



**Brighton & Hove  
City Council**

# Housing Management Panel

Title:	<b>Housing Management Panel: Central Area</b>
Date:	<b>16 September 2016</b>
Time:	<b>2.00pm</b>
Venue	<b>Rose Hill Court, Rose Hill Terrace, Brighton, East Sussex, BN1 4HS</b>
Members:	<b>Councillors: Gibson (Chair), ; Ward Councillors for the Area, Delegates of Tenants Association in the area.</b>
Contact:	<b>Cliona May</b> Democratic Services Officer 01273 29-1354 cliona.may@brighton-hove.gov.uk



**AGENDA**

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# BRIGHTON & HOVE CITY COUNCIL

## HOUSING MANAGEMENT PANEL: CENTRAL AREA

2.00pm 27 JULY 2016

THE BARNARD CENTRE, ST JOHNS MOUNT FLATS, MOUNT PLEASANT, BRIGHTON,  
BN2 0JP

### MINUTES

**Present:** Councillors; Gibson (Chair), Deane

**Representatives:** Ann Ewings, Martin Cunningham, Barry Hughes, Jason Williams, John McPhillips, Tomm Nyhuus, Carl Boardman, Owen Spence, Jane Thorp, David Stratford, Linda Shaw, George Coates, Emel Abdelmessih.

**Officers:** Becky Purnell (Resident Involvement Manager), Ododo Dafe (Head of Income Involvement & Improvement), Rachel Chasseaud (Head of Tenancy Services), Cliona May (Democratic Services Officer).

**Guests:** Theresa Youngman (Programme Manager), Jeff Tourmentin (Mears).

#### 1 APOLOGIES

1.1 Apologies were received from Alan Davis.

#### 2 MINUTES OF THE PREVIOUS MEETING

2.1 **RESOLVED** - That the minutes of the previous meeting held on 2 February 2016 be approved and signed as the correct record.

#### 3 CHAIR'S COMMUNICATIONS

3.1 The Chair noted that the Housing & Planning Act 2016 could potentially have a significant impact on the future for the Council and he had concerns for the sale of high value properties.

3.2 The Head of Tenancy Services explained that the sale of high value homes would likely be implemented by October 2016 and the "pay to stay scheme" by April 2017. She added that there were working groups within the Housing department that would share information with the Housing Area Panels when it became available.

#### 4 RESIDENTS QUESTION TIME

4.1 The following points and actions were raised by residents and officers:

4.2 Item 1 – Roof repair at Highden, Westmount and Crownhill:

- It was confirmed that Mears had a roofing team that managed and maintain the roofs in the city.

- Theresa Youngman, Mears, confirmed roofs with water leaks or water ingress to the property would be given important status as it could be a slip hazard.

#### 4.3 Item 2 – Communication with leaseholders:

- Residents should be consulted on upcoming major works in further in advance. It was explained that, due to policy, consultation could only happen once jobs had been confirmed. It was noted that Mears had recognised that communication with residents needed to be improved and welcomed ideas from the panel on how to action this.
- It would be useful to have a plan of upcoming maintenance work published on the website.

#### 4.4 Item 2 – Scaffolding:

- An agreement had been made where the scaffolding companies, used by Mears, would be charged if the scaffolding was not taken down within two weeks of the job being completed. Residents were encouraged to report scaffolding that had been left up for a lengthy time.
- Scaffolding was often the safest way of working on a multi-storey property; however, other options could be cherry pickers, mast climbers and abseiling.
- Letters would be sent to residents before scaffolding is erected and notices would be on display in communal areas, unless the repairs are at emergency status.

#### 4.5 Item 5 – Estate inspections

- The dates for all upcoming estate inspections were available on the website; however, improvements were looking to be made with the communication before an inspection.
- Residents were encouraged to report repairs needed in communal areas directly to Mears helpdesk.
- “I’ve Been Reported” stickers would be sent to all relevant parties to prevent repairs being reported multiple times.

#### 4.6 Item 6a-6f – EDB

- The EDB review was ongoing and Officers were gathering comments from residents regarding what areas should be covered EDB.
- An EDB bid could be placed for the redecoration of the communal areas; however, a redecoration program was being introduced and this would ensure communal areas would be redecorated approximately every ten years.
- The Resident Involvement Officers can work with tenants to help them make a bid.
- EDB queries should be emailed to Mears or tenants could call the EDB telephone line. It was added that they did not have the capacity to receive and respond to letters.

## **5 QUARTER 1 PERFORMANCE REPORT**

- 5.1 The Head of Income Involvement & Improvement introduced the report and explained that it was a brief report due to the despatch times of the agenda. It was agreed that the residents would be informed when the full report was available on the website and

hardcopies could be sent to residents who did not have internet access. The following points were highlighted:

- Rent arrears had reduced and it was believed this was due to the welfare reform work that had been completed.
- The phone line issues with the Customer Services & Complaints team had been resolved and the figures had therefore been improved since the last performance report.
- The letting time for properties had been improved; however, there had been problems with senior housing lets. It was explained that current work was being completed and this had brought down the average turnaround time for senior housing.
- A high number of repairs had been completed and there had been an improvement with appointments being kept with Mears and tenants.
- There had been two cases of antisocial behaviour where legal action had been sought.
- Work was being done to prevent tenancy fraud and two properties had been re-let in the last quarter. Residents were encouraged to report suspected fraudulent cases and these would be investigated. The Head of Tenancy Services added that 37 properties had been returned to the Council in the last year.

