24.3 The Head of Income, Inclusion & Improvement clarified that whilst she hoped that no call would go unanswered, it was realistic to expect that some may not due to waiting times or particularly busy periods.

24.4 **RESOLVED-** That the report be noted.

25 STAR SURVEY RESULTS

25.1 The Panel considered a report that provided feedback from a satisfaction survey carried out by Housemark of a selection of council tenants in June 2014. The results provided an up-to-date and statistically significant indication of customer satisfaction on a range of council services.

25.2 Chris El-Shabba asked why no comparative ranking data was available for the 'satisfaction with the last completed repair' category.

25.3 The Head of Income, Inclusion & Improvement clarified that this was because each council could request survey categories outside of the benchmarked questions and the authority had specifically asked for this area to be surveyed.

25.4 **RESOLVED-** That the report be noted.

26 DISCRETIONARY SCHEMES

26.1 The Panel considered a report that provided the findings of the recent review of the Discretionary Decorating and Gardening Scheme and set out the recommended changes for comment.

26.2 Chris El-Shabba asked if the packs provided could be re-used for later projects.

26.3 The Housing Customer Service Team Leader confirmed that the packs were reusable and it was possible that the Housing team could request a 'paint only' pack be provided in the event of future successful applications.

26.4 Alan Cooke asked how residents physically unable to decorate could do so.

26.5 The Housing Customer Service Team Leader clarified that residents could apply for a pack to complete the work themselves or with the help of someone they knew or apply for Mears to undertake the work on their behalf.

26.6 Martin Tudsbury asked if the Scheme provided for one room only.

26.7 The Housing Customer Service Team Leader confirmed that applications were on the basis of one room only, the same room could not be decorated again for 10 years and it was proposed that successful applicants be restricted to one award every other year.

26.8 **RESOLVED-** That the report be noted.

27 CITYWIDE PARKING ENFORCEMENT ON HRA LAND

- 27.1 The Panel considered a report that proposed that parking areas that have enforcement are increased to include all council HRA land (with some exceptions) and to the 99 Housing garage sites to provide residents with preferred parking and provide consistent arrangements.
- 27.2 Chris El-Shabba queried whether Manor Place would be included as it was not identified in the report and the parking at that location was currently very poor.
- 27.3 The Housing Service Operations Manager replied that she would clarify and reply back to Chris.
- 27.4 Martin Tudsbury asked if visitor parking would be provided.
- 27.5 The Housing Service Operations Manager replied that visitor permits would be available where there was space.
- 27.6 **RESOLVED-** That the report be noted.

28 SHELTERED HOUSING STOCK REVIEW

- 28.1 The Panel considered a report that outlined the result of the Sheltered Housing Stock Review and requested comment on various recommendations.
- 28.2 Panel representatives noted their support for the proposed re-design of studio premises.
- 28.3 Martin Tudsbury asked if the conversions from studio flats to one bedroom flats would be mandatory.
- 28.4 The Housing Stock Review Manager stated cases would be reviewed fairly where this was raised but the council's approach was likely to be more robust than in the past.
- 28.5 **RESOLVED-** That the report be noted.

29 EDB REVIEW

- 29.1 The Panel considered a report that consulted on proposals to improve the delivery of the Estate Development Budget (EDB) projects and to inform representatives of changes to EDB processes.
- 29.2 Alan Cooke stated that he supported the proposals as a more streamlined method. Alan added that there was a disused store in the Craven Vale area that could be used as a equipment store for the East Area.
- 29.3 Alan Cooke and Chris El-Shabba relayed details of recent problems they had experienced in arrangements with the Community Payback Team.
- 29.4 **RESOLVED-** That the report be noted.

30 EDB OUTSTANDING WORK

30.1 The Panel considered a report that provided an update on the EDB programme provided by the Mears EDB Project Team.

30.2 **RESOLVED-** That the report be noted.

31 ITEMS FROM TENANT ONLY MEETING

33.1 (Item 1- security doors and postal deliveries) Alan Cooke stated that Craven Vale had not yet received a key fob and the response did not include blocks in addition to Craven Vale as it should.

33.2 The Resident Involvement Officer stated that she would relay Alan's comments to the Performance & Improvement Officer undertaking the project.

33.3 **RESOLVED-** That the responses provided to the issues raised from the Tenant Only meeting be noted.

32 CITY WIDE REPORTS

32.1 **RESOLVED-** That the minutes and reports of the various Citywide groups be noted.

The meeting concluded at 8.15pm

Signed

Chair

Dated this

day of

New homes for neighbourhoods Update



January 2015

The New Homes for Neighbourhoods Programme is the council's programme for building much needed new homes on council housing and other council land, as well as the wider regeneration of council housing estates in Brighton & Hove.

Building work is starting on 29 new council homes at five sites across the city over the next couple of months. All will be let at affordable rents within Housing Benefit limits through the council's Homemove register. Another 200+ other new council homes are in the pipeline.

The Estate Regeneration Team is working with residents and local ward councillors to improve their neighbourhoods and to make best use of council housing land and buildings to help meet the city's housing needs.

Former Manor Place housing office – 15 new affordable rent flats at Robert Lodge

The former housing office at Manor Place has been demolished and we have planning consent for 15 one and two bedroom flats, including a fully wheelchair accessible flat, in two blocks to fit in with Robert Lodge. Work is expected to start in February and the first block to be finished in early 2016.



The Estate Regeneration Team has worked closely with the Robert Lodge Resident Association right from the start and revised the design to meet concerns raised by local residents. Robert Lodge residents are involved in designing new landscaping in the communal garden and will also have the opportunity to rent new stores for mobility scooters.

Preston Road – 2 new wheelchair accessible family bungalows for affordable rent

Former temporary accommodation prefabs will be sustainably rebuilt as two new three bedroom fully wheelchair accessible bungalows with private gardens. Completion is expected this summer.

12 new family houses at affordable rents on three former garage sites

Having consulted with local residents, Hangleton Residents Association and the council's West Area Housing Management Panel, construction is expected to start in March/April on three former council housing garage sites and complete early 2016.

Four three bedroom houses have planning consent at both Foredown Road, Portslade and Hardwick Road, Hangleton, which includes a wheelchair accessible home.

Meanwhile two pairs of two and three bedroom family homes will be built on two former and underused garage sites at Flint Close, Portslade.

The Guinness Trust is the council's development agent for these three schemes but the homes will be owned, managed and let by the council.



New 3 bed houses at Foredown Rd former garage site



Two of four semi-detached new houses at Flint Close

Ardingly Street car parking site – 5 new affordable rent homes

The Estate Regeneration Team has submitted a planning application for five one and two bedroom council homes in Ardingly Street, Kemp Town, including a two bedroom wheelchair accessible flat. Housing Committee has agreed they will all be let at affordable rents.

We have involved the local resident association from the start of the project and carried out wider consultation with local residents and businesses.



Former Selsfield Drive housing office

Initial designs for 20 flats with balconies, green terraces and food growing areas have been drawn up for the site of the Selsfield Drive housing office which closed last year.

Bates Estate Residents Association have welcomed their early involvement in the process and given constructive feedback on the plans. Full consultation with residents will start once further design work has been completed.

New homes for Whitehawk

The Estate Regeneration Team's proposals for a sustainable new gateway development of 57 flats on the former Whitehawk Library site and 28 more on the nearby Wellsbourne site have received the council's Policy and Resources Committee's as well as Housing Committee's in principle approval.

Initial designs are for a mix of affordable rent and for sale properties in order to produce a capital receipt for the land which is owed to the council's General Fund. This would also help local households onto the property ladder as well as providing rented homes for those on the housing register. Consultation with local residents is being planned with local ward councillors and the neighbourhood council to start in the spring.

Design Competition for small sites

As part of a small sites strategy agreed by Housing Committee, the Estate Regeneration Team are setting up a design competition with the Royal Institute of British Architects (RIBA) to look for innovative design solutions for trickier small sites.

Former or underused car parking sites on council housing land at Hinton Close, Rotherfield Crescent and Natal Road will be included, along with a small council owned commercial parking site in Frederick Street. We hope that the competition will deliver excellent designs for these sites while at the same time showcasing the talent of local architects.

Further possible sites for new homes

Many thanks to all residents, councillors and staff who have suggested over 100 sites that might be suitable for developing new homes so far. The Estate Regeneration Team log all suggestions, check who owns the sites and what potential issues there might be to develop them. We visit the sites with Housing and other colleagues and get initial pre-application planning advice for likely candidates.

The Housing Leadership Team then decides which council housing sites should be developed and passes them over to the Estate Regeneration Team to take forward.

We now have a pipeline of over 200 new homes for future development and welcome suggestions of further possible sites.

For more information

There's more information on the New Homes for Neighbourhoods council webpage at www.brighton-hove.gov.uk/nhfn, including regular updates on individual schemes and links to planning documents.

We also have a New Homes for Neighbourhoods frequently asked questions sheet, which has been circulated at previous Area Panel meetings and will be available at the meeting.

The Estate Regeneration Team also update and consult resident associations and local ward councillors directly about development of new homes in their area. We consult wider residents before putting in a planning application. We also work closely with our Housing and other colleagues.

You can contact the Estate Regeneration Team by:

Email: estate.regeneration@brighton-hove.gov.uk

Phone: 01273 290591

Post: Estate Regeneration Team, Brighton & Hove City Council, Room 506,
Kings House, Grand Avenue, Hove BN3 2SR

HOUSING COMMITTEE**Agenda Item**

Brighton & Hove City Council

Subject:	Pilot of Level Access Shower Installations: Update		
Date of Meeting:	Area Panels January 2015 Housing Committee March 2015		
Report of:	Executive Director of Environment, Development & Housing		
Contact Officer:	Name:	Janine Healey	Tel: 293314
	Email:	janine.healey@brighton-hove.gov.uk	
Ward(s) affected:	All		

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

- 1.1 In March 2014 a report to review the Brighton & Hove (Property) Standard came to Housing Committee, with an approved recommendation to run a 6 to 12 month pilot enabling all one bed ground floor flats that become empty and require a bathroom replacement, to be considered for the installation of a level access shower instead of a bath.
- 1.2 As requested by Housing Committee, this report provides an update following the first six months of the pilot.

2. RECOMMENDATION:

- 2.1 To continue to identify properties in this way and update team procedures to reflect this.
- 2.2 To include this in the new Adaptations Policy for Council owned and managed properties (agreed at Housing Committee 10/9/14).

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 This pilot was introduced as part of the review of the Brighton & Hove (Property) Standard, with the aim of increasing the number of properties within the council owned housing stock that are suitable for people with mobility difficulties.

3.2 On 10th September 2014 a recommendation was approved by Housing Committee to introduce an Adaptations Policy for council tenants. It seems appropriate to include this area of work within that policy.

3 RESULTS OF PILOT

4.1 The table below provides information for all six properties identified to date. Two of these have been re-let and four are currently empty and undergoing works (at time of writing this report Nov 2014).

Address	Total Days empty (calendar)	Area of City	Mob rating of property following work	No of Home-move bids	Time on waiting list of person re-housed	General repair cost to re-let (excl. shower)	Shower cost	Contact with Access Point?
Property A	45 days	Moulse-coomb	3 (low)	65 bids	Band C May 2010	£986	£3540	no
Property B	21 days	Beven-dean	3 (low)	97 bids	Band B August 2012	£1600	£3623	no
Property C	tbc 10 days	Kemp Town	3 (low)	198 bids	Band A May 2014	£1411	£3322	tbc
Property D	currently empty	Portslade	3 (low)	N.B. This information will be available once the property has been re-let.				
Property E	currently empty	Portslade	3 (low)					
Property F	currently empty	Whitehawk	3 (low)					

4.2 It was anticipated that up to 15 properties a year would become available and be suitable for this work. There was a total of 37 one bedroom ground floor flats that were re-let during the period of this pilot. Of these, 16 already had adaptations of some type, which left 21 properties with the potential to install a level access shower. However, only two of these properties were actually suitable for the installation and categorisation as a Mob 3 property for re-letting. Since this date there have been a further 4 properties identified which are currently undergoing work.

4.3 It was anticipated there would be no increase in the general repair costs to empty properties, and acknowledged that installing a level access shower would be more expensive than simply replacing a bath or carrying out repair work. Details of the cost of this work is included in the table at 4.1.

4.4 The two properties that have been re-let during the pilot have both been let to home seekers who have been on the waiting list between 2 and 5 years. These

properties were empty for an average of 33 days, compared to similar properties citywide that were empty for an average of 38 days.

- 4.5 The residents of both these properties have not made a subsequent request to Housing Adaptations for assessment for further adaptations.
- 4.6 All six of the properties identified have been advertised with a mobility 3 category. This means that people with a mobility need will be prioritised for shortlisting.

5. CONCLUSION

- 5.1 Installing level access showers in empty properties has not negatively impacted on the time the property remained empty or the time it took to complete the work. Although this is a small number both properties were let relatively quickly.
- 5.2 Financial control will occur via budget setting and established Targeted Budget Management processes to ensure that the empty property repairs budgets and adaptations budgets are not adversely impacted.
- 5.3 Adopting this as a policy will continue to enable our residents to live independently whilst offering increased value for money for the Housing Revenue Account and providing a good customer experience.

6. FINANCIAL & OTHER IMPLICATIONS:

6.1 Financial Implications:

- 6.1.1 It is estimated that six level access showers will be installed as a result of this project during 2014/15. These costs will be met from the HRA Adaptations budget of £1.150 million for 2014/15. This scheme should achieve good value for money as the costs of the adaptations is likely to have occurred anyway, and possibly in a flat or house that would not be 'Mob 3' compliant.
- 6.1.2 Going forward, it is estimated there will be 15 of these in a full financial year at an estimated cost of £53,000. This cost will be met by the HRA Property & Investment service, via the HRA Disabled Adaptations budget.

Finance Officer Consulted: Name Monica Brooks Date: 26/11/2014

6.2 Legal Implications:

6.2.1

Lawyer Consulted:

6.3 Crime & Disorder Implications

6.3.1 None

Area Panels: January 2015

Briefing Paper: Increasing Security at High Rise Blocks

Background

Reports of unauthorised visitors into council owned high rise accommodation increased significantly at the start of 2014. The Housing Management Consultative Sub Committee (HMCSC) considered a report on 'Security in High Rise Accommodation' on 1 April 2014 and discussed ways in which unwanted visitors could be prevented in future.

One of the initial responses to try and manage the situation was to contract a security company to carryout sweeps of the main blocks impacted by rough sleepers, drug litter and other anti-social behaviour. This was at a cost of approximately £3,000 per week due to the high volume of complaints and amount of security patrols necessary. A full report was requested to look at the recommendations made by members and residents and suggest alternative low cost options.