5.2 In response to queries from the Panel the Head of Income Involvement & Improvement clarified:

- Data collected from the estate inspections could be included in the next Quarter Performance report.
- The Officers agreed to look into including the satisfaction of the EDB Budget in a future Quarter Performance report; however, noted that it would be difficult to gather the data.

5.3 **RESOLVED** – That the Panel agreed to note the report.

## 6 DRAFT CODE OF CONDUCT

6.1 The Resident Involvement Manager introduced the report and stated the following:

- The Code of Conduct was developed as part of the Everyone Counts report that was agreed by the Housing Committee in December 2012.
- The Code of Conduct had not been rewritten; however, a shorter set of ground rules for meetings had been developed, which was similar, to make them more user friendly.
- The residents should decide whether a section in the constitution should be added to include the protocol for when a resident behaves poorly at a number of meetings.
- Residents had added a section called “Length of Withdrawal from Resident Involvement” after a previous breach.

6.2 **RESOLVED** – That the Panel agreed to note the report.

## 7 CITY WIDE REPORTS

7.1 The Resident Involvement Manager noted and apologised that the Leaseholder Action Group (LAG) minutes in the agenda were from January 2015 rather than January 2016.

7.2 **RESOLVED** – That the Panel agreed to note the reports.

**8 ANY OTHER BUSINESS**

8.1 The following points and actions were raised by residents:

- The Head of Income Involvement & Improvement agreed to look into the ongoing parking problems at Mayflower Square and feedback to Owen Spence. It was added that if residents did not receive a response from Officers when reporting problems, residents could contact her directly.
- There had been ongoing problems with visitor car parking spaces on estates and it was felt that these complaints should be going to the Housing department, rather than the Parking department. The Head of Income Involvement & Improvement explained that it was being proposed that parking on Council land would be regulated the same as highways and private estates. This would result in visitor car parking spaces being no longer available.
- Gutter maintenance should have a separate contract from Mears and should be discussed and monitored by the Housing & New Homes Committee. Head of Tenancy Services agreed to feedback.
- There was an ongoing problem with CityClean not collecting the rubbish off of the estates. It was encouraged that residents should report this.

The meeting concluded at 3.55pm

Signed

Chair

Dated this

day of

Items from the Central Tenant Only meeting held on 03/08/16

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**1. Unresolved work at Warwick Mount**

*Carl Boardman said he had put in two formal complaints about unresolved issues at Warwick Mount. He made the first complaint in March, and work has still not been done. He is having a meeting on Monday 8<sup>th</sup> August which he hopes will move things forward.*

*The Residents' Association has been tied up for months pursuing work that should have been completed. The extremely slow resolution to these problems has been a major difficulty for the Association, as it has prevented the start of the garden project, and left the Resident Association in the frustrating and demoralising position of explaining why nothing is happening. Increasingly, the response you get when trying to involve people is "why bother – nothing ever gets done."*

*It was agreed that one of the central obstacles to building and developing an active Residents' Association is the slow resolution of issues by the Council. It was felt that this is getting worse, rather than better. What action is the Council taking to improve this, and to insure that work is done promptly and effectively?*

**Action:** *Ill for all Blue Pages and discussion at Area Panel.*

*Residents will also raise this issue as part of the Resident Involvement Review.*

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**Response from Simon Pickles, Housing Stock Review Manager- Tel:- 01273 292083**

Housing is really very sorry that the Warwick Mount garden improvement project has struggled to get off the ground. This has been due to a combination of factors (including clarifying the available budget, bringing back a developer to replace missing fencing, and allocating a project manager to the project in the face of competing workloads).

Housing accepts that this situation is not acceptable for residents and therefore a site meeting was held on Monday 8 August to agree a way forward. The Chair of the Warwick Mount RA (Carl Boardman), officers of BHCC Housing and Mears attended this meeting.

The outcomes of the meeting were:

1. Moving forward the named project manager will be Simon Pickles, Housing Stock Review Manager, working closely with the RA as client
2. The garden project is likely to be split into two phases (a. pathway laying; b. landscaping work/ shrub planting)
3. Simon is arranging a site meeting with the private developer to discuss their responsibility to replace fencing panels

By the end of September we should be able to agree a route with the residents for the new pathway with a view to starting work to lay the path by the end of October. We also anticipate having costs for phase two at this time.

## **2. Highden, Westmount and Crown Hill**

Various items about work at Highden, Westmount and Crown Hill were raised at the last Area Panel meeting (items 7, 8 and 9 Central minutes 19/5/16). There are several issues that were not dealt with in the Blue Pages response and are still unresolved:

### **a) When is water penetration an emergency?**

*The repair to the roof doors at HWC took 2 years to complete, and during this time water was coming into the building. This wasn't considered an emergency as it wasn't flooding corridors or flats. It was agreed that any water penetration causes substantial damage and should be treated as an emergency. A review was requested of what defines an emergency repair in the case of water penetration.*

**Action:** Ill for all Blue Pages and discussion at Area Panel.

### **b) Consultation with leaseholders**

*The Council has said that prior notice of surveyors' visits is unsuitable as it raises expectations at what is only an investigative stage. It was suggested that this issue could be dealt with in an explanatory letter.*

*Leaseholders are still asking for communication before the planning application stage, with notification of surveyors' visits, dates and reports.*

**Action:** Ill for all Blue Pages and discussion at Area Panel.

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## **Response from Scott Lunn, General Building Manager- Tel:- 01273 290282**

a) An emergency repair is one which needs to be carried out quickly to avoid danger to residents or serious damage to the building and be repaired within 24 hours.

Water penetration to a building will not typically be categorised as an emergency as this type of issue would normally result in damage/ deterioration of the building over a long period of time.

Therefore, this type of work would warrant a routine repair to be carried out within 20 working days where possible. There is a need consider how to reduce any risks by making safe before doing the work as a routine repair. If this is not possible the issue can be referred for assessment to be treated as planned/ programmed works. This type of repair may be when access equipment is required or the building is already on a planned programme of external works and the necessary repair can be coordinated at the same time.

The urgency of repairs is informed by the 'right to repair' legislation (see link for information <http://www.legislation.gov.uk/ukxi/1994/133/made>).

The council have reviewed the categorisation of repairs and it complies with the legislation. It lays out the requirement in carrying out repairs with timescales depending on the urgency.

Any three day repair has been elevated to a one day priority, (emergency repair), and the remaining seven day repairs are treated as routine repairs as part of the service review.

The repair to the roof doors would be treated as a routine repair or referred to be included in planned works as there was low risk of danger to residents and infrequent water ingress, not flooding, which necessitates an immediate repair response.

Consequently, we do not consider it necessary to review what defines an emergency repair in the case of water penetration as the current approach is adequate to manage the risks to residents.

**Response: Glyn Huelin, Partnering Business Manager Property & Investment, Telephone: 01273 293306**

b) Thank you for your enquiry. The council understands the implications to leaseholders when high cost major works are proposed. We do not undertake these lightly, but we have legal obligations to keep our buildings in repair. We are also committed to engaging with all residents and stakeholders throughout major works projects.

For residents who have bought leases on our council homes there is a responsibility to contribute to the cost of works and, (in most cases), improvements, carried out by the council, subject to the terms of their lease. The council believes it limits the works it carries out to council homes to those which are necessary to maintain and/or improve the stock. We always act on our professional structural, surveying and legal advice in complying with our obligations as a landlord to meet the terms of our leases in keeping the buildings in repair.

With regard to high cost major works such as cladding, roof and window replacement carried out at some properties, leaseholders are protected in law that:

- The costs have been reasonably incurred
- The works are carried out to a reasonable standard
- The consultation regulations are complied with
- The lease allows the costs to be passed on in the service charge

The council engages with stakeholders including leaseholders throughout major works projects in the following ways:

- When a project is initially identified the council will write to each resident in the block to get feedback on the condition and issues within the block
- The council will invite all residents and any associations to a meeting to present and discuss the results of the survey
- Formal consultation with leaseholders
- During this period additional opportunities for private meetings with Leasehold Team about payment options and support
- Opportunities to review project documentation with the council's project management team

- Support to enable leaseholder's surveyors to carry out building inspections if requested
- Meet the contractor meeting where the council and its team will take residents through the project and how it will operate
- Regular briefings through newsletters during the project and regular coffee mornings
- Dedicated resident liaison support through the contractor and the council

There are several communications before any potential planning application is submitted, (often projects do not involve work that requires planning permission).

Projects and the general maintenance and asset management of our properties will involve structural and other specialist surveys from time to time and this information is used alongside input from residents through the survey mentioned in order to inform our overall asset management of blocks.

It is also important to highlight that although leaseholders are required to contribute towards the cost of major works to the council buildings, it is the decision lies with the council whether we deem works to be necessary. All leaseholders are covered by law in that if they believe works not to be necessary they can dispute the charges and the First Tier Leasehold tribunal will determine whether they have a case for dispensation or not.

During the statutory Section 20 process all leaseholders are given the opportunity to send in their written observations and raise queries or questions about the proposed works prior to any task order being issued.

### **3. Information on major works**

*It was noted that it is difficult to get information on major works - what is planned, what is currently taking place, and what the progress of work is. Some of this information is on the Council website but a) it is difficult to find and b) it is not kept updated.*

*It was agreed that this information should be made more prominent and accessible on the website, and kept up to date.*

*It was also agreed that the Chair and Secretary of Resident Associations are given advance notice of any major works in their area, so they can communicate with residents about this.*

*It was agreed to raise this as part of the Resident Involvement Review and on the Blue Pages.*

**Action:** *Ill for all Blue Pages and discussion at Area Panel.*

*Residents will also raise this issue as part of the Resident Involvement Review.*

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### **Response from John Currell, Housing Asset Strategy Manager – Tel:- 01273 293355**

Major works information can be found in the repairs and improvements section of the council housing webpages. Below the link called “Investing in your Homes” there is a description that explains the page and gives details of the Capital Investment Programme and the Asset Management Strategy. There are currently details of the lift and aerial programmes; however the details of the capital works programme are currently being worked on. These will be posted on the website shortly, when they are finalised.

The capital programme website document is updated every year according to the new four year provisional programme, which is discussed with residents prior to its approval at various Council Committees. Our Mechanical & Electrical Team also update the details of the lifts programme each time there is a significant change to the programme.

Our Programme team then put together detailed timelines against each project for delivery and communicate and liaise extensively, with residents, leaseholders and resident representatives, with the level of consultation being appropriate to the type and size of the project. As you can see from the previous response associations and residents are also invited to a meeting prior to the section 20 consultation process.

Additionally, progress on projects, both at planning and delivery stage, are scrutinised and discussed with residents at both Partnership Core group and Home groups. If there is a change to the programme all the residents that are directly affected are contacted. The Home Group has two representatives from each Area Panel that can also provide detailed feedback to all associations.