Recommendations - options to improve security

The recommendations made to improve security at high rise blocks from members, residents and from consulting with colleagues were as follows:

- To disable the trades button facility at all current properties city wide and provide Royal Mail with access to continue with postal deliveries
- To not install the trades button facility on flat intercom systems for any new builds
- To install multi steel doors (secure by design) as standard and part of the capital investment programme, at all blocks of flats citywide. This would be a change from the alternative timber style door, which are vulnerable to damage and require more maintenance.

If the above lower cost options are unsuccessful, it is recommended the following higher cost options are explored further:

- Investment in a linked up CCTV system that will be monitored
- To pilot a concierge service at a suitable area
- Identify any benefits of reintroducing a residential caretaker service

The full report provides further information on the research carried out, the purpose of the solution, any costs and a case study for each example.

Why have the recommendations been brought to the Area Panels

To seek the views of representatives and include all comments within the report which will be presented at Housing Committee in March.

Next steps

All feedback will be considered and summarised in the final report. If the recommendations are agreed then a programme will be put in place to turn off the trades button city wide, with a clear strategy for communicating the changes to residents. Ideas for ways to communicate include an article within Homing In, a poster campaign, an announcement on the council's website and use of text messages to ensure the information is accessible to all residents.

Contact:

Laura Turner, Performance & Improvement Team

e: laura.turner@brighton-hove.gcsx.gov.uk

t: 01273 293997

AREA PANELS

Agenda Item

Brighton & Hove City Council

Subject:	Increasing security at blocks of flats		
Date of Meetings:	26, 28, 29 & 30 January 2015		
Report of:	Executive Director, Environment, Development & Housing		
Contact Officer:	Name:	Laura Turner	Tel: 01273 293997
	Email:	laura.turner@brighton-hove.gov.uk	

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report provides information on the steps already taken to manage and reduce unwanted visitors accessing both high and low rise blocks of flats in the city. Recommendations have been provided on how the issue could be managed in the future, this includes taking a more sustainable approach opposed to reactive measures.
- 1.2 An initial report was provided to Housing Management Consultative Sub Committee (HMCSC) on 1 April 2014. This paper expands on some of the options that housing were asked to explore by members and the Executive Director at the meeting, which included an integrated CCTV system linking up all blocks of flats in the city, a concierge service, reintroduction of residential caretakers and any other cost effective measures that could help increase security.

2. RECOMMENDATIONS

- 2.1 That the Area Panels provide feedback on the recommendations made in order to take a final report to Housing Committee on 4 March 2015.
- 2.2 The recommendations are:
 - To disable the trades button facility at all current properties city wide and provide Royal Mail with fobs for access to continue with postal deliveries
 - To not install the trades button facility on flat intercom systems for any new builds
 - To develop a programme for the installation of multi steel doors (secure by design) as standard and part of the capital investment programme, at all blocks of flats citywide. This would be a change from the alternative timber style door, which are vulnerable to damage and require more maintenance.
 - To carry out a review, 12 months after the trades button has been switched off
- 2.3 Other options for the Area Panel to note and which could be considered for implementation in future if the above recommendations are not successful are:

- To research and gather clearer figures on the investment required in a linked up CCTV system that will be monitored
- To pilot a concierge service at a suitable area
- To identify any benefits of reintroducing a residential caretaker service.

3. CONTEXT / BACKGROUND INFORMATION

- 3.1 The proportion of vulnerable people living in council housing in Brighton and Hove is high. For example, the proportion of tenants who have disclosed that they have a long term health issue or disability has increased from 37% in 2012 to 41% currently, which contrasts with 16% of the total population of the city according to the 2011 Census. Also, 28% of council tenants in the city are aged 65 years or over compared to 13% for the population of the whole city. Furthermore, we have an increasing number of residents living in council housing who have identified as having complex needs, which applies to 17% of tenants. Complex needs is defined as residents who have multiple needs and where there are potentially serious risk to their or others health, safety and wellbeing without intervention. This leads to complex social problems where there are high levels of anti-social behaviour (ASB), and often vulnerable victims living alongside vulnerable perpetrators.
- 3.2 Reports of unauthorised visitors into council owned high rise accommodation, mainly in the Kemptown area of the city increased significantly at the start of 2014. The Housing Management Consultative Sub Committee (HMCS) considered a report on Security in High Rise Accommodation on 1 April 2014 and discussed ways in which unwanted visitors could be prevented in future.
- 3.3 The Committee meeting noted the following in response to the report:
- There had been successful examples of concierge services in London Boroughs. A suggestion was made to seriously investigate the idea of introducing a concierge service within high rise blocks.
 - A suggestion for contact to be made with Sussex Police to scope the installation of CCTV at St James's House car park, with any action on the issue applying to properties citywide
 - To put up robust signage about the move on policy and also engage with the people who require support
 - To re-introduce a caretaker role to help with the issue of rough sleeping in a storage area at St James's House
 - To also consider that security was also an issue in low rise blocks, with CCTV unable to solve the problem of a recent theft when good quality images were available. This was because the perpetrator could not be identified.
- 3.4 The Head of Tenancy Services informed the sub committee that long term solutions would include a wider review of security in all council blocks, with costly solutions to be considered within a report.
- 3.5 This report provides feedback on the work completed to date, which is divided into sections on the research carried out, the purpose of the solution, any

associated cost and a case study example for each recommendation. These are to consider the costly alternatives which include an integrated city wide CCTV system, a concierge service in high rise blocks, reinstating the role of a residential caretaker and other cost effective options that may help reduce the unauthorised access.

- 3.6 An initial multi agency meeting was held in February 2014 involving all teams dealing with enforcement and support. The aim was to gain a clearer understanding of the problem at blocks of flats and devise an action plan to make improvements. Positive discussions were had about engaging with the individuals responsible and ways to re-design St James's House Car Park to resolve some of the issues.
- 3.7 One of the initial responses to try and manage the situation was to organise a security company to carryout sweeps of the main blocks impacted by rough sleepers, drug litter and other anti-social behaviour. This also included the introduction of static guards at some sheltered blocks in the city. This service provides either support during normal office hours, or visits out of hours to lock up communal rooms that had experienced unwanted visitors trying to rough sleep in the lounge area. The cost of providing both the sweeps and static guard service from April 2014 to end of December 2014 was £74,453. There has been a decline in security sweeps required for general needs housing over the recent months, the sweeps and static guards have continued within sheltered blocks. During the month of January 2015, two static guards are in place at Stonehurst Court and Lavender House.
- 3.8 Regular reports on drug litter and other related nuisance activity were shared between internal BHCC teams. The information included the current level of security sweeps, with detail on the name and location of the high rise block, where the report came from, feedback from the security company and follow up actions to resolve the issues. Examples of the action taken as a direct result of this approach include:
 - Improvements to the car parking area at St James's House, mainly to close off space used to rough sleep and use drugs
 - Locking up and unlocking of the communal rooms at sheltered blocks
 - Direct intervention with rough sleepers occupying a bin room to find alternative suitable accommodation
- 3.9 Officers regularly communicated with residents being impacted by the unauthorised entry by attending the High Rise Action Group, Special General Meeting on 17 April 2014, and both Warwick Mount and Essex Place Tenant and Resident meetings.
- 3.10 The Anti Social Behaviour Crime & Policing Act came into force during October 2014. This legislation is intended to enable authorities to take faster and more effective action to stop those making victims lives a misery. The statutory guidance accompanying the Act states that "the welfare, safety and wellbeing of victims whose complaints for the basis of any action must be the main consideration at every stage of the process, and that the right response will depend on a range of factors but most importantly, on the needs of the victim and on the impact the behaviour is having on their lives".

3.11 In order to identify alternative cost effective technology solutions to help increase security, colleagues from both Tenancy Services and Property and Investment teams were consulted, along with technical advice from approved contractors who repair or install cameras and door entry systems for Brighton & Hove City Council (BHCC).

3.12 The two ideas supported at first by ward councilors and subsequently by the Warwick Mount Resident Association were to close off the trades button at the high rise blocks being most impacted by unauthorised entry. In addition to this to upgrade all entrance doors to a multi steel door, where conservation restrictions do not apply.

3.13 **Trades button switch off**

The trades button provides free access to anyone between the hours of 6am – 1pm. Disabling this will instantly make the block more secure and the cost to do so are very low. This includes a contractor attending site and the issuing of a fob for Royal Mail. Rotherham Metropolitan Borough Council issued Royal Mail with their own fob/s as part of a security upgrade to communal high security doors in September 2013. A pilot trial was suggested at Warwick Mount with communication to be made with Royal Mail to make sure there would be no interruption to postal deliveries.

3.14 Consultation started by attending the Resident Association meeting on 21 May 2014 with the group supporting that all residents within the block be contacted by letter to explain the proposal and seek feedback. Letters were sent to all 73 flats in the block, 21 responses were received all in favour of the pilot going ahead and this level of support, along with the positive feedback from the Resident Association the trial started on 21 July with a key fob being supplied to Royal Mail in order for them to gain access and continue with postal deliveries.

3.15 The pilot lasted for three months and the review completed in October identified two issues. These were queries on emergency service access and lack of communication within Royal Mail to make sure all delivery staff were aware of the new entry arrangements. The response made to the Resident Association explained that the Fire and Rescue Service have an override key for all blocks in the city, this provides access to the main door/s and can power down lifts if required. Sussex Police have fob access to a number of blocks due to being one of our partners to tackle crime, nuisance and anti-social behaviour in the city. In the event of an ambulance attending the block without the Fire & Rescue service or Police, there would be an expectation for a neighbour to provide assistance with entry. Royal Mail were contacted as part of the complaint and advised to improve on communication with delivery officers.

3.16 The Warwick Mount Residents Association completed a review in October and felt the trades switch off had been a success. Reasons to support this were because there had been a noticeable reduction in visitor traffic to the block, including unwanted visitors. One resident commented that they had noticed the lift not being used as much after midnight until approximately 6am. Everyone agreed that the block felt more secure in the month of October 2014 in comparison to June 2014, when the trades turn off trial started. The group decided that due to the positive changes the arrangements should be made

permanent and suggested a letter in the notice boards should be sufficient to let everyone know.

3.17 A direct result of the trades button being permanently turned off meant the main doors at Warwick Mount were secure 24 hours a day. Cost savings have also been made, as each visit by a contractor to adjust a trades button timer is a current charge of £65.

3.18 Due to the positive response at Warwick Mount a neighbouring block, Essex Place learnt of the pilot scheme and requested more information be presented at their meeting in September. See section 5.2 on the community engagement and consultation carried out to take forward this second pilot phase. The Sheltered service completed the removal of the trades button facility at all blocks during 2014, currently no properties have the use of this function.

3.19 **Installation of the multi steel door as standard**

The multi steel door or other similar secure by design product is much more robust, has an improved closure mechanism and costs much less to maintain in comparison to a timber door. Residents attending the High Rise Action Group Special General Meeting in April 2014 made suggestions to install heavy fire doors that lock automatically in order to reduce anti-social behaviour.

4 **ANALYSIS & CONSIDERATION OF ALTERNATIVE OPTIONS**

Other higher cost options for the Area Panel to note if the suggested recommendations are unsuccessful include:

4.1 **An integrated city wide CCTV system**

This would require high level of investment from the Housing Revenue Account into the current network of cameras positioned at high rise blocks. The equipment currently records images, from a fixed position and for any pictures to be accessed an officer has to attend site to download the information required. Major upgrades would be needed to allow the cameras to rotate and send images back to monitoring suite, including a platform to transmit the CCTV images.

4.2 Estimated figures provided by an approved council contractor to upgrade all cameras and wiring infrastructure at one high rise block in the Kemptown area was in the region of £2000 - £5000. External cameras used by the BHCC Traffic Management Team have a broad price structure and can cost anything from £400 for a fixed camera used typically in a car park to £15,000 to install a camera used to monitor bus lanes and capture specific detail like vehicle licence plates. The annual maintenance charge also provided by the Traffic Management Team is £1,000 per camera per year and broadband connection charges are £3,500 per year, per car parking site. The reason for not providing more information on the full cost of introducing an integrated network of cameras in the city are due to the varied requirements for each block. For example some have existing infrastructure that could be used, other differ in size and could be in need of more equipment.

- 4.3 Other housing providers have made significant progress in this area and set up dedicated CCTV suites. Sandwell Homes based near Birmingham set up a suite covering 150 cameras at 30 separate blocks of flats and 20 other sites. The costs provided for the year 2011 which relate to the communications room were £2.2 million; this figure includes staff resources and provides 28 full time employees for a year. The landlord passes the cost onto residents by a service charge of £3.59 per week. In order to generate revenue the camera network also covers an area in the city centre.
- 4.4 Enquiries have been made with Sussex Police and the Traffic Management Team who have existing arrangements in place to share and view city wide cameras 24 hours a day, 7 days per week. There is a high possibility that images could be viewed at the Traffic Management Suite if the housing service decide to proceed with an investment programme.
- 4.5 There are limitations to the use of CCTV. An article 'CCTV: Neighbourhood Watched'¹ cited research carried out in 2008 by the Campbell Collaboration which found that although cameras could be effective with vehicle and car park crime, evidence to support how CCTV has reduced crime on housing estates was 'mixed'. BHCC have experienced incidents when suspected criminals have been able to avoid identification by being aware of the cameras position and used clothing to cover or shield their face. Furthermore, decisions would have to be made on the type of response BHCC would provide if 24 hour CCTV detected an incident. The most serious issues would be responded to by Sussex Police and consideration could be given to a private security company being called out to deal with other incidents. This service would be an additional charge, with one approved security company charging £15 per call out. At this time there is no data or evidence to help predict how many incidents would require attendance, therefore the total costs are very uncertain.
- 4.6 All existing and any planned new installations of overt CCTV need to adhere to the Regulations of Investigatory Powers Act 2000 (RIPA). This Act governs the powers of public bodies to carry out surveillance and investigation. One of the steps public bodies must take is to consult with the residents impacted by a new installation. This could find some residents in support of the additional CCTV; others may find the idea intrusive, and the right balance would need to be found.
Integrated CCTV is not being recommended at this stage due to the high costs and lack of evidence to support how effective this measure would be. If this option is selected at a later date, further extensive research will need to be completed on the cost options for a programme of investment and with the assistance of residents to clearly define the purpose and benefits of CCTV.
- 4.7 **Concierge service**
- A linked city wide CCTV system providing real time images would be imperative in order to provide any form of concierge service. Research has shown two types of service:

¹ Inside Housing 9 June 2014

1. A static model with officers based in a geographic area carrying out security patrols, general caretaking duties and meeting/greeting visitors and contractors.
2. A remote service based in a concierge suite and using technology to monitor activity in and around a block, communicating with unwanted visitors through speakers based in communal areas and with residents through intercom systems within their homes.