#### **4. Cost of Estates Development Budget (EDB) work**

*Concerns were raised about the high cost of some EDB work, for example providing a bike shelter or notice boards. There was agreement that EDB work is excessively expensive.*

*It was noted that there is a groundswell of protest city-wide about the high cost of all repairs and maintenance work. This has tended to be led by leaseholders, who are most conscious of the cost, but also affects tenants, as it comes from their rents.*

**Action:** *Ill for all Blue Pages and discussion at Area Panel.*

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#### **Response from Glyn Huelin, Partnering Business Manager Property & Investment - Tel:- 01273 293306, Forms part of EDB review**

The Estate Development Budget (EDB) is operated by Mears at cost with no profit charged on these works. The costs that are charged to the budget are in accordance with the contract schedule of rates or for specialist works the actual cost of completing works. The budget also includes an overhead which covers the cost of the staff that deliver the EDB.

The current EDB review being undertaken is reviewing the financial and quality checks in operation on the budget and the costs associated with this level of supervision and management.

Management of value for money in the repairs service is an important part of the work undertaken by our Housing Programme Team. The team has been strengthened in recent years and an additional Quantity Surveyor and a Building Surveyor joined the service in 2013 to focus on technical quality and cost.

The council is committed to invest in our housing stock to ensure we act as a responsible landlord and maintain the city's valuable assets for future generations requiring housing in the city.

For residents who have bought leases on our council homes there is a responsibility to contribute to any improvements and repairs, carried out by the council, subject to the terms of their lease. The council believes the works carried out to council homes are necessary to maintain and improve the stock. We are acting on our professional structural, surveying and legal advice in complying with our obligations as a landlord to provide accommodation that meets specific decency standards and the terms of our leases in keeping the buildings in repair.

Major works billed to leaseholders are subject to a high level of scrutiny by quantity surveyors (both in Mears and the council) and any contractor employed is subject to a quotation system where they are assessed for value for money. Costs and final accounts are scrutinised by quantity surveyors before recharging leaseholders.

## Three star items from the North Residents Only meeting held on 09/08/16

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### **1. Communication and responses to Blue Pages items**

*Council officers have noted that residents are bringing the same issues forward over and over again at Area Panel meetings.*

*The meeting felt that this happens for two reasons:*

- *Standard answers are given in the written responses on the Blue Pages as seen when looking at written responses to North, Central and West areas*
- *Positive commitments are often given verbally at the Area Panel meeting, but this doesn't result in any significant improvements to the service received by tenants and residents.*

*Therefore officers are not really engaging with issues raised by residents. Those who attend the Area Panel meetings do not appear to be communicating the discussions with other officers to make sure any commitments are put into practice.*

*Action: III (3 stars)*

*It was agreed to raise this at the Area Panel to consider how matters discussed at Area Panel can be transformed into real improvements for residents.*

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### **Response from Hilary Edgar, Housing Services Operations Manager- Tel:-01273 293250**

Thank you for your question about the blue pages. Many officers in Housing would agree with you in that the Blue Pages route is not always an effective method for residents to interact with Housing as it can take up to 4 months between an issue being raised at a Tenant Only meeting to being discussed at an Area Panel meeting. The Involvement & Empowerment Group is reviewing the formal resident consultation structure as part of the Resident Involvement review and within this will be considering ways that Housing can respond more effectively to city wide issues raised by resident representatives and track that commitments given to follow up work are carried out.

On looking at the last round of blue pages, issues raised that were similar between area were given individual responses. For example, Delia Hills, Mears Resident Liaison Manager, responded to one question regarding scaffolding and Keith Dadswell, Mears Repairs Manager, to another. In another example, there has been a question about replacing the main entry doors at Nettleton Court and Dudeney Lodge in the past three blue pages. Each time, the response to this question, has been consistent, that they will not be replaced as they meet current security standards and are still under guarantee.

Officers often pick up queries at Area Panel meetings, particularly individual queries, and they are all noted and followed up. For example, after the last round of meetings the Property & Investment team was sent a list of 16 repairs related enquiries. Although this meant that the repairs were dealt with, taking individual queries through this route can lead to delays in work being carried out. Residents are therefore encouraged to report issues as they arise to Housing Customer Services or to Mears' repairs service, using the complaints process as necessary if they are not satisfied with the response to their queries.

Resident representatives also have access to the Property & Investment team to follow up on repair issues if they are not happy with the response they have received from contractors. To remind you, the process is that if a representative has chosen to assist a tenant in chasing up a repair, and has their authorisation to do so, they should go first to the Mears repairs service, and if there is no success after that they can make the enquiry to the Property & Investment team to request further action or information.

## **2. Wheelie bins and rubbish: Community Protection Notices**

*Carol informed the meeting that community protection notices are now available to be used when someone's behaviour is having a detrimental effect on the lives of their neighbours:*

*“An authorised person may issue a community protection notice to an individual aged 16 or over, or a body, if satisfied on reasonable grounds that (i) the conduct of the individual or body is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality; and (ii) the conduct is unreasonable.”*

*“A community protection notice may be issued by a constable, the relevant local authority, or a person designated by the relevant local authority...”*

*Action: III (3 stars)*

*It was agreed to raise this at the Area Panel to ask whether Housing have considered the use of community protection notices to ensure that people do not leave their wheelie bins in the street.*

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### **Response from Robert Keelan, Neighbourhood Housing Manager -Tel:- 01273 293261**

Refuse that is left out early or permanently is dealt with by Cityclean. There is information on the council website where an address can be reported for this. By putting 'refuse left out permanently' will bring you to the information page.

The information can be summarised from this extract

#### **Why this is a problem**

- We are always trying to do as much as we can to keep our city clean and tidy. This includes informing people how to use our services so they continue to use them correctly.
- Putting recycling or refuse out early or leaving it out all the time can:
  - look unattractive
  - cause obstructions on the street
  - create litter on the pavement
  - attract animals and pests
- For these reasons we are strict on people who do not follow our guidelines. Problem addresses could receive a letter, a visit from a manager and potentially a fine.

The housing management service are not considering community protection notices at this time. The Neighbourhoods Team have had a couple of complaints about wheelie bins where neighbours have been unable to resolve the situations directly with their neighbours. In these situations, we have spoken to the resident and arranged for the bin to be stored elsewhere.

If residents are not getting an appropriate response from Cityclean they should approach the customer feedback team at:

Email address: [customerfeedback@brighton-hove.gov.uk](mailto:customerfeedback@brighton-hove.gov.uk), or telephone 01273 291229, or write to Customer Feedback Team, BHCC, Kings House, Grand Avenue, Hove, BN3 2LS

### **3. Communication between departments**

*When residents phone the council they are frequently told to phone another number or department, and can end up going round and round in circles. The meeting felt that over-stretched employees are often 'passing the buck' because there is a lack of communication between different parts of the council. This can mean that simple problems cannot be resolved, or take a lot longer than they need to.*

*Action: III (3 stars)*

*It was agreed to raise this at the Area Panel to consider how cooperation between council departments and the residents they serve can be improved.*

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### **Response from Janet Dowdell, Housing Customer Service Manager – Tel:- 01273 293191**

The restructure of Housing Services in 2012 created the Housing Customer Service Team and our advertised contact number of 01273 293030 for council tenants. The Housing Customer Service Team answer all calls to this number with the aim of resolving the majority of enquiries there and then. On occasion tenants call requiring other areas of service outside of Housing and although we can provide a limited amount of information from the council's website, we will sometimes have to refer the caller outside of our own service. When this happens the team will attempt to make contact for them as well as supplying the correct number for use at another time if the line is busy.

That said, there's always room for improvement within our own service and although it isn't clear which service this enquiry relates to, we acknowledge that certain points of 'hand off' within a customer journey can lead to delay and sometimes we fail to keep the customer informed.

We carry out customer journey mapping and use this to inform process reviews to improve our service delivery. I will be happy to look in to the situation further and if this is something you would like to see happen, please contact me on 01273 293191 to discuss how best to take this forward.

#### **4. Code of Conduct**

*A new Code of Conduct was presented at the last round of Area Panel meetings. The meeting felt there are several problems with the new process:*

- a . An example was given of a resident who was interviewed under the new Code of Conduct. They were not told who had made a complaint against them or the details of what they had allegedly done. They therefore were unable to respond to the allegations or defend themselves.*
- b . Under the new Code of Conduct any person who is asked to resign due to their conduct is not permitted to stand for re-election to their Association committee. This takes away the right of associations to elect their own committees and officers.*
- c . Residents who come to meetings often do so because they are upset or frustrated about something that is happening in their local area. They may have never been to a meeting before and may not know or understand the protocols, so flexibility is sometimes required to help make people feel welcome and involved.*

*Action: III (3 stars)*

*It was agreed to raise this at the Area Panel to request that the 'Breach of Code of Conduct' procedure be reconsidered.*

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#### **Response from Becky Purnell, Resident Involvement Manager – Tel:- 01273 293870**

The Code of Conduct and breach of the code of conduct process was agreed by the Housing Committee as part of "Everyone Counts" in December 2012.

Residents from each Area Panel and the Tenancy Service Improvement Group came together to make the Code of Conduct shorter and easier to use, whilst maintaining key elements that were agreed by the Housing Committee.

When a resident is interviewed regarding a breach of a Code of Conduct the behaviour(s) causing concern are always explained to them. Following the meeting a letter is sent outlining areas of the Code of Conduct to consider at future meetings or resident involvement activities.

Every effort is made to support residents to modify their behaviour and it is only when the Code of Conduct has been explained and breached a number of times that the council would use the ultimate sanction of requesting that a person resigns, or the committee is asked to take a vote on removing the person from the committee. This process can take over a year so the Area Panels were asked to consider the recommendation from the task and finish group that this would be explained and the person would be unable to take part in the next annual general or elections meeting. All four Area Panels agreed to this.

The ground rules for meetings, originally developed by the Tenant Compact Monitoring Group, were also considered. These are much shorter and easier to understand and are as follows, politeness, respect, listen – don't speak over people, always go through the chair, maintain confidentiality, and mobiles switched off or on silent during meetings. These are being circulated along with the shorter Code of Conduct for use at meetings.

## 5. Hedges

*When residents don't cut their hedges it can make things very difficult for those using footpaths, particularly those who are elderly, disabled or blind.*

*This is a common problem in houses let to students, where the students do not have the equipment to maintain the garden or hedges. It was suggested that landlords should be responsible for maintaining the gardens and hedges in houses they are renting out.*

*Where council tenants are not cutting their hedges they are in breach of their tenancy agreement, but little action seems to be taken in this situation.*

*Action: III (3 stars)*

*It was agreed to raise this at the Area Panel to ask what the process is for taking action against tenants who do not cut their hedges.*

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### **Response from Robert Keelan, Neighbourhood Housing Manager– Tel:- 01273 293261**

If a house is let to students then it would be a freehold property that is not under the control of the housing service. As with any freehold property, obstructions on the pavement will be dealt with by the highways department. The information on the council's website highways pages advises:

- Residents are responsible for maintaining trees, hedges and shrubs within their own property next the public highway. The landowner is required to make sure that trees and plants from their property does not:
  - overhang the pavement/road so as to obstruct pedestrians or vehicles
  - pose an unreasonable health and safety risk to pedestrians or vehicles
  - block traffic signals or road signs
  - block drivers' sightlines
- If overhanging vegetation is found to be obstructing the highway from a private or commercial property, then the council can issue an enforcement notice to the landowner. These notices give the landowner 14 days to carry out necessary works, after which time the council may do the work and charge the landowner for the cost of the works.