From the research it was confirmed that both types of service are operational 24 hours a day, every day of the year

- 4.8 Southampton City Council set up a concierge centre over 8 years ago to manage 19 high rise blocks, with 10 members of staff employed to run the service. Residents have a handset located in their flat which is linked to the control centre. There are also intercoms and speakers in the communal ways which can be used to make announcements and for residents to communicate. Set up figures were not provided for this service, but a £1 per week charge is made to residents. BHCC would have to give further consideration to the service charge if it was decided to pursue this option.
- 4.9 North Ayrshire Council offers a static service providing 82 cameras and covering 41 high rise blocks. This costs £1.9 million per year. All costs are absorbed by the Housing Revenue Account and at present no charge is passed to residents.
- 4.10 The option of a Concierge service is not being recommended at this time, as the investment into CCTV would need to happen first in order to provide a remote service model. Further research would need to be carried out on the benefits of a static model and how this would be funded.

4.11 **Residential caretaker service**

Brighton & Hove City Council had a Residential Caretaker Service up until 2005 when the new Estates Service Team was introduced. Some of the reasons behind this change were due to the introduction of the European Working Time Directive in 2003, setting a maximum limit for weekly working hours with adults being unable to work more than 48 hours per week. Other reasons for the service being changed were high costs and the job package including a 'service tenancy'. This type of tenancy provided accommodation in or near to the area the role covered and resulted in properties being taken out of the total number of homes BHCC could provide to people on the waiting list, often occupying expensive temporary accommodation. This option would lead to a significant increase in service charge.

- 4.12 Greenwich Borough Council still offer a residential type service, this includes duties such as cleaning, clearance of bulky items, minor repairs to lights, raising necessary repairs and graffiti removal. When fully operational the service provided one caretaker for every 200 properties, with some larger estates having 2 or 3 caretakers covering an area. The service is now being phased out by not replacing staff when the leave the role.

- 4.13 The existing service model at Greenwich offers the same service as cleaners within the BHCC estates service, at a higher cost and lacks evidence to support how the issues with unwanted visitors would be addressed. Further research would need to be carried out on how a residential caretaker service would resolve the present security issues.

5 COMMUNITY ENGAGEMENT AND CONSULTATION

- 5.1 Section 3.13 onwards provides a detailed explanation on the trades button pilot. Other engagement and consultation to note includes:
- 5.2 Due to the positive response at Warwick Mount a neighbouring block, Essex Place learnt of the pilot scheme and requested more information be presented at their meeting in September. As a result all members supported going ahead with consulting all 127 residents by letter about replicating the pilot scheme here. Out of 127 properties in the block 18 responses supported the trades facility be turned off, 2 had no opinion and 2 others rejected the proposal. The Residents Association advised they wish to proceed with a three month pilot. Communication was carried out by displaying a letter in the notice boards and by sending a text message to all residents (who are contactable by phone) advising them of the changes, with the agreement to carry out a review in February 2015. At the time of writing this report there has been no feedback.
- 5.3 The recommendation is to carry out a full switch off of the trades button citywide and install multi steel doors to be fitted as part of the ongoing capital programme. Further detailed research and consultation would be carried out on the other options if there isn't a continued or sustained improvement with security at blocks of flats as a result of these measures being taken forward.

6. FINANCIAL & OTHER IMPLICATIONS:

6.1 Financial Implications:

The security costs for sweeps and static guards highlighted in this report are forecast to cost approximately £100,000 for the year. These costs were not originally budgeted for in 2014/15 and are being managed within the current overall Housing Revenue Account Budget through underspends in the Employees and Repairs budgets identified during the year, through Targeted Budget Management (TBM).

The HRA Capital Investment Programme 2015-2018 budget proposals, presented to Housing Committee on 14th January includes budget totalling £800,000 for Door Entry Systems (Replacement & Repair) for the next 3 years. The expenditure for multi steel doors will be met from this capital programme budget, which may need to be reviewed once a programme for this type of door is developed.

The other options for Area Panels to note and which could be considered such as CCTV installations and the possibility of introducing a concierge or caretaking service to blocks have wider implications (as highlighted in this report) with costs likely to be more significant. Prior to expenditure being

committed, budgets would need to be identified and approvals sought (using a business case) from senior officers and/or members as necessary.

Finance Officer Consulted: Susie Allen

Date: 12 January 2014

6.2 Legal Implications:

To follow before Area Panels take place.

Lawyer Consulted:

Name

Date: dd/mm/yy

6.3 Equalities Implications:

Identified issues to date are:

- An EIA is currently being completed on the trades button switch off
- The charge to fit multi steel doors would be an increase from timber style doors for Leaseholders
- The standard timer setting on multi steel doors complies with all Equalities Act guidance on opening time for general access, in particular for wheelchair users

6.4 Sustainability Implications:

The maintenance cost of timber doors are substantially more over a 10 year period when compared with a multi steel door. This includes how timber as a material is changeable in different types of weather, the increased visits and repairs required to a Yale key lock and any replacements required to glass panels.

An improvement to the general warmth of the block would be provided by the more robust material the multi steel door is made from, when comparing to a timber version.

6.5 Crime & Disorder Implications:

All options have been made with due consideration to improving block security and any nuisance caused to residents from unwanted visitors.

Landlords have new powers to deal with nuisance and anti social behaviour under the ASB Crime and Policing Act 2014 which will be utilised as and when required.

6.6 Risk and Opportunity Management Implications:

Risk:

- There is a strong reliance on Royal Mail taking responsibility for communicating effectively with delivery staff and remembering an access fob to continue with postal deliveries.

Opportunity:

- To improve relations with Royal Mail and the service they currently offer to residents
- To make a cost saving on the visits that are made twice a year to change the trade's timers due to the start and ending of British Summer Time (BST).

6.7 Public Health Implications:

To achieve and provide a safer living environment for residents.

6.8 Corporate / Citywide Implications:

If further options need to be explored there may be opportunities for partnership working with the Traffic Management Team, particularly if one corporate location was shared for CCTV management.

Area Panels: December 2014

Briefing Paper: ASB Crime and Policing Act 2014

Background

In 2010, the Home Office carried out a review of the measures available deal with ASB began legislation to put in place a new approach designed to ensure that local authorities, the police and partners have faster, more flexible tools to respond to problems with victims at the heart of the response. The resulting Anti-Social Behaviour, Crime and Policing Act was given Royal Assent on 13th March 2014 and came into effect on various dates in 2014. The section regarding the new injunction power is delayed with an estimated commencement date in January 2015.

This report seeks to inform representatives about the new provisions for tackling anti-social behaviour contained within the Anti-Social Behaviour and Policing Act 2014.

New Tools and Powers

The Act replaces nineteen pre-existing measures with six new measures and introduces a new absolute ground for possession of secure and assured tenancies associated with anti-social behaviour or criminality and amends and extends the discretionary grounds for possession. It introduces two measures designed to give victims and communities a say in the way antisocial behaviour is dealt with.

- **Injunction**
- **Criminal Behaviour Order (CBO).**
- **Dispersal Power.**
- **Community Protection Notice (CPN).**
- **Public Spaces Protection Order (PSPO).**
- **Closure Power.**
- **Absolute Ground For Possession**
- **Discretionary grounds for possession**

- **Community Trigger**
- **Community Remedy**

Implications

The Act is intended to enable authorities to take faster and more effective actions to stop those making victims lives a misery. The statutory guidance accompanying the Act states that “the welfare, safety and wellbeing of victims whose complaints for the basis of any action must be the main consideration at every stage of the process”, and that the right response will depend on a range of factors but most importantly, on the needs of the victim and on the impact the behaviour is having on their lives”.

This represents a decisive shift in the approach that landlords and the police are to take towards case action and resolution measures from existing practice of seeking to sustain the tenancy, if achievable and practical whilst ending the ASB as soon as possible, to one where Housing is to develop its case actions around the victims

experience and give greater weight to victims needs, and early resolution, and less weight to the interventions of allowing time for developing behaviour change and tenancy sustainment. However the council and the police will still be required to have regard to the Equality Act 2010 and the Human Rights Act 1998 in how the new powers are implemented, in relation to the perpetrators as well as the victims of ASB. Until the new legislation is tested in Court we will not be clear as to the extent to which the balance will shift.

We have very high densities of vulnerable households living in our social housing stock. In a significant proportion of cases the perpetrators of ASB are vulnerable and can be victims as well as perpetrators of nuisance. It is the case that the most difficult/complex and intransigent cases are more likely to result in legal action to end a tenancy and that a number of such cases will be individuals or households with complex needs that sit across a number of services such as social services (children and families, learning disabilities), mental health services, and substance misuse services. There is therefore likely to be an increased demand for suitable alternative accommodation including supported accommodation, specialist mental health accommodation to enable us to avoid homelessness and a need for improved joint working between agencies to achieve best outcomes for individuals.

Housing has been operating a Victim and Witness Support and Risk based approach to supporting victims of ASB since 2011. This has been intended to ensure that needs and concerns of the victim are at the heart of decision making in relation to tackling ASB, that risk to them is actively reduced through proactive work usually involving multiple agencies, and that they are provided with adequate support to enable them to go through the process of bringing ASB to an end. This has been very successful with high satisfaction rates as to how ASB cases have been dealt with. In 2013 – 14 satisfaction rates have been between 73% and 96 %.).

One of the primary criticisms of statutory agencies is the length of time that it can take to bring cases to court where this is the only option for ending ASB. The powers outlined in the new Act do have the potential to lead to a reduction in the time taken to obtain possession and further improvements for residents who are suffering ASB and nuisance.

RECOMMENDATIONS:

That Area Panel notes the changes to anti-social behaviour tools brought about by the Anti-Social Behaviour, Crime and Policing Act 2014 as described in this report.

Why these recommendations have been brought to Area Panels

To seek the Area Panel representatives comments prior to the report being presented to Housing Committee in March 2015

Contact: Richard Jordan-Penswick, Tenancy Enforcement Team Manager
E-mail: Richard.Jordan@brighton-hove.gov.uk
Telephone: 01273 294650

AREA PANELS		Agenda Item	
		Brighton & Hove City Council	
Subject:	Anti-social Behaviour Crime and Policing Act 2014		
Date of Meeting:	Housing Committee		
Report of:	Executive Director of Environment Development and Housing		
Contact Officer:	Name:	Richard Jordan - Penswick	Tel: 01273 294650
	Email:	Richard.Jordan@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE/ NOT FOR PUBLICATION

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 In 2010, the Home Office carried out a review of the measures available to practitioners for responding to anti-social behaviour (ASB) which concluded that there were too many options available, that the options were bureaucratic, slow and expensive and that the growing number of people who breached their ASB Order suggested the potential consequences were not deterring a persistent minority and the methods that were designed to help perpetrators deal with underlying causes of their anti-social behaviour were rarely used.
- 1.2 The Home Office set in motion legislation to put in place a new approach designed to ensure that local authorities, the police and partners have faster, more flexible tools to respond to problems with victims at the heart of the response. The resulting Anti-Social Behaviour, Crime and Policing Act was given Royal Assent on 13th March 2014 and came into effect on various dates in 2014 with the main provisions regarding antisocial behaviour having a commencement date of 20th October. The section regarding the new injunction power (which also replaces the ASBO) is delayed with an estimated commencement date in January 2015
- 1.3 This report seeks to inform Members about the new provisions for tackling anti-social behaviour contained within the Anti-Social Behaviour and Policing Act 2014.

2. RECOMMENDATIONS:

- 2.1 That Area Panel notes and comments on the changes to anti-social behaviour tools brought about by the Anti-Social Behaviour, Crime and Policing Act 2014 as described in this report.

3. CONTEXT/ BACKGROUND INFORMATION

The Act covers a range of matters: parts 1 to 6 introduce new measures for responding to anti-social behaviour; part 7 addresses dangerous dogs and makes amendments to the Dangerous Dogs Act 1991. Please see appendix 1 for a more detailed summary.

3.1 New Tools and Powers

The Act replaces nineteen pre-existing measures with six new measures and introduces a new absolute ground for possession of secure and assured tenancies associated with anti-social behaviour or criminality and amends and extends the discretionary grounds for possession. It introduces two measures designed to give victims and communities a say in the way antisocial behaviour is dealt with.

- **Injunction**
Replacing Housing Act injunctions and the Antisocial Behaviour Order (ASBO). Previously the court would normally not grant an injunction against someone under the age of 18. Now an injunction can be made against anyone aged 10 or over.
- **Criminal Behaviour Order (CBO).**
Replacing the ASBO on conviction. The Criminal Behaviour Order (CBO) is available on conviction for any criminal offence in any criminal court. The order is aimed at tackling the most serious and persistent offenders where their behaviour has brought them before a criminal court.
- **Dispersal Power.**
Replacing the existing Section 30 Dispersal Order and Section 27 Direction to Leave. The dispersal power is a flexible power which the police can use to deal instantly with someone's behaviour and stop a problem before it escalates.
- **Community Protection Notice (CPN).**
The community protection notice (CPN) is intended to deal with particular, ongoing problems or nuisances which negatively affect the community's quality of life by targeting those responsible.

It is intended to be a wide ranging power to be used to deal with low /medium and serious situations. It is intended to be used in situations where a nuisance has been reported but it doesn't trigger an application for an injunction. CPNs can be used to tackle a wide range of problem behaviours including graffiti, rubbish and noise

- **Public Spaces Protection Order (PSPO).**
Replacing existing Litter Clearing Notice; Street Litter Clearing Notice; Graffiti/Defacement Removal Notice; Designated Public Place Order; Gating Order; Public spaces protection orders (PSPOs) are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can

use and enjoy public spaces, safe from anti-social behaviour. They are similar to by-laws.

- **Closure Power.**

Replacing the ASB Premises Closure Order; Crack House Closure Order; Noisy Premises Closure Order. To allow the police or council to quickly close residential or commercial premises which are being used, or likely to be used, to commit nuisance or disorder.

- **Absolute Ground For Possession**

The Act also introduces a new absolute ground for possession of Secure and Assured tenancies associated with anti-social behaviour or criminality.

The purpose of the new absolute ground for possession is to speed up the possession process in cases where anti-social behaviour or criminality has already been proven in another court. Landlords will no longer have to prove that it is reasonable to be granted a possession order, but instead courts must grant possession if the landlord followed the correct procedure and can demonstrate at least one of the specified conditions below is met.