If you would want to report overhanging trees or other plants you can contact [highwayobstructions@brighton-hove.gov.uk](mailto:highwayobstructions@brighton-hove.gov.uk) or telephone 01273 292929

If it is a tenanted council property with an overgrown hedge we may also take this highways enforcement route. We would also speak to the tenant and remind them that they have an obligation to maintain their hedge under the tenancy agreement. The tenants handbook that accompanies the agreement states

*Tenants are required to maintain their own gardens and balconies to make sure they look acceptable and do not cause a nuisance to their neighbours. If you are having difficulty maintaining your garden, please contact Housing Customer Service as further help may be available through our discretionary gardening scheme.*

*You are responsible for:*

- *keeping the garden tidy and free of rubbish, household items and vehicle parts*
- *trimming shrubs, hedges or trees to make sure they do not become a nuisance to neighbours*
- *maintaining any fencing that is your responsibility - please check with your housing office if you are unsure which fences are your responsibility*

*You will need our written permission to:*

- *put up a garage, shed or greenhouse*
- *put up or change a wall or fence*
- *cut down, remove or destroy any bushes, hedges or trees unless you planted them*

Where a garden isn't maintained, we can take legal action against the tenant. The tenant takes on the garden with the house (or flat) and they need to comply with the criteria above. Where they don't and the garden becomes particularly problematic, we would intervene and discuss with the tenant and get them to do it. There is always a story behind every messy garden. In extreme case we could take someone to court typically for a positive injunction, i.e. they have a requirement to do something, or we serve a notice seeking possession to take them to court to ask a judge to end their tenancy.

We are also exploring recharges where the tenant can pay us to arrange a contractor to cut or clear their garden if they need to get on top of it. The Neighbourhoods Team have had localised campaigns around the city to improve the standard of gardens that have been successful. This work is always rewarding but competes with other demands on the team's time.

## **6. Gardening assistance for elderly and disabled people**

*Heather was recently assisting a tenant to apply for help with their gardening. When she requested a form from Housing she was told that the paper form no longer existed and the person needing assistance should apply online them-selves. It was also not possible for someone else to apply on their behalf.*

*A tenant in North Moulsecoomb had been given a paper form.*

*There was concern that this system is not being applied equally and that tenants who do not have a computer, or do not know how to use one, will not get the assistance they require.*

*Action: III (3 stars)*

*It was agreed to raise this at the Area Panel to ask if the paper forms are still available and what is being done to ensure that all elderly and disabled tenants are able to apply for the help they need.*

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### **Response from Anna Lee, Housing Customer Services Team Leader – Tel:-01273 293236**

Following a review of the discretionary decorating and gardening schemes in 2014 the council stopped producing paper application forms in favour of the more cost effective online form. The old paper forms have not been available from council offices since this time. During the review it was considered that the qualifying criteria for the schemes means that many applicants are elderly and/or vulnerable and may not have the equipment or skills to use the online form themselves.

In order to support these tenants the Housing Customer Service Team regularly complete the online form for tenants either while speaking to them on the telephone or when they have visited one of our Housing Offices. Friends, relatives or other support agencies are able to complete these forms on behalf of tenants in the same way that council officers are.

Anyone in need of any assistance with completing any council housing online forms or advice on the help available to elderly and disabled tenants should contact Housing Customer Services on 01273 293030, at [housing.customerservices@brighton-hove.gov.uk](mailto:housing.customerservices@brighton-hove.gov.uk) or by calling into a housing office where the team will be happy to help.

## **7. Homemove applications**

*Two residents in Laburnum Grove completed an online Homemove application and received a letter to state that they were Category C – the category required to qualify for an internal move within the block. However, when two flats became empty they discovered that they were not eligible because they had not completed an additional medical form that they didn't even know about.*

*When residents complete a Homemove application online, or on paper, there is no clear link to the medical form.*

*Action: III (3 stars)*

*It was agreed to raise this at the Area Panel to suggest that the medical form be clearly integrated into the Homemove application form to ensure applicants are clear about what is required of them and what category has been allocated to them.*

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### **Response from James Crane, Service Improvement & Interim Homemove Manager – Tel:- 01273 293316**

Thank you for your enquiry. The on-line Homemove application form incorporates medical and mobility issues already and is therefore simpler and quicker to process than paper applications.

The change to on-line applications is part of the council's modernisation programme to deliver services on-line and this is connected to the Digital Brighton & Hove campaign to promote better access to the internet and training to support people to become more digitally aware. Housing is supporting this campaign and the seniors housing service is holding digital awareness sessions across its schemes this summer.

The allocations policy is under review and all forms will be reviewed as a matter of course to fit the new policy.

In terms of supporting people who cannot or do not wish to access forms online, Homemove are discussing with the Seniors Housing Team about how their service may be able to help older applicants with on-line applications in the future. This is similar to what is happening across the council such as Revenues and Benefits service and the Department for Work and Pensions who are completely on-line.

The vulnerable persons strategy will pick up on the issue of assistance in certain circumstances as we understand that some people will need more help.

If residents would like me to look at the specific cases mentioned, please supply with their name and I'd be happy to assist.