These are:

- A conviction for a serious criminal offence
- A court order finding a person in contempt of court for breaching an injunction made under the Act
- Breach of a Criminal Behaviour Order
- Obtaining a premises closure order
- A conviction for breach of an abatement notice

- **Discretionary grounds for possession**

In an application under a discretionary ground for possession the court only makes a possession order if the ground is proven and it is reasonable to do so. Introduction of a new discretionary ground for possession relating to riot and an amendment to an existing ground.

- **Community Trigger**

The purpose of the community trigger is to give victims, who can be an individual, business or a community group, the right to request a review of their case if they have previously reported the issues to a relevant agency and feel that nothing has been done. The threshold can be set locally and Brighton and Hove Community Safety Partnership has set the threshold as being that a person has reported three separate incidents within the past six months.

When a case meets these criteria the complainant is informed within three working days and the case reviewed and outcomed within ten working days with recommendations made where appropriate.

- **Community Remedy**

The community remedy is intended to give victims a say in the out-of-court punishment of perpetrators of low-level crime and ASB. Each local policing body has prepared a community remedy document for its area detailing a list of interventions that form the local remedy actions.

The remedy may be used in relation to an individual who has: engaged in anti-social behaviour or has committed an offence and is to be dealt with for that behaviour or offence without court proceedings.

A police officer may use the community remedy if it is felt to be appropriate. It is envisaged this will be used when dealing with low-level criminal damage, low-value theft, minor assaults (without injury) and ASB.

3.2 Implications

- 3.2.1 The Act is intended to enable authorities to take faster and more effective actions to stop those making victims lives a misery. The statutory guidance accompanying the Act states that “the welfare, safety and wellbeing of victims whose complaints for the basis of any action must be the main consideration at every stage of the process”, and that the right response will depend on a range of factors but most importantly, on the needs of the victim and on the impact the behaviour is having on their lives”.
- 3.2.2 This represents a decisive shift in the approach that landlords and the police are to take towards case action and resolution measures from existing practice of seeking to sustain the tenancy, if achievable and practical whilst ending the ASB as soon as possible, to one where housing is to develop its case actions around the victims experience and give greater weight to victim’s needs, and early resolution, and less weight to the interventions of allowing time for developing behaviour change and tenancy sustainment . However the council and the police will still be required to have regard to the Equality Act 2010 and the Human Rights Act 1998 in how the new powers are implemented, in relation to the perpetrators as well as the victims of ASB. Until the new legislation is tested in Court we will not be clear as to the extent to which the balance will shift.
- 3.2.3 It is likely to be that, in a number of serious cases, there will increased enforcement action and it is possible that a limited number of very serious and complex cases may be ended through fast time actions including use of the mandatory ground or closure.
- 3.2.4 We have very high densities of vulnerable households living in our social housing stock. In 2014 41% of all households in council housing report that at least 1 person in their home has a disability as opposed to 18% of households across the whole city (in 2011)¹. Further to this 28% of council tenants are over 65 as opposed to 13% in the wider population of Brighton and Hove. While many vulnerable householders are good tenants, in a significant proportion of cases the perpetrators of ASB are vulnerable and can be victims as well as perpetrators of nuisance.

It is the case that under the application of the new legislation, the most difficult/complex and intransigent cases are more likely to result in legal action

¹ State of the City Report 2011

to end a tenancy and that a number of such cases will be individuals or households with complex needs that sit across a number of services such as social services (children and families, learning disabilities), mental health services, and substance misuse services. There is therefore likely to be an increased demand for suitable alternative accommodation including supported accommodation, specialist mental health accommodation to enable us to avoid homelessness and a need for improved joint working between agencies to achieve best outcomes for individuals.

- 3.2.5 Housing is continuing to work closely with the police and other council departments to ensure a solution focused multi-agency approach to dealing with cases of ASB and nuisance which seeks to reduce impacts on the victims of crime and minimise costs to the local authority and the police. Housing are also be in dialogue with the Commissioners of accommodation for those with complex needs to ensure the risk of greater demand for specialist accommodation is considered as part of future commissioning plans.
- 3.2.6 Statutory Agencies in the City have been operating a Victim and Witness Support and Risk based approach to supporting victims of ASB since 2011. This has been intended to ensure that needs and concerns of the victim are at the heart of decision making in relation to tackling ASB, that risk to them is actively reduced through proactive work usually involving multiple agencies, and that they are provided with adequate support to enable them to go through the process of bringing ASB to an end. This has been very successful with high satisfaction rates as to how ASB cases have been dealt with. In 2013 – 14 satisfaction rates were 96%).

One of the primary criticisms of statutory agencies is the length of time that it can take to bring cases to court where this is the only option for ending ASB. The powers outlined in the new Act do have the potential to lead to a reduction in the time taken to obtain possession and further improvements for residents who are suffering ASB and nuisance.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 This report outlines new Statutory legislation and is for noting. There are therefore no alternative options for consideration.

5. COMMUNITY ENGAGEMENT & CONSULTATION

The report will be taken to Housing Area Panels in January and this section will be completed after this process is completed.

6. CONCLUSION

- 6.1 The new ASB Crime and Policing Act 2014 introduces new powers to statutory agencies to streamline existing legislation.

6.2 The new powers are likely to enable improved performance in tackling ASB but could place additional pressure on temporary and specialist accommodation providers.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 For the Housing revenue Account (HRA), it is possible that there could be extra legal costs during 2015/16, as more cases are brought to court, resulting in a budget pressure for the HRA. It is very difficult to quantify the financial effect of these legislative changes on the HRA and as such these costs will be managed through the Targeted Budget Management (TBM) process during 2015/16 and built into the budget for 2016/17, if necessary. There are also possible cost implications for the general fund housing budgets and for Social Care budgets if individuals with complex needs need to be rehoused. Again, this situation will be monitored through the TBM process and any potential pressures identified at an early stage.

Finance Officer Consulted: Monica Brooks

Date: 09/01/15

Legal Implications:

7.2 The New Act can be described as a consolidation act. It has tried to simplify the range of other orders previously available and has included a range of new powers.

7.3 Those powers already existing will be covered under the current scheme of delegation. Some of the new powers will simply be amendments to existing legislation and these do not require further alterations to the scheme of delegations.

7.4 In relation to 'stand-alone' new powers – those not subject to an amendment to existing legislation or an alteration of an existing power will need to be delegated to officers. This can only be done through an alteration of the scheme of delegation which can only be done by either full Council or P&R committee. This is particularly the case as they are cross cutting powers impacting across several departments.

7.5 It also introduces a new Fixed Penalty Notice scheme for certain types of behaviour. There will need to be a clear policy around this.

7.6 It has been correctly advised above that any use of these powers will have to be in accordance with the Equalities Act and the Human Rights Act. Some of the powers may well be viewed as draconian (such as the Closure Order powers) and as such the decisions will need also to be reasonable and proportionate. Also we need to be alive to those who may have issues around capacity and so consideration is required to the Capacity Act.

Lawyer Consulted:

Name Simon Court

Date: 15/12/14

Equalities Implications:

- 7.7 Application of the provisions of the Act will be consistent with the provisions of the Equalities Act 2010 and the Human Rights Act 1998.
- 7.8 Provisions within the Act enable statutory bodies to take quicker action to deal with ASB. It is likely that this will result in improved outcomes and service delivery for individuals with protected characteristics

Sustainability Implications:

- 7.9 The way in which tenancies are managed encourages stable neighbourhoods, with teams dealing effectively with anti-social behaviour to enable this.

Crime & Disorder Implications

- 7.10 Implementation of the Act will help the council and the police prevent crime and disorder and the council fulfil its statutory obligations under the Crime and Disorder Act 1998.

SUPPORTING DOCUMENTATION

Appendices:

- 1. ASB Crime and Policing Act 2014 – details of new powers

Documents in Members' Rooms

- 2.

Background Documents

- 1.

APPENDIX 1

Anti-Social Behaviour Crime and Policing Act 2014

CIVIL INJUNCTION.

Replaces injunctions including Housing Act injunctions and ASBO's (except for ASBO on conviction)

Purpose.

“ to stop or prevent individuals engaging in antisocial behaviour quickly, nipping problems in the bud before they escalate ... The injunction can offer fast and effective protection for victims and communities and set a clear standard of behaviour for perpetrators” (Home Office ASB Crime and Policing Act 2014 statutory guidance)

Applicants.

Councils / the Police / Housing Associations / NHS / British Transport Police/ Transport for London / Environment Agency

Test .

Non housing related – “ conduct that has caused , or is likely to cause, harassment, alarm or distress to any person”

Housing related “ “ conduct that is capable of causing nuisance or annoyance to a person”

Changes.

- Previously the court would normally not grant an injunction against someone under the age of 18. Now an injunction can be made against anyone aged 10 or over.
- Applicant organisations can apply for an injunction irrespective of their areas of work. - in future the police can apply for injunctions relating to council housing for the first time and Housing can apply for injunctions that cover non housing areas including private sector housing and owner occupiers
- The new injunction may include both prohibitions to get individuals to stop behaving anti-socially and also positive requirements to get the individual to deal with the underlying cause of their behaviour e.g. the respondent attending alcohol awareness classes for alcohol-related problems; or irresponsible dog owners attending dog training classes provided by animal welfare charities; or the respondent attending mediation sessions with neighbours or victims.

Breach.

Breach of an Injunction is not a criminal offence. For adults, a breach is dealt with by a civil contempt of court and breach proceedings.

For under 18s, breach proceedings are dealt with in the youth court and could result in a supervision order with a supervision, curfew or activity requirement. In the most serious cases, (that is, ‘where the court determines that because of the severity or extent of the breach no other power available to it is appropriate’) the court may impose a detention order on a young person for breaching the terms of the injunction – including breach of a positive requirement (minimum age for a detention order is 14 years).

CRIMINAL BEHAVIOUR ORDER.

Replaces the CRASBO – also known as the ASBO on conviction.

Purpose.

The Criminal Behaviour Order (CBO) is available on conviction for any criminal offence in any criminal court. The order is aimed at tackling the most serious and persistent offenders where their behaviour has brought them before a criminal court.

Applicants.

Usually the Crown Prosecution Service – who can apply if requested by the council or the police.

Test .

If the court is “satisfied beyond reasonable doubt that the offender had engaged in behaviour that has caused , or is likely to cause, harassment, alarm or distress to any person”

DISPERSAL POWER.

The dispersal power is a flexible power which the police can use in a range of situations to disperse anti-social individuals and provide immediate short-term respite to a local community. The power is preventative as it allows an officer to deal instantly with someone’s behaviour and nip the problem in the bud before it escalates.

It isn’t intended to be used to deal with long term regular problems. It isn’t intended to be used to stop reasonable activities such as busking or other types of street entertainment which are not causing anti-social behaviour.

Applicants.

The police

Test .

- The officer must have reasonable grounds to suspect that the behaviour of the person has contributed, or is likely to contribute, to: members of the public in the locality being harassed, alarmed or distressed; or crime and disorder occurring in the locality.
- The officer considers that giving a direction to the person is necessary for the purpose of removing or reducing the likelihood of anti-social behaviour, crime or disorder.

What it does.

It makes a person leave the area for up to 48 hours. Can be used on individuals from age 10 upwards. The person can be required to hand over items causing or likely to cause anti-social behaviour. This could be any item but typical examples are alcohol, fireworks or spray paint.

Breach.

Breach is a criminal offence which can result in imprisonment (over 18's only) or a fine.

PUBLIC SPACE PROTECTION ORDER.

Purpose.

Public spaces protection orders (PSPOs) are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. They are similar to by-laws.

Applicants.

The Council

Test .

The test is designed to be broad and focus on the impact anti-social behaviour is having on victims and communities. A PSPO can be made by the council if they are satisfied that activities have had, or are likely to have, a detrimental effect on the quality of life of those in the locality

What it does.

The PSPO can be drafted from scratch based on the individual issues being faced in a particular public space. A single PSPO can also include multiple restrictions and requirements in one order. It can prohibit certain activities, such as the drinking of alcohol, as well as placing requirements on individuals carrying out certain activities, for instance making sure that people walking their dogs keep them on a lead.

It can restrict access to public spaces (where that route is being used to commit anti-social behaviour – for example motorbike racing).

Breach.

Breach is a criminal offence. Enforcement officers can issue a fixed penalty notice of up to £100 if appropriate or a fine on prosecution

COMMUNITY PROTECTION NOTICE.

Purpose.

The community protection notice (CPN) is intended to deal with particular, ongoing problems or nuisances which negatively affect the community's quality of life by targeting those responsible.

It is intended to be a wide ranging power to be used to deal with low /medium and serious situations. It is intended to be used in situations where a nuisance has been reported but it

doesn't trigger an application for an injunction. CPNs can be used to tackle a wide range of problem behaviours including graffiti, rubbish and noise

Applicants.

Council Officers / Police Officers / PCSO's will be able to issue CPNs.

Social Landlords can issue CPNs if approved by their Council

Who can be given a CPN ?.

Any person aged 16 or over or a body, including a business.

Test .

if the conduct of the individual, business or organisation:

- is having a detrimental effect on the quality of life of those in the locality;
- is persistent or continuing in nature; and
- is unreasonable.

What it does.

It formally requires that a person, organisation or body:

- do specified things and to take steps to achieve specified results within a time frame
- stop specified things and take reasonable steps to avoid further anti-social behaviour.

A CPN is be drafted from scratch to be appropriate to each situation.

Breach.

Breach is a criminal offence with a penalty of :

Fixed Penalty Notice -a fixed penalty notice can be issued of up to £100 if appropriate

Remedial Action- the landlord may for example clear the rubbish that is in someone's front garden

On breach the issuing body can apply to court and on conviction:

Remedial Order – and / or a

Forfeiture Order – this could be any items used in the commission of the offence i.e. spray paint, sound making equipment or poorly socialised dog

Failure to comply with the court order could lead to a custodial sentence and a fine of up to level 4 (for individuals), or £20,000 for businesses.

CLOSURE POWER.

Purpose.

To allow the police or council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder

Applicants.

Council or the police

Test .

Closure notice (up to 48 hours):

- Nuisance to the public or disorder nearby

Closure order (up to 6 months)

- Disorderly, offensive or criminal behaviour
- Serious nuisance or disorder nearby

Changes.

The threshold for a closure notice alters from “*significant and persistent disorder*” or “*serious nuisance to members of the public*” to “**public nuisance**” or “**disorder**”.

The threshold for a closure order alters from “significant and persistent disorder or persistent serious nuisance” to “**has engaged in or ... is likely to engage in disorderly, offensive or criminal behaviour**”

- These are far lower thresholds which are achievable in most situations of ASB. it is evident that the new notices and orders are intended to be used more broadly than the previous closure orders which were specifically aimed at very serious situations only.
- The new notices and orders are available for situations that doesn't meet the threshold for statutory nuisance i.e. noise in common ways .

The closure power moves from being a purely reactive tool to now being both reactive and proactive as we can close down premises in *anticipation* of potential nuisance if we consider that the use of the premises is *likely* to result in nuisance or disorder.

NEW ABSOLUTE GROUND FOR POSSESSION.

Purpose.

To expedite the eviction of landlord most antisocial tenants to bring faster relief to victims. As the landlord will no longer need to prove that it is reasonable to grant possession, the court will be more likely to determine cases in a single hearing

Applicants.

Social landlords and Private sector landlords

Test .

The court must grant possession (subject to any available human rights defence raised by the tenant, including proportionality) provided the landlord has followed the correct procedure and at least one of the following five conditions is met:

- the tenant, a member of the tenant’s household, or a person visiting the property has been found by a court to have breached a civil injunction;
- the tenant, a member of the tenant’s household, or a person visiting the property has been convicted for breaching a criminal behaviour order (CBO);
- the tenant’s property has been closed for more than 48 hours under a closure order for anti-social behaviour; or
- the tenant, a member of the tenant’s household, or a person visiting the property has been convicted for breaching a noise abatement notice or order.
- the tenant, a member of the tenant’s household, or a person visiting the property has been convicted of a serious offence;

Review.

Council tenants will have a statutory right to request a review of the landlord’s decision to seek possession under the new absolute ground. The process is to similar to the review of an introductory tenancy.

If a review hearing upholds the decision to evict the case will proceed to court where the tenant can raise any available human rights defence, including proportionality, against the possession proceedings.

Subject to any available human rights defence raised by the tenant, the court must grant an order for possession where the landlord has followed the correct procedure.

Schedule of offences:

“SCHEDULE 2A Absolute ground for possession for anti-social behaviour: serious offences

Violent offences

1Murder. .

2Manslaughter..

3Kidnapping..

4False imprisonment..

5An offence under any of the following sections of the Offences against the Person Act 1861—

(a)section 4 (soliciting murder), .

(b)section 16 (threats to kill), .

(c)section 18 (wounding with intent to cause grievous bodily harm), .

(d)section 20 (malicious wounding), .

(e)section 21 (attempting to choke, suffocate or strangle in order to commit or assist in committing an indictable offence), .

(f)section 22 (using chloroform etc. to commit or assist in the committing of any indictable offence), .

(g)section 23 (maliciously administering poison etc. so as to endanger life or inflict grievous bodily harm), .

(h)section 24 (maliciously administering poison etc. with intent to injure, aggrieve or annoy any other person), .

(i)section 27 (abandoning or exposing children whereby life is endangered or health permanently injured), .

(j)section 28 (causing bodily injury by explosives), .

(k)section 29 (using explosives etc. with intent to do grievous bodily harm), .

(l)section 30 (placing explosives with intent to do bodily injury), .

(m)section 31 (setting spring guns etc. with intent to do grievous bodily harm), .

(n)section 38 (assault with intent to resist arrest), .

(o)section 47 (assault occasioning actual bodily harm). .

6An offence under any of the following sections of the Explosive Substances Act 1883—.

(a)section 2 (causing explosion likely to endanger life or property), .

(b)section 3 (attempt to cause explosion, or making or keeping explosive with intent to endanger life or property), .

(c)section 4 (making or possession of explosive under suspicious circumstances). .

7An offence under section 1 of the Infant Life (Preservation) Act 1929 (child destruction)..

8An offence under section 1 of the Children and Young Persons Act 1933 (cruelty to children)..

9An offence under section 1 of the Infanticide Act 1938 (infanticide)..

10An offence under any of the following sections of the Public Order Act 1986—.

(a)section 1 (riot), .

(b)section 2 (violent disorder), .

(c)section 3 (affray). .

11An offence under either of the following sections of the Protection from Harassment Act 1997—.

(a)section 4 (putting people in fear of violence), .

(b)section 4A (stalking involving fear of violence or serious alarm or distress). .

12An offence under any of the following provisions of the Crime and Disorder Act 1998—.

(a)section 29 (racially or religiously aggravated assaults), .

(b)section 31(1)(a) or (b) (racially or religiously aggravated offences under section 4 or 4A of the Public Order Act 1986), .

(c)section 32 (racially or religiously aggravated harassment etc.). .

13An offence under either of the following sections of the Female Genital Mutilation Act 2003—.

(a)section 1 (female genital mutilation), .

(b)section 2 (assisting a girl to mutilate her own genitalia). .

14An offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 (causing or allowing the death of a child or vulnerable adult)..

Sexual offences

15An offence under section 33A of the Sexual Offences Act 1956 (keeping a brothel used for prostitution). .

16An offence under section 1 of the Protection of Children Act 1978 (indecent photographs of children)..

17An offence under section 160 of the Criminal Justice Act 1988 (possession of indecent photograph of a child)..

18An indictable offence under Part 1 of the Sexual Offences Act 2003 (sexual offences)..

Offensive weapons

19An offence under either of the following sections of the Prevention of Crime Act 1953— .

(a)section 1 (prohibition of the carrying of offensive weapons without lawful authority or reasonable excuse), .

(b)section 1A (threatening with offensive weapon in public). .

20An offence under any of the following provisions of the Firearms Act 1968—.

(a)section 16 (possession of firearm with intent to endanger life), .

(b)section 16A (possession of firearm with intent to cause fear of violence), .

(c)section 17(1) (use of firearm to resist arrest), .

(d)section 17(2) (possession of firearm at time of committing or being arrested for offence specified in Schedule 1 to the Act of 1968), .

(e)section 18 (carrying a firearm with criminal intent), .

(f)section 19 (carrying a firearm in a public place), .

(g)section 20 (trespassing with firearm), .

(h)section 21 (possession of firearms by persons previously convicted of crime). .

21An offence under either of the following sections of the Criminal Justice Act 1988—.

(a)section 139 (having article with blade or point in public place), .

(b)section 139AA (threatening with article with blade or point or offensive weapon). .

Offences against property

22An offence under any of the following sections of the Theft Act 1968— .

(a)section 8 (robbery or assault with intent to rob), .

(b)section 9 (burglary), .

(c)section 10 (aggravated burglary). .

23An offence under section 1 of the Criminal Damage Act 1971 (destroying or damaging property).

24An offence under section 30 of the Crime and Disorder Act 1998 (racially or religiously aggravated criminal damage)..

Road traffic offences

25An offence under section 35 of the Offences against the Person Act 1861 (injuring persons by furious driving). .

26An offence under section 12A of the Theft Act 1968 (aggravated vehicle-taking involving an accident which caused the death of any person)..

27An offence under any of the following sections of the Road Traffic Act 1988—.

(a)section 1 (causing death by dangerous driving), .

(b)section 1A (causing serious injury by dangerous driving), .

(c)section 3A (causing death by careless driving when under influence of drink or drugs). .

Drug-related offences

28An offence under any of the following provisions of the Misuse of Drugs Act 1971— .

(a)section 4 (restriction of production and supply of controlled drugs), .

(b)section 5(3) (possession of controlled drugs with intent to supply), .

(c) section 8(a) or (b) (occupiers etc. of premises to be punishable for permitting unlawful production or supply etc. of controlled drugs there). .

29 An offence under section 6 of that Act (restrictions of cultivation of cannabis plant) where the cultivation is for profit and the whole or a substantial part of the dwelling-house concerned is used for the cultivation..

Inchoate offences

30(1) An offence of attempting or conspiring the commission of an offence specified or described in this Schedule. .

(2) An offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting) where the offence (or one of the offences) which the person in question intends or believes would be committed is an offence specified or described in this Schedule. .

(3) An offence of aiding, abetting, counselling or procuring the commission of an offence specified or described in this Schedule. .

Scope of offences

31 Where this Schedule refers to offences which are offences under the law of England and Wales and another country or territory, the reference is to be read as limited to the offences so far as they are offences under the law of England and Wales.”

COMMUNITY TRIGGER.

Purpose.

The Community Trigger is intended to help to reassure victims that agencies take their reports of anti-social behaviour seriously and to create a strong mechanism to make sure organisations take the actions necessary to deal with situations.

Victims will be able to use the Community Trigger to demand action, starting with a review of their case. Agencies including councils, the police, local health teams and registered providers of social housing will have a duty to undertake a case review and inform the applicant of the outcomes of that review and any recommendations emerging from the review.

There is a requirement for relevant bodies to produce “review procedures” for carrying out any ASB case reviews and ensure that the current review procedures are published. Relevant bodies must also report the number of applications received, the number of times the threshold was met, the number of reviews carried out and the number of reviews that resulted in recommendations being made.

Threshold.

That three complaints of anti-social behaviour have been received within a six months period

Case review.

One organisation (usually the one whom the trigger is raised against) will lead a thorough review of the case. The organisations involved will share information about the case, consider whether any new relevant information needs to be obtained, review previous actions taken and reach a conclusion either upholding the trigger application or not.

If the outcome is that insufficient action has been taken the investigating officer will produce an action plan and make recommendations regarding actions that need to be put in place.

COMMUNITY REMEDY.

Purpose.

The Community Remedy gives victims a say in the out of court punishment of perpetrators of low level crime and antisocial behaviour.

In preparing the remedy, the local police must consult with the local authority and carry out whatever other public consultation that it considers appropriate.

Threshold.

The Act requires each local policing body to prepare a community remedy document for its area with a list of actions to be carried out by a person who has:

- a) engaged in anti-social behaviour or has committed an offence and
- b) is to be dealt with for that behaviour or offence without court proceedings.

An action is considered appropriate to be carried out by a person only if it has one or more of the following objectives:

- assisting in the person's rehabilitation;
- ensuring that the person makes reparation for the behaviour or offence in question;
- punishing the person.

Area Panels: January 2015

Briefing Paper: Sheltered Housing Service Offer

Background

Brighton & Hove City Council has 23 schemes providing homes for over 850 older people. Following a comprehensive review of the service in 2013 and in consultation with the Senior Housing Action Group, a detailed service offer has been drafted, setting out the revised aims and purpose of the service.

Why we reviewed the service

The service had not been comprehensively reviewed for over ten years. With an anticipated increase in the demand upon health and social care due to an ageing population, and with continuing pressures on public funding, the service was keen to ensure that it could continue to make a valuable contribution in supporting older people.

There had been a shift at a national and local level towards more 'preventative' services – services that keep people well as well as treat them when they become unwell. The service was keen to ensure that its policy better reflected this wider strategic change.

Our tenants, through the Senior Housing Action Group, also asked us to be clearer on the aims and purposes, and for the council to set a policy for the service. The review therefore sought to set a clear direction and to ensure that the service we delivered was one which our tenants said that they wanted and valued.

What the new offer means

Given the benefits of living in a scheme, the service wanted its 'offer' to older people to be both positive and appealing – for the service to encourage and support ageing well. This 're-thinks' the service as something less institutional and more aspirational.

Within the new offer, the aims and purposes of the service are to:

- Provide well-designed and maintained housing enabling residents to live comfortably as they age.
- Enable residents to live and age well so they can keep well and remain independent, safe and happy at home.
- Offer opportunities for residents to comfortably maintain or improve their health, care, resilience and wellbeing.
- Build vibrant, sociable and compassionate communities so residents can sustain friendships and feel a sense of belonging and connectedness.
- Create opportunities for residents to enjoy using their own personal skills, creativity, interests, knowledge and abilities.

- Intervene in a timely and sensitive way where someone isn't thriving so they receive the help, care and/or support they need to enable them to do so.
- Work collaboratively and creatively with a wide range of people and organisations to improve the lives of people and the communities in which they live.
- Ensure that the most vulnerable residents are properly supported, and particularly those at risk from harm or those who feel socially isolated and lonely.

Although the offer relates to the service provision, this more aspirational approach also dovetails with the asset management review (presented to Area Panels in November and December 2014) which recommends how the building stock can be improved.

Feedback so far

There has been comprehensive consultation with our residents and tenant associations, and the draft service offer has been agreed by majority vote by representatives at the Senior Housing Action Group.

In agreeing the draft service offer, the Senior Housing Action Group has also proposed that the name 'Sheltered Housing' be replaced with 'Seniors Housing – Independent and Community Living'. The Senior Housing Action Group believe this name better reflects

Why these recommendations have been brought to Area Panels

To seek the Area Panel representatives comments prior to the report being presented to Housing Committee in March 2015.

Next steps

All feedback will be considered and summarised in the report being presented to Housing Committee

If agreed the changes

Contact:

Peter Huntbach
Older Peoples Housing Manager
E-mail: peter.huntbach@brighton-hove.gov.uk
Telephone: 01273 293248

AREA PANELS

Agenda Item

Brighton & Hove City Council

Subject:	Sheltered Housing Service – Revised Offer		
Date of Meeting:	26, 28, 29 and 30 January 2015		
Report of:	Geoff Raw -Executive Director, Environment, Development & Housing		
Contact Officer:	Name:	Peter Huntbach	Tel: 01273 29-4248
	Email:	Peter.huntbach@brighton-hove.gov.uk	
Wards(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT:

- 1.1 Following a review of the sheltered housing service conducted in collaboration with the Chartered Institute of Housing in 2013, recommendations are being made to better define the aims and purposes of the sheltered housing service by having a clear service offer, and for this to be adopted as policy. Furthermore a name change is being proposed to reflect the new offer.

2. RECOMMENDATIONS:

- 2.1 That the Area Panels comment on the following recommendations:
- The revised service offer for sheltered housing to be adopted as policy.
 - The name change of the service from ‘Sheltered housing’ to ‘Seniors Housing – Independent and Community Living’.

3. CONTEXT/ BACKGROUND INFORMATION:

- 3.1 Nationally and locally, the population is ageing and living longer. Within Brighton & Hove the number of people aged 65 or above is projected to increase by 12% between 2011 and 2021. Within this, there is a projected 48% increase of people aged 90 and above.
- 3.2 There are currently 2500 people over 60 registered on the council’s housing register for housing - of these about 700 have expressed an interest in sheltered housing. Research carried out by the housing Policy and Performance team in December 2013 indicated that some older applicants had not considered this housing option or didn’t know how to apply for it.