## Three star items from the West Tenant Only meeting held on 18/8/16

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### 1. **Estate Development Budget**

*The following points were raised as a contribution towards the review of the Estate Development Budget (EDB):*

- a) The EDB should be reserved for improvements and not used for general maintenance and repairs.*
- b) EDB work should be done to a high standard, properly inspected and improved. Past problems include the redecoration of the common ways at 1-6 Wish Court. A very inadequate job was done and the work was never inspected on completion. When other common ways on the estate were redecorated as part of general maintenance 1-6 Wish Court was excluded, despite their poor state, because the re-decoration had been done only two years previously under the EDB.*
- c) Problems have arisen because EDB jobs have been reported as done, when they have not been. Communication with residents and proper inspections would avoid this.*
- d) Work should be done on time and to the specifications set out. Presently problems can arise unless residents closely monitor work (eg carpets have been fitted in the wrong place).*

*Action: raise on Blue Pages and at Area Panel as contribution to EDB review  
Blue Pages III (3 star)*

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### **Response from Becky Purnell, Resident Involvement Manager - Tel:- 01273 293022**

a) The Estates Development Budget (EDB) is currently being reviewed as part of the review of resident involvement. Historically EDB has been used to bring forward work if it is not on the three year capital works programme. The thinking of residents seems to have changed regarding this.

Following the last round of EDB voting meetings some residents have fed back that they don't think EDB should be spent on things they consider should be repairs and maintenance. The Resident Involvement Officer (RIO) checks with the Property & Investment Team who do pick up whether a bid is on the three year programme and if it is it is removed.

There is now a year on year investment of £25 million pounds a year to improve homes and the common areas in the blocks. The Asset Management Strategy has identified resources to improve external repairs and decorations on properties, including shared areas, following consultation with residents. Extensive surveys of the condition of 600 blocks have been undertaken.

A paper will be going to the November / December Area Panels recommending that any work that has a capital works programme, eg doors, internal decorations should not be covered by the EDB Programme. Anything that is a repair should be reported to the Repairs Help Desk.

b) EDB work should be done to the same standard as the council expects for other work. The Wish Court redecoration was agreed in 2013-14 and completed in October 2013. This was carried out by a subcontractor prior to the current Mears EDB Team who now redecorate "in house". I am sorry the redecoration is in poor condition, if any of the paint is flaking it can be

reported as a repair. Regarding inspecting the works the current EDB Review is looking at the costs associated with this level of supervision and management.

c) As part of the previous review I obtained a list of all outstanding EDB work from the council's accountant and where possible checked with residents to see if the work is still required. Please can you advise me of any work that residents feel has not been done so I can check whether it is on the list of work to be done? The council does depend on residents' groups to ensure that work has been done. A recommendation of the EDB Review is that in addition to the programme of work being circulated following the EDB voting meeting, the work programme will be published on the council's website.

d) The EDB Review has picked up that at times residents are not satisfied with the completed work, and on further investigation the information about this was not included on the form. Often the forms provided only give a very brief description of proposed work.

Another recommendation of the review is that the RIO will advise residents' groups that what is on the form will be delivered, (although at times there may be a need to be flexible as things can change and it can take a year and a half from consultation to delivery). A few prompts will be added on the form, what, where, size, make etc. If groups need advice from Mears for larger technical projects Mears are happy to do this once the Property & Investment Team have said if the work is possible in January.

Please can you let me know if the carpet is still in the wrong place so this can be rectified?

## **2. Boiler replacement at Woods House**

*Residents in Woods House have been told that all their boilers will be replaced with new ones when the contract is taken over by a new company. This is regardless of the state of the boiler, and how much life there might be left in them – some are only two years old and working perfectly well.*

*It was agreed that this is not cost effective, and wasteful of resources.*

*Action: report requested on:*

*a) are boilers throughout the city being replaced under this new contract?*

*b) what is the justification for this and how can it be value for money?*

*Blue Pages III      3 stars*

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### **Response from Kevin Wilson, Gas Contracts & Compliance Manager - Tel:- 01273 294649**

We have no records of replacing any boilers which are only two years old.

All boilers are being replaced by K&T Services who won the new gas contract this year to replace both Mears and PH Jones.

Boilers are replaced under the following criteria:

- a) Is the appliance “A” rated? If not it will be on the replacement list. All non “A” rated appliances are usually more than 10 years old.
- b) Will it cost more to repair than replace. If so then the appliance will be renewed.

### **3. Scaffolding and home contents insurance**

*It was noted that the response in the Blue Pages (Area Panel 26/7/16, Item 2 d of Blue Pages) is incorrect. It states that 'contents insurance will not be invalidated unless you do not let the insurers know there is scaffold in place.' Graham Dawes did contact his insurers and was told that it was not valid while the scaffold was up. It is correct that if you have home contents insurance under the Council scheme your insurance will not be invalidated, but this is not true of all insurers. Leaseholders are not able to insure in the Council scheme, so this leaves them vulnerable.*

*It was noted that insurance can also be invalidated if the door entrance systems are not working on the external doors to blocks of flats. This can sometimes be for extended periods of time and is not within the control of the individual resident.*

*Action: Request that the Council take responsibility for the problems of invalid insurance caused by scaffolding, repairs and maintenance work carried out by the council.*

*Blue Pages III      3 stars*

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#### **Response from Becky Purnell, Resident Involvement Manager – Tel:- 01273 293022**

This response from Delia Hills was provided in January this year. "With regards to your contents insurance, I have spoken to the Property & Investment Team from the council and they have confirmed that tenants and leaseholders are responsible for their own contents insurance and the council do not provide any provision to cover this for tenants or leaseholders. We do not know what the details of your policy is and can only advise that if there is any issue with your insurance cover, you will need to address this with your current provider and decide what the best course of action is for you in this matter. We are aware in some cases this can mean that the policy cover requires amending, however, this is for you to discuss and decide."