- 3.3 This demographic change, with an expected increase in demands upon health and social care services, is happening against a continuing background of austerity within the public sector. The council has to save £102m over the period 2015/16 to 2019/20, around 30% of the net budget. Around £62m is a result of reducing government grant whilst the remaining £40m comes from increases in the cost and demand for services, particularly a pressure on social care services.
- 3.4 There is a local and national emphasis on a more preventative approach to health and social care. This report is therefore set within the following strategic context:
- The Health & Social Care Act 2012 transferred the responsibility for delivering public health from the NHS to local government and highlighted that more needed to be done to prevent ill health.
 - The council's Corporate Plan 2011-15 identified a priority to tackle inequality by supporting vulnerable people to live health, independent lives and to provide decent, affordable housing.
 - The council's Sustainable Community Strategy identified a priority to maximise the use of housing to provide a basis for delivery health, care and support services to vulnerable people.
 - The council's Sustainability Action Plan identified a principle (as one of its ten 'One Planet Principles') to encourage active, sociable living to promote good health and wellbeing.
 - The council's market position statement for Adult Social Care 2014 identified a commissioning priority for preventative services that delay or reduce the need for social care. Sheltered housing was identified as having a significant role as a preventative service.
 - The draft Housing Strategy 2015 identifies that that sheltered housing has an important role in improving social networks and wellbeing and that it should develop better links with neighbouring communities.
- 3.5 Given the changing context in which the sheltered housing service operates, a major review was commissioned in March 2013. The review, conducted in collaboration with the Chartered Institute of Housing (CIH), aimed to ensure that the service not only retained its strategic relevance, but also delivered one which would be most beneficial and welcomed by older people. One of the main objectives of the review was to better define the aims and purpose of the service. This objective was shared by the Senior Housing Action Group who requested that the council set a clear policy for the service.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Following the service review, the findings have been used to better define the aims and purpose of the council's sheltered housing service. The revised offer is included in appendix 1.

- 4.2 The revised offer takes a more positive approach to ageing, recognising an ‘asset’ approach in which older people build upon their strengths, skills, capacities and abilities to keep or remain as well and happy as possible. This replaces a largely ‘deficit’ approach to ageing which focuses on problems, needs and deficiencies – with staff working to see how gaps can be met. It is recognised that a deficit approach can result in disempowerment and dependency whilst an asset approach encourages the active involvement and co-operation of service users as equal partners. This shift in emphasis towards active ageing not only reflects the findings of the review in providing more opportunities to participate, but also the wider strategic commitment to developing a more age friendly city.
- 4.3 The revised offer strengthens the role in its staffs supporting and encouraging residents to stay well rather than predominately focusing on intervening when someone falls unwell. This focus on prevention not only reflects the finding of the review in working more closely with health and social care, but also reflects the wider strategic shift towards preventative services.
- 4.4 The revised offer makes explicit the community aspect of sheltered housing and encourages the development of sociable communities. One of the key benefits of sheltered housing has been its communal facilities and the opportunities for residents to live in a more sociable and neighbourly way. This focus not only reflects the recommendations of the review with regards to developing social activities but also wider strategic shifts towards tackling loneliness and isolation in the city.
- 4.5 The revised offer highlights a commitment to being more explicit about the outcome and benefit of the service. Although not expressed within the review or by tenants, it is essential, given the national and local financial context, that as well as setting out what the purpose of the service is, the offer also makes a commitment to being clearer on cost and value by introducing an annual value statement and reviewing the current performance framework.
- 4.6 The revised offer continues to support the role of the site-based scheme manager. A proposal had been made by the council in 2008 to change the delivery of the sheltered service from site-based scheme management to a more team-based approach. This proposal was rejected by the Senior Housing Action Group and resulted in a petition of 750 sheltered residents formally requesting the retention of site-based scheme managers. A similar proposal made by the CIH in their final report to cluster scheme managers and develop a floating support service has been considered but rejected as it is inconsistent with a model of delivery favoured by sheltered residents and expressed by the Senior Housing Action Group. The service offer therefore retains the site-based scheme manager as a key element of its service and through a remodelling of the charging mechanisms in April 2014 is increasing the numbers of full time scheme managers from 21 to 25 employees.

5 REVIEW RECOMMENDATIONS AND ACTIONS TAKEN

- 5.1 As well as the findings providing the basis for the service offer, the recommendations of the CIH have also been used by the service to make a range of improvements:
- 5.2 The review recommended that the current allocation system for sheltered housing be improved. As a result, a project is currently underway reviewing the process for letting sheltered housing to see where it can be more efficient and improve customer focus.
- 5.3 The review recommended a comprehensive asset review and commented on the high number of studio flats with the poor living space this provided. As a result, a comprehensive asset review has been undertaken by the Asset Review Manager with a range of recommendations to ensure that the schemes remain fit for purpose into the future. A recommendation to remodel studio flats into one bedroom flats has already been successfully carried out at our Sanders House and Evelyn Court sheltered schemes.
- 5.4 The review recommended that the council improve the way in which communal areas are decorated to make them more vibrant. As a result, a decorating programme has already improved a number of our sheltered schemes during 2014 to 'Rainbow Standard' ensuring a better environment for those with a visual impairment. A 10 year cyclical programme for upgrading internal decoration, furnishing and fittings has also been recommended as a result of asset review. The service is also working closely with the Fabrica Art Gallery and other local arts groups to improve the visual arts within the schemes.
- 5.5 The review recommended a consistent approach to older people engaging in the wider community and that a post be funded to co-ordinate this. At the time of the review, Adult Social Care had commissioned the Fed to take on a co-ordinating role across the city to improve social connectivity amongst older people. Rather than duplicate a co-ordinating role, the service now sits on the Citywide Connect Partnership Board alongside The Fed ensuring that sheltered schemes work closely with other agencies to improve relationships and address loneliness. The revised offer strengthens the role of sheltered housing in developing sociable and compassionate communities.
- 5.6 The review recommended that sheltered housing develop and deliver a wide range of services including health checks, screening and health promotion activities. As a result the service now works closely with Public Health and sits on the Age Friendly Steering Group. In 2014 the service worked with the NHS to promote smoking awareness and winter flu vaccination, and with the Brighton & Hove Food Partnership to promote the healthy weight service. The revised offer strengthens this preventative health role.
- 5.7 The review highlighted a concern about a lack of consistency in front line staffing. Following a remodelling of the charging mechanism for the service in agreed by Budget Council on 5 March 2014, the number of scheme managers within the service staffing structure has been increased from 21 to 25 employees. New staff have been recruited with tenant representation on the recruitment panel.

6. COMMUNITY ENGAGEMENT & CONSULTATION

- 6.1 The Older Persons Housing Manager and the Chair of the Senior Housing Action Group gave a joint presentation at the Housing Management Sub-Committee in March 2013 setting out why a review was required.
- 6.2 The review of sheltered housing was undertaken by the Chartered Institute of Housing (CIH) between April and December 2013.
- 6.3 The CIH carried out group discussions at 17 sheltered schemes on 15 and 16 May and 27 and 27 June 2013. Individual discussions were offered for those who wished to have a more private conversation with the CIH.
- 6.4 The CIH carried out a survey delivered to all sheltered residents between June and July 2013. There were 160 replies to the survey.
- 6.5 The CIH met with representatives of Adult Social Care, Supporting People, Public Health and Age UK Brighton, Hove & Portslade on 19 September 2013.
- 6.6 The CIH held an 'appreciative inquiry day' on 24 October 2013 involving both tenant representatives and sheltered staff enabling them to consult jointly with both groups on proposals for a future sheltered service.
- 6.7 The initial findings of the review were presented to the Seniors Housing Action Group on 8 January 2014 with a further presentation once the final report had been received on 12 March 2014. A tenant only meeting of the Seniors Housing Action Group was held in April 2014 to discuss the findings of the review.
- 6.8 The findings of the review were presented to the Housing Management Consultative Sub-Committee on 11 February 2014.
- 6.9 The revised service offer was discussed and agreed by the Senior Housing Action Group on 14 May 2014.
- 6.10 The proposal to change the name of sheltered housing was raised by sheltered representatives at the Senior Housing Action Group meeting on 9 July 2014. Representatives consulted with their members and held a tenant only meeting in August 2014 to further discuss the proposal. A formal vote was made at the Senior Housing Action Group Annual General Meeting on 10 September 2014 with the recommendation that the name be changed to 'Senior Housing – Independent and Community Living'. The name of the group was also formally changed from 'Sheltered Housing Action Group' to 'Senior Housing Action Group' by majority vote at the same meeting.

7. CONCLUSION

The report sets recommends that a new service offer be agreed and proposed as the council's policy for sheltered housing. Furthermore, that the name of the service be changed to 'Senior Housing – Independent and Community Living' to reflect the revised aims and purposes. These recommendations are based on a substantial service review and tenant consultation.

8. FINANCIAL & OTHER IMPLICATIONS:

8.1 Financial Implications:

The report sets out the revised service offer and there are therefore no direct financial implications of this report. However, it is noted that the findings of the review have influenced the charging mechanism to tenants. The introduction of an intensive housing management charge to replace a support charge was approved by Budget Council on 5 March 2014 and introduced as a rental charge in April 2014. This new mechanism has provided the income for four new scheme manager posts within the sheltered service.

Finance Officer Consulted: Date:

8.2 Legal Implications:

Lawyer Consulted:

Date:

8.3 Equalities Implications:

A health and wellbeing and inequalities assessment is included and a full Equality Impact Assessment (EIA) will be submitted for Housing Committee.

8.4 Sustainability Implications:

The revised aims and purposes have been designed to better align the sheltered service with the One Planet Principles., in particular the need for the council to encourage active, sociable and meaningful lives that promote good health and wellbeing.

8.5 Crime & Disorder Implications:

There has been a significant impact on some sheltered communities due to anti-social behaviour, particularly where alcohol dependency issues or very complex need have been a significant factor. This may have stemmed from a misunderstanding of the role of the sheltered service, with some believing it to be a form of high level supported housing provision such as a hostel or resettlement accommodation. The service offer re-establishes sheltered housing as a form of retirement housing. In line with the draft housing strategy it is anticipated that the right people are housed and that the risk of inappropriate allocation or referral are minimised.

8.6 Risk and Opportunity Management Implications:

The service offer establishes more opportunity for the sheltered service to align itself with a wider strategic context, particularly in its preventative role. In keeping older people well and promoting healthier living, it is hoped that this will delay the need for more intensive and costly health and social care intervention.

The Frontier Economic Ltd Report '*Financial benefits of investment in specialist housing for vulnerable and older people*' commissioned by the Homes &

Communities Agency in 2010 sets out the evidence to demonstrate that there is a cost benefit for older people living in specialist housing as a result of this preventative role. The opportunity is therefore for such costs benefits to be realised within the city. The risk is that benefits won't be realised or properly evaluated.

The service offer and the recommendations of the assert review provide a more aspirational housing offer for older people. There is an opportunity that more older people will see sheltered housing as a positive option for them to 'age in place' rather than as an institution to move to as a result of a crisis. This may encourage more older people to benefit from sheltered housing at an earlier stage. It may also encourage greater take up of sheltered housing, particularly from those wishing to downsize from larger council accommodation.

8.7 Public Health Implications:

The revised aims and purposes have been designed to better align the sheltered service with the aims and objectives of the council's Public Health team. A health and wellbeing and inequalities screening tool recommended by Public Health has been used to assess the impact of these changes and is included with the appendix.

Corporate / Citywide Implications:

- 8.8 The revised aims and purposes have been designed to better fit alongside national and local strategic direction as set out within section 3.3.

Appendices

1. Sheltered Service Offer.
2. Health and wellbeing and inequalities screening tool assessment.

Seniors Housing Independent and Community Living



The council has 23 senior housing schemes across the city. Senior housing offers:

- **Building and facilities:** including self-contained flats and communal areas for the benefit of residents, such as lounges and gardens.
- A **secure and structured environment**, with 24 hours community and fire alarm provision, managed main entrance door access and CCTV as well as on-site scheme manager support.
- A **named scheme manager** who normally works Monday to Friday and who will engage with residents and the community.
- A **sociable community** of older people, who can offer their time, skills friendship and knowledge.

Eligibility

Seniors housing is a positive choice for older people who want to age well and participate in a sociable community.

We are part of the choice based letting scheme, which means that applicants need to complete a housing register application form to be assessed by Homemove. There is an additional support need assessment form for those interested in seniors housing.

The service currently operates a Local Letting Plan to help existing sheltered tenants move to another (council) sheltered home.

All new tenants are offered a year introductory tenancy.

Mission Statement

To provide a responsive and consistent housing management service for older people that ensures that all schemes provide a safe, enjoyable and well maintained living environment with effective referrals where additional support needs are identified.

Aims and Purpose

In meeting our mission statement, the aims and purpose of our service are to:

- Provide well-designed and maintained housing enabling residents to live comfortably as they age.
- Enable residents to live and age well so they can keep well and remain independent, safe and happy at home.

AGENDA ITEM 40- APPENDIX 1

- Offer opportunities for residents to comfortably maintain or improve their health, care, resilience and wellbeing.
- Build vibrant, sociable and compassionate communities so residents can sustain friendships and feel a sense of belonging and connectedness.
- Create opportunities for residents to enjoy using their own personal skills, creativity, interests, knowledge and abilities.
- Intervene in a timely and sensitive way where someone isn't thriving so they receive the help, care and/or support they need to enable them to do so.
- Work collaboratively and creatively with a wide range of people and organisations to improve the lives of people and the communities in which they live.
- Ensure that the most vulnerable residents are properly supported, and particularly those at risk from harm or those who feel socially isolated and lonely.

Our Service Approach

In delivering our service:

- Each home is let unfurnished, although an electric cooker and fridge can be provided where needed. Each home is supplied with an in-built community and fire alarm enabling a 24 hour response in a fire or other emergency. A pendant alarm is provided to those who need one. CCTV is provided in flats so that residents can identify their callers using their television.
- Each scheme has a range of communal facilities which may include a communal lounge, garden, guest-room, car-parking areas and hobbies room. These facilities vary from scheme to scheme. These facilities are cleaned and maintained by contractors, details of which are publicly displayed on our notice boards.
- Each scheme has its own dedicated and named scheme manager(s).
- Each resident is offered the opportunity of a wellbeing call from the scheme manager, Monday to Friday. This is personalised both for those who would like less contact or those who need a little more support. Our commitment is that everyone is accounted for by the end of each working week.

- Each resident has the opportunity of completing a wellbeing plan to encourage active ageing. This is a self-managed plan so that it can be completed by the resident in their own time, or with the support and encouragement of the scheme manager. A more personalised plan is provided for those at a point of crisis and is focused towards re-enabling them to live independently again.
- Each scheme has a planned series of activities, events, meetings, guest speakers and promotions to encourage and promote good health, active living and wellbeing. Residents and staff are actively involved in developing and participating in these together.
- Each new resident is offered the opportunity of attending an induction session to introduce them to living and ageing well in sheltered housing.

The service is managed by a specialist team based at the Housing Centre in collaboration with other housing staff.

Details of the service is described in a sheltered tenant handbook to compliment the council's tenant handbook and maintenance guidelines.

Valuing Ageing

The sheltered service operates within the council's values of respect, collaboration, efficiency, customer focus, creativity and openness. These values inform all what we do as a service.

And as our customers are older people we value what it is to age. In particular we believe:

- In an active approach to ageing. We would like our residents to age well and enjoy an active, meaningful and satisfying life and for our service to help them do so.
- In a positive approach to ageing. The service focuses on what people can do as they grow older, on their strengths and capabilities, rather than simply what they are not able to do.
- That everyone is unique has their own personal life story. Our service not only treats our residents with the dignity and respect they are due, but also recognizes their own unique personalities - their life history, wishes and aspirations, likes and dislikes.
- In the value of personal relationships. Our service recognizes the importance of our residents' friends, family and carers and the community in which people live.

Sociable and Compassionate Community

Although residents have the privacy of their own home, a seniors housing scheme is at heart a sociable and compassionate community.

A sociable and compassionate community is one where residents share a sense of neighbourliness, connectivity and belonging. This might be expressed by someone coming along to a social event, being supportive when someone is bereaved or lonely, or simply having a chat with a neighbour.

We encourage a sense of community by:

- Having communal areas, such as lounges, gardens, and other shared facilities which residents can share.
- Seeing what residents would like to do, how they would like to get involved and contribute to the life of the scheme and the wider community, particularly where people can use, share and develop their own personal skills, abilities, interests and knowledge.
- Encouraging and supporting tenant participation, particularly those where residents take the lead, such as tenant associations, social clubs and resident led social activities and initiatives.
- Promoting a wide range of activities and events which foster a sense of community, not only within the scheme but also within the wider neighbourhood and beyond.
- Coordinating activities and events across the city so that residents can benefit from activities and opportunities in other schemes and beyond.
- Collaborating with other organisations in the city, especially those which have special programmes for older people or those which are set up to address social isolation.
- Recognising the value of diversity, and encouraging residents to contribute and benefit in what-ever ways they can.
- Remembering and celebrating the life of the community and those who are and have been part of it.

We take a creative approach to developing a sociable community. This means that alongside more traditional social activities, we'll also seek to develop those which encourage personal creativity, such as art, writing or book groups; those which encourage activity and personal wellbeing, such as gentle exercise classes or complementary therapy; those which promote good health such as health checks and screenings; and those which reflect a more diverse community, such as activities that appeal to an increasing population of older men or an increasing older BME population.

We are keen to ensure that our schemes work well with the community and will support activities and events which are open to older people living nearby and properly supervised. We hope that a dynamic relationship will be fostered between a scheme and its local neighbourhood.

Of course, in building sociable communities we'll take special care to support those who, for whatever reason, might feel unable or unwilling to participate in the life of the scheme e.g. by providing more individual and therapeutic support, or by working collaboratively with befriending organisations.

Customer Focus

We want a more dynamic and active relationship with our residents as we believe that this is essential in delivering good local services and creating sociable communities. Listening and responding to what our residents tell us at a local and service level is an important part in helping us developing this relationship. To do this we'll:

- Hold regular house meetings and meetings with tenants associations.
- Support house newsletters, particularly those produced by residents, and use letters, posters and notice boards to keep people updated.
- Conduct and actively use customer satisfaction and other surveys.
- Use the council's complaints process to learn where we can improve the service where things go wrong.
- Work with our Resident Involvement Team to support the Sheltered Housing Action Group and the tenant participation movement.
- Support wider participatory groups supporting older people and local neighbourhood groups.
- Listen to the individual as well as the community voice.
- Involve residents more in the delivery of our service at a local level.

Of course as each community is different and unique, each scheme may develop its own unique, local flavour, which we'll be keen to develop and celebrate.

Encouraging Good Health and Wellbeing

We aim to help people keep well and prevent them from becoming frailer and less independent as well as supporting those already unwell or frail. In particular we aim to:

- Increase the healthy life expectancy and well-being of residents.
- Delay and reduce the need for residents to have additional care and support.
- Enhance the quality of life for residents with long term conditions and those with care and support needs.
- Support residents during their recovery from ill-health or at times when they temporarily need more care and support.
- Safeguard residents whose circumstances make them more vulnerable and protect them from harm.

We do this by working more closely with Health, Public Health and Adult Social Care along with other organisations that support the good health and wellbeing of older people. In particular, as a preventative service, we:

- Work closely with local G.P practices, and ensure that residents are registered with their local doctor and dentist.
- Support good health promotion, such as stop smoking services, winter flu vaccination, health checks and cancer screening.
- Encourage more physical activeness and activities.
- Encourage activities that promote good mental wellbeing and social engagement, such as learning, volunteering, and participation.
- Encourage ways to tackle feelings of loneliness and isolation.
- Use the 'Five Ways to Wellbeing' (connect; be active; take notice; keep learning; give) in our approach to encouraging and promoting good mental wellbeing.

Of course, however good the service is at preventing or delaying residents from becoming more unwell or frail, there will always be times when people develop more complex or severe health and care needs.

Supporting Differing Needs

Our approach to residents who are more frail is to facilitate additional personal and practical support to help them lead a full and active life; to maintain their

safety, independence and dignity, and for them to have choice and control over the services they receive.

This additional support may be provided by the city's health, social care and housing support services, or specialist organisations. The service will work especially close with any integrated health and care services ('Better Care') developed to address frailty.

We identify and make best use of these allied services to ensure a rapid and complete response to the housing and support needs of people with higher or more complex need, and particularly those in crisis. Our staffs aim to work in an effective and co-ordinated way with these allied services, so that any intervention is timely and results in clear and agreed outcomes for the person.

We work closely carers, both paid and unpaid. We ensure that residents who are carers themselves are properly supported, for example, by arranging a carer assessment or emergency back-up plan.

Of course there may come a time where someone isn't able to live independently or thrive comfortably in seniors housing, even with support. Where someone can no longer be supported to do so, we'll work sensitively with them and allied services to move on to more suitable housing options.

We aim to work closely with palliative and other health and care services, along with family, to support those at the end of life who wish to die at home.

In line with our approach to ageing, we recognise that people with high or complex needs are of course unique individuals – two individuals with the same condition or diagnoses may have very different lives, needs, preferences or aspirations. We always ensure that we don't label people by any diagnoses or condition and treat people as individuals.

Good House Management

We want our schemes to be accessible, spacious, safe, age-friendly, and enjoyable places in which to live. This means good house and building management.

We ensure that our schemes are well maintained, that health and safety checks are carried out and that communal areas are accessible for all tenants.

Sheltered staffs are responsible for liaising with our housing maintenance (including both day-to-day and planned maintenance), car-parking team, cleaning and grounds maintenance services. We include residents in the monitoring the quality of these services, wherever possible.

Our purpose built schemes were erected between the 1960s and 1990, and the fabric and facilities will need reviewing to ensure that they can properly support an ageing population to live in dignity and comfort. We therefore take

an 'asset management approach' to our schemes, ensuring that we take a planned and systematic approach to future investment, improvement and development. Our asset review and investment plans are made available to all residents and tenant associations.

We adopt 'The One Planet Principles' in the overall management of our schemes, particularly in our approach to saving energy, reducing waste, having a sustainable approach to materials and water, and, with regards to external spaces (such as gardens) to encourage a more sustainable approach to land use and wildlife and to encourage local food production.

Cost and Value for Money

There is a weekly intensive housing management charge for our sheltered service as part of the weekly rent. This charge is eligible for housing benefit (sometimes called a 'rent rebate').

In ensuring value for money the service:

- Provides an annual value for money statement.
- Is clear on the cost of the service.
- Is clear on what is being delivered and how well we are delivering.
- Partakes in surveys and other methods for evaluating the cost, value and quality of our service.

In ensuring that we are performing well, the service:

- Listens and responds to the views of tenants through the consultative structure and house meetings.
- Contributes to housing quarterly and annual reports.
- Promotes good work in the housing Homing In magazine and through tenant meetings and newsletters.
- Conducts customer satisfaction surveys and uses them to improve our service.
- Involves and reports to residents on cleaning standards.
- Listens and responds to the views of the wider community.

Our Staff

Our staffs focus on our purpose and values, putting people first and working flexibly, creatively and locally to help our residents age well.

Our staffs have a range of different skills, knowledge and experience and all members of the team have worked in front line positions during their careers. The service has a strong commitment to professional development and many staff, both front line and management, have a recognised housing qualification..

Scheme Managers

Each scheme has a named scheme manager. It is anticipated that on a day-to-day basis, the scheme manager acts as the first point of contact for sheltered tenants.

The scheme managers work Mondays to Thursdays, 8.30am to 5pm and Fridays 8.30am to 4.30pm (although there may also be some flexible working arrangements to account for childcare or other individual circumstances).

Our scheme managers are responsible for:

- Carrying out the daily call service.
- Being the first point of call in an emergency.
- Acting as a 'professional observer' on-site, and keeping regular contact with tenants and those who support them.
- Supporting tenants to age well through low level tenancy support.
- Intervening when tenants are not able to live independently and collaborating with allied services where necessary to enable them to do so.
- Facilitating and promoting communal social events and activities and encouraging a sociable and compassionate community.
- Managing the premises including site checks, liaising with contractors and health and safety.

As each scheme is a very different community, the service may vary from scheme to scheme depending on local issues and priorities.

Our scheme managers work across the city in three teams, each managed by a team manager. Staff will work to support each other across the teams and across the city, where necessary for example, where covering absence. The team manager is responsible for decisions regarding the day-to-day operation of the scheme managers.

The Sheltered Management Team

Our sheltered management team have day-to-day operational management for the service and are based at the Housing Centre.

Our team managers have an essential role in supporting our scheme managers deliver the service. In particular they are responsible for:

AGENDA ITEM 40- APPENDIX 1

- Line management such as staff recruitment, supervision, appraisal, performance management, absence management, team support and development, and dealing with capability and disciplinary issues.
- Supporting staff to improve the systems for delivering the service well.
- Low level tenancy support and liaising with other housing staff to manage issues of anti-social behaviour, complex need management and safeguarding.
- Health & Safety management, such as undertaking the site risk assessment and accident investigation.

The Older Peoples Housing Manager is responsible for the overall service management of the service, including:

- Budget management
- Strategic management including business planning.
- Strategic collaborative working
- Service health and safety and business continuity.

The Sheltered Admin Officer provides administrative support to the sheltered service including:

- Answering the 293255 public phone line.
- Managing the sheltered mail in-box.
- Processing sheltered invoices and bills.
- First point of contact for sheltered empty properties.

All staff are employed by Brighton & Hove City Council and adhere to all policies and procedures of the council. Agency staff may be used as a short-term measure and are expected to comply with all policies and procedures.

Contacting Us

A list of all our schemes and scheme managers is enclosed as an appendix. All schemes have a telephone and each scheme manager is on the council's e-mail system.

The sheltered management team is located at:

**Housing Centre
Unit 1
Fairway Trading Estate
Eastergate Road
BRIGHTON BN2 4QL**

**Phone: 01273 293255
E-mail: sheltered@brighton-hove.gov.uk
Website: www.brighton-hove.gov.uk/sheltered**

AGENDA ITEM 40- APPENDIX 1

Health and wellbeing and inequalities screening tool – SHELTERED HOUSING (DEC 2014)

This tool is split into two parts: health and wellbeing, and inequalities. Please cross-reference with, or refer to the Equalities and Sustainability Implications sections where relevant.

Health and wellbeing implications of your proposal might include benefits and opportunities for enhancing health and wellbeing, as well as potential negative impacts and their mitigation. You should give consideration to the potential impacts on:

1. Living and working conditions, access to health and social care services and community and social networks.
2. Risk and protective factors, including 'lifestyle factors' such as diet, physical activity; smoking; misuse of alcohol and drugs.
3. The impact on the wider determinants of health (e.g. education, employment and worklessness, the wider environment, housing, transport).

If this screening tool suggests significant negative impacts, or if you need to discuss it further, you should contact the Public Health Lead for Inequalities (Dr. Peter Wilkinson, 01273 296555).

Improving Health and Wellbeing

Please indicate in the table below how the health and wellbeing of the different population groups will be affected by your proposal/policy

Population group	Positive impact on health and wellbeing	Negative impact on health and wellbeing
<i>Age Group</i>		
Pregnant women	n/a	n/a
Children (of primary school age)	n/a	n/a
Young people aged 12 to 24	n/a	n/a
Working age adults	n/a	n/a
Older people	The service will work more systematically with Public Health, Health & Social Care to promote opportunities for older people to age well. This will not only include specific health promotions such as promoting winter flu vaccination, but also to do more to create sociable communities to tackle loneliness and isolation. By improving health and wellbeing it is anticipated that this will not only keep people healthier and happier, but also delay the need for more intensive social care and health intervention.	There are no anticipated negative impacts by this change. In consulting with tenants, these changes are welcome.
<i>Specific population groups</i>		
BME communities	The service offer recognises and makes explicit the value of diversity and encourages a greater range of activities to reflect a diverse community of older people.	There are no anticipated negative impacts by this change

Religious communities	The service is encouraging greater collaboration with organisations within the city, especially those which are tackling social isolation. The service is already working with faith groups in the city and has attended summits set up to better develop links between the authority and such groups. This has resulted in faith groups providing or supporting activities within the schemes.	There are no anticipated negative impacts by this change
LGBT communities	The service offer recognises and makes explicit the value of diversity and encourages a greater range of activities to reflect a diverse community of older people.	There are no anticipated negative impacts by this change
Socioeconomically disadvantaged	There is evidence that life expectancy within the city differs by about 10 years across the city, with lower life expectancy and healthy life expectancy in socially economically disadvantaged areas of the city. Half the council's sheltered schemes are in socially disadvantaged areas and the majority of tenants are in receipt of housing benefit, indicating lower income levels. The development of sheltered schemes as healthy living environments will means that older people in disadvantaged areas will be presented with more opportunities to live and age well.	There are no anticipated negative impacts by this change
People living with disabilities	66% of sheltered tenants (575 out of 874) have a disability. The service offer encourages an 'asset' rather than a 'deficit' approach by focusing on what people can do, on their strengths and capabilities, rather than what they are not able to do. This approach is empowering and ensures that older people with disabilities are seen as active participants in the life of the scheme rather than as passive recipients of a service. The development of sociable and compassionate communities is also being actively expressed so that we build a more tolerant environment in which people can live.	There are no anticipated negative impacts by this change

Reducing Inequalities

The 2010 Marmot Report 'Fair Society, Healthy Lives", an independent review into health inequalities in England, concluded that reducing health inequalities requires action on six policy objectives. These are listed below. Please describe the impact of your proposal on these objectives and any actions being taken to maximise the positive impact and minimise the negative impact.

Policy objective	Potential positive impact on objective and actions being taken to maximise the impact	Potential negative impact on objective and actions being taken to minimise the impact
Give every child the best start in life	n/a	n/a
Enable all children, young people and adults to maximise their capabilities and have control over their lives	Although the service is an older peoples' service, the revised service offer encourages better links with the wider community. The service is already seeing links with local schools and further inter-generational links are likely to be fostered. Partnerships are already being made and inter-generational projects being adopted.	n/a
Create fair employment and good work for all	The revised service offer encourages a greater sense of community involvement and engagement. Greater participation and engagement may encourage some older people to return to work or work-like activity such as volunteering. The service is encouraging greater consultation with	n/a

	resident and residents groups to encourage more opportunities for involvement and participation.	
Ensure healthy standard of living for all	The revised service offer has been designed alongside an asset review of the sheltered schemes themselves. By reducing unpopular studio flats and improving the communal areas, it is anticipated that the building will provide a less institutional and more welcome environment in which older people can age well. These changes are in line with the checklist of essential feature of age-friendly cities. If recommendations are agreed a programme of improvements will be implemented.	n/a
Create and develop healthy and sustainable places and communities	The revised service offer places more emphasis on sheltered schemes being a health promoting environment. The encouragement of sociable and compassionate communities in which older people participate more will encourage a better environment to live in.	n/a
Strengthen the role and impact of ill health prevention	The revised service offer has been designed to strengthen the preventative role of sheltered housing and to work more closely with	n/a

	<p>services that offer opportunities for older people to engage in living a healthier and happier life. Links are already being made with other parts of the health and social care sector and preventative work undertaken e.g. scheme managers provided with winter flu awareness training.</p>	
--	---	--

Area Panels: January 2015

Decision: Estates Development Budget multimedia presentation or bus tour

Background

Historically the Area Panels have chosen different ways to gather information for the Estates Development Budget voting Area Panels at the end of March.

Last year East and West chose a bus tour (although the vote for the bus tour was close in West); North & East watched a video on the day of the voting meeting; and Central viewed a video prior to the meeting then as requested watched the video again at the meeting.

Costs

East	West	North & East	Central
Bus £320	Bus £370	Video compiled by social media officer and RIO – considerable staff time	Video filmed by RIO - Memorex edit costs £810

There were also room hire and buffet costs.

Bus tour pros	Video pros
Residents can directly see where the proposed project will be Residents spend a day together Cheaper than a professional video Mears visit the site Lunch is good	Saves time and energy of residents Chance to see all of the 150+ bids Some photos / diagrams of requested items People stay to see all of the bids Some of the clips quite entertaining

Bus tour cons	Video cons
<p>Not everyone can get on and off the bus or up steps / along paths</p> <p>Some people have fed back they find the day hard work</p> <p>Not every group attends</p> <p>Bus can't get everywhere</p> <p>Some people go home after lunch</p> <p>Two weeks gap until the voting panel</p>	<p>A lot to take in</p> <p>Filming and editing takes many staff hours or expensive</p> <p>Residents at Central didn't like the two week gap</p>

Current situation

The Resident Involvement Team are checking that all the bids are possible, are not covered in the capital works programme, and getting technical advice if required.

From February to March Mears are visiting all the building and landscaping bids. They are getting photos of the bids and pricing up the work. They will put together an information sheet for each bid that includes photos, a description of the work and an accurate as possible estimated price. These will be available to residents at the EDB voting Area Panels.

The council's IT system has been updated to Windows Seven and Word can show video clips as well as photos. The Resident Involvement Officers have blackberries that can film videos.

Proposal

The Resident Involvement Team would use Mears' photos, get other photos or film short video clips of residents showing their bids. These would be used to make a multimedia presentation containing photos, words and video.

Residents would come together at the EDB voting Area Panels and look though the information sheets and watch the presentation. Then break for lunch. Then come together again to vote on the bids.

Contact details

Becky Purnell, Resident Involvement Manager – telephone 01273 293022 or email becky.purnell@brighton-hove.gov.uk



Brighton & Hove Seaside Community Homes

Latest Information – 8th January 2015

Since Seaside Homes went live in November 2011, we have leased a total of 416 properties and the partnership has now generated just over £21.5 m for the HRA to continue the decent homes work.

Having completed the batch 8 transfer in March 2014, there are no further transfers scheduled to take place until the 1st of September 2015.

Property Details

Property Type	Batch 1 1 st Nov 2011	Batch 2 1 st Feb 2012	Batch 3 30 th Mar 2012	Batch 4 1 st June 2012	Batch 5 1 st Aug 2012	Batch 6 1 st Oct 2012	Batch 7 27 th Mar 2013	Batch 8 17 th Mar 2014	Total
Studio	5	1	5	3	6	8	11	4	43
1 Bedroom	19	21	20	12	27	23	32	29	183
2 Bedroom	20	17	12	18	16	18	13	27	141
3 Bedroom	14	9	3	2	6	3	2	5	44
4 Bedroom	3	0	1	0	1	0	0	0	5
Total Properties	61	48	41	35	56	52	58	65	416

The following tables provide a breakdown of the number of refurbished and un-refurbished properties received in each batch and progress made on refurbishment works.

Table 1	Refurbished Properties	Un-refurbished Properties
Batch 1	44	17
Batch 2	8	40
Batch 3	0	41
Batch 4	0	35
Batch 5	3	53
Batch 6	0	52
Batch 7	2	56
Batch 8	43	22
Total	100	316

Table 1 - the breakdown of properties leased to date:

At the time of handover Seaside Homes receives a mix of properties some of which have already undergone refurbishment and are ready to be tenanted and others for which refurbishment is about to commence.

Refurbishment – Progress to date:

Table 2	Refurbishment Works COMPLETED	Refurbishment Works Incomplete
Batch 1	17	0
Batch 2	40	0
Batch 3	41	0
Batch 4	35	0
Batch 5	53	0
Batch 6	52	0
Batch 7	56	0
Batch 8	22	0
Total	316	0

Table 2 – 316 properties were transferred to Seaside as un-refurbished.

The refurbishment programme for batch 8 was completed on the 13th August 2014 with the final three properties being handed over almost a month ahead of schedule.

All 416 Seaside properties are now complete and tenanted.

www.seaside-homes.org.uk

East Area Panel: 26 January 2015

Summary: Lions Court, Brighton

Background

The Brighton Lions, a charity and registered housing provider, were leased council (housing) land at Manor Way, Brighton in 1968 in order to build affordable residential accommodation for rent. They built 30 older persons' flats and manage them. The lease has 50 years left to run. The Brighton Lions now wish to buy the freehold to enable them to grow.

Report Recommendations

That the East area panel comments on the following recommendations, so the comments can be included in the report to housing committee:

- a. That committee approves that the Council sells the freehold of Lions Court to the Brighton Lions, on condition the council receives an agreed percentage of nominations (housing people from the council's housing register).
- b. That committee notes that the capital receipt could be used to subsidise the council's capital housing and regeneration programmes.

Background

- Brighton Lions (BL) is a registered provider and a charity
- BL has 15 board members, including professionals from the legal, finance and property sectors
- BL has never attracted government grant funding, they have been self-financing. The council provided the land for the initial blocks and they were able to fund the build thanks to a donor
- In addition to Lions Court (30 homes) BL owns (as freeholder) Lions Dene (37); Lions Gardens (6); and Lions Gate (42)
- Total stock: 115 homes
- BL tenants are on assured tenancy agreements
- The scheme appears to be well maintained and managed
- They operate their own Waiting list. Applicants must be residents of Brighton and have been resident for 5 years
- The majority of BL tenants are on Housing Benefit
- Vacancies are allocated on greatest need to people over 55 years old, using a needs-based points system.

Process

This item will go to the March 2015 Housing Committee for approval of the recommendations.

Contact officer: Simon Pickles, Housing Stock Review Manager
Email: simon.pickles@brighton-hove.gov.uk

AREA PANELS		Agenda Item
		Brighton & Hove City Council
Subject:	Review of long lease held by Brighton Lions at Lions Court	
Date of Meeting:	East Area Panel – 26 January 2015	
Report of:	Executive Director of Environment, Development and Housing	
Contact Officer:	Name: Simon Pickles	Tel: 29-2083
	Email: simon.pickles@brighton-hove.gov.uk	
Ward(s) affected:	East Brighton	

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The Brighton Lions, through its Housing Society, an exempt charity, registered social landlord and registered industrial and provident society were leased council (housing) land at Manor Way, Brighton in 1968 in order to build affordable residential accommodation for rent. They built 30 older persons' flats which they manage. The lease has 50 years left to run. The Brighton Lions now wish to buy the freehold to enable them to grow.
- 1.2 They have met with council officers to discuss the options of:
- a) buying the freehold (the Lions' preference)
 - b) extending the lease (which they have a statutory right to do)
 - c) letting the current lease continue until it expires (not their wish)
- 1.3 The Brighton Lions' Manor Way scheme supports the council's housing strategy and the capital receipt would provide funds for the housing capital programme.

2. RECOMMENDATIONS:

- 2.1 That Housing Committee recommends to the Policy and Resources committee the sale of the freehold of Lions Court to the Brighton Lions for consideration equal to its market value, on condition the council receives an agreed percentage of nominations.

3. CONTEXT/ BACKGROUND INFORMATION

- Brighton Lions (BL) is a registered provider, and an exempt charity. They were last inspected by the housing regulator 8-10 years ago
- BL has 15 board members, including professionals from the legal, finance and property sectors
- BL has never attracted government grant funding, they have been self-financing. The council leased the land to Brighton Lions who were able to fund the build thanks to a donor
- In addition to Lions Court (30 homes) BL owns (as freeholder) Lions Dene (37); Lions Gardens (6); and Lions Gate (42). Total stock: 115 homes
- BL tenants are on assured tenancy agreements
- Despite provision in the lease, historically BHCC has not received requests from BL for housing register nominations.

3.2 Allocations process/ nomination rights

- They operate their own waiting list. Applicants must be residents of Brighton and Hove and have been resident for 5 years. Applicants are allowed up to £16K 'liquid assets' but must not own a property
- The majority of BL tenants are on Housing Benefit
- Vacancies are allocated on greatest need to people over 55 years old
- They prioritise to those in greatest need using a needs-based points system.

3.3 Brighton Lions' stated reasons for wishing to purchase the freehold of Lions Court

- a. Acquisition of the freehold will probably increase the Brighton Lions' borrowing power and improve their ability to commence a new social housing development for older people, which will benefit of the City. For any new development the finance provider takes a first charge on the entire portfolio and the funder's own surveyor values the portfolio to ascertain how much money they will lend. A lease with less than 50 years to run is a diminishing asset and will be down graded accordingly.
- b. Should any unexpected emergency work be needed at Lions Court ownership of the freehold will improve their chances of raising finance. These decrease as the lease length diminishes.
- c. To bring their portfolio all into line. All their other properties are freehold.
- d. To safeguard the future of Lions Court as social housing for older people in need.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1

Option 1:	Let the lease run to end of 99 year term	<ul style="list-style-type: none"> • Lease then reverts to BHCC • If BHCC doesn't agree to lease extension, BHCC may get the property back in 99 years with need for significant improvement • If BHCC takes property back (in 99 years), it would be able to develop the site at greater density.
Option 2:	Extend the lease – which they have a statutory right to do.	<ul style="list-style-type: none"> • In September 2014 Cluttons valued the leasehold at £165,000 • BHCC receives capital receipt (government tasks BHCC to achieve 'best consideration') • BL can borrow against a higher value and replace buildings at its own expense • BL is back in the same position in 50 years • Opportunity for BHCC to renegotiate nominations % (but with BL applying its own criteria).
Option 3:	BL buys freehold	<ul style="list-style-type: none"> • In September 2014 Cluttons valued the freehold at £700,000 • Government tasks BHCC to achieve 'best consideration' • Opportunity for BHCC to renegotiate nominations % (but with BL applying its own criteria) • BL would accept a covenant to permanently provide social housing on this site.

5 COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The East Area panel was consulted on 1 December 2014.

6. CONCLUSION

6.1 The recommendation in this report is consistent with the draft asset management strategy, still to come before housing committee, which states: To consider and recommend to Members on expiry of such leases (long leases in favour of housing association partners that are about to expire) or on requests to extend the lease before expiry, one of 3 possible options:

- i) Non-renewal of lease and return of assets to BHCC management.

- ii) Renewal of lease (if fit for purpose)
- iii) Disposal of asset for best commercial consideration.

6.2 The significant receipt, together with a nominations agreement, enables the council to deliver its housing strategy in respect of meeting older persons' needs and subsidise the improvement of its own sheltered stock.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Financial Implications:

7.1.1 Changes in Capital Financing regulations took effect from April 2013, which now means that the council is able to retain the full amount of the capital receipt from the sale of this freehold to fund capital expenditure. This does mean that the receipt can be used to fund capital expenditure such as affordable housing or regeneration projects.

7.1.2 In September 2014 the council's agent, Cluttons, valued the freehold of the land at £700,000. The council has asked the Brighton Lions to obtain their own valuation, to enable a sale price to be agreed.

7.1.3 With regard to the actual sale price and future nominations, negotiations are underway.

Finance Officer Consulted: Susie Allen
13.1.2015

Date:

7.2 Legal Implications:

7.2.1 Under section 32 of the Housing Act 1985 land held by the council for housing purposes can only be disposed of with the consent of the Secretary of State. Consent may be given either generally or in relation to particular land. The General Housing Consents 2013 allows a local housing authority to dispose of land for a consideration equal to its market value.

7.2.2 Under the council's constitution, the disposal of land must be referred to the Policy & Resources Committee for determination. The Head of Law would deal with the surrender of the lease and freehold disposal of the land, subject to such nomination agreement that is agreed between the parties.

Lawyers Consulted: Liz Woodley; Joanne Dougnaglo
07/01/15

Date:

7.3 Equalities Implications:

This Brighton Lions scheme addresses the needs of older people in the city.

7.4 Sustainability Implications:
There are none to report.