I have checked with Steve Frost from the council's Insurance Team and he has confirmed that the the response provided previously is correct and that the council would not wish to take on responsibility for the contents of tenants or leaseholders should their own insurance be affected by the presence of scaffolding. They have also confirmed that in all cases where access is gained via a scaffold to break in the underwriters will pay out for the claim to the party but will see to recover back from the company in question.

The council's webpage recommending insurance states, "We strongly advise all tenants and leaseholders to take out household content insurance." So the scheme is available to leaseholders. I have spoken to the insurance company that is recommended and they have confirmed that leaseholders are included in the scheme and the property would be insured for theft with the presence of scaffolding.

<https://www.brighton-hove.gov.uk/content/housing/council-housing/home-contents-insurance>

#### **4. Philip Court Entry phone**

*The entry phone on one block at Philip Court has been out of action for some time. This causes big problems for residents, making access difficult for carers, deliveries and general visitors. Entry phones seem to be a particular problem and take an unreasonably long time to repair. In Knoll they were told that delays were because parts had to come from Italy.*

*Action: request for information on a) reasons for delays to repair of door entry systems*

*b) the options for sourcing local manufacturers and parts.*

*Blue Pages III      3 stars'*

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#### **Response from Jamie Smith, Electrical Engineer - Tel:- 01273 293350**

The door entry system has been condemned and beyond repair which means it requires replacement. The buttons are still in operation from 8am – 5pm. This is so carers, deliveries and general visitors can enter the building during working hours to knock on the individual flat doors. Should residents have visitors calling out of these times they will need to make alternative arrangements, providing expected callers with telephone number etc. so residents can be contacted to open the main entrance door.

If residents are unhappy with the block being secured between 17.01 – 7.59 we can have look at having the blocks main entrance door lock removed so its left open at all times and all callers can gain access at all times. To have this work carried out BHCC will require a petition showing a majority vote from all resident agreeing the action required.

We condemn a system when it's deemed beyond economical repair, due to multiple faults and parts no longer being available. All new systems are made to order and are not an 'off the shelf' item.

The system at Philip court is a Videx system that is manufactured in Italy but sourced through a UK distribution company, so parts would generally come from a supplier in the UK. The new system is manufactured in the UK and a quotation from our partnering security contractor has been requested. Once the quote has been received the cost will need to be submitted for the statutory leaseholder section 20 consultation, which will need to be completed before any work can commence.

We are sorry for the inconvenience, but we estimate the new system to be installed within the next 12-16 weeks.

## **5. Maintenance and repairs schedule**

*The repairs and maintenance schedule should have more flexibility, so it is possible to have work done at the point it needs doing, rather than waiting until its turn comes up on the schedule. For example, decoration of a communal area might have deteriorated to an unacceptable state long before it is scheduled to be done. This is especially true if the original work is of poor quality and uses low grade materials.*

*It was noted that this inflexibility often led to requests for routine maintenance and repairs work to be done under the EDB.*

**Action:** *Request for more flexibility in the maintenance and repairs schedule, so it relates more closely to the actual work needed.*

*Blue Pages III      3 stars*

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### **Response from Scott Lunn, General Building Manager- Tel:- 01273 290282**

The planned programmes are flexible in such cases. All planned and cyclical works in the existing programme are advertised as 'provisional' for this very reason and why we say that the programme is 'subject to change'. This is to ensure that the council can cover and plan any necessary works that are identified which need to be brought forward in the planned programme. However, when this happens it does mean that other works 'provisionally' planned may need to be put back in the programme as funds will have prioritised based on need and the programme changed.

## **6. Inspection of work**

*Graham Dawes noted a recurring problem with a lack of inspections of completed jobs. He suggested that work is not allowed to begin until the Clerk of Works has been informed about the work and given a signing off date.*

*Action: request for information on how this system works at present, and whether an improvement could be made along these lines.*

*Blue Pages III      3 stars*

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### **Response from Scott Lunn, General Building Manager- Tel:- 01273 290282**

The partnership has recently reviewed quality assurance processes between Mears and the council.

At any point in the repairs cycle council surveyors are able to view any particular repair job to assess and report on quality and value for money. Given the high volume of repairs requested/required it is not useful or feasible for BHCC surveyors to sanction 100% of repairs. Instead the surveyors' role is to monitor and report on a percentage of jobs per month which is broadly 10% of Mears and 10% of randomly selected repairs with a percentage of joint inspections to improve weaker areas of the service.

## **7. Contractors**

*Graham Dawes raised concerns about loop-holes in contracts, which mean the council is not properly compensated when problems arise. He suggested that specialised staff are needed who have the skills and expertise to ensure that contracts are water-tight.*

*Action: raise on Blue Pages*

*Blue Pages III      3 stars*

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### **Response from Perrin Horne, Customer Services Manager, Tel:- 01273 294641**

The council does take the monitoring of contracts very seriously and monitors contract compliance across all our contracts.

The Property & Investment service includes five engineers working in the Mechanical & Electrical team to monitor and manage our service contracts effectively.

The Housing Programme Team includes three Clerk of Works focused on quality and managing the contract in detail and three Quantity Surveyors focused on cost and value for money of the jobs completed under our contracts.

When problems arise the Property & Investment Team are in place to manage contracts effectively and ensure that any issues with the service to residents are rectified quickly and that contracts are operating effectively financially.

The Property & Investment Team will also work collaboratively with corporate colleagues including finance, internal audit, procurement and legal to ensure that any compliance issues are managed correctly.



<b>Subject:</b>	<b>Repairs &amp; Improvement Partnership - Update</b>		
<b>Date of Meeting:</b>	<b>21 September 2016</b>		
<b>Report of:</b>	<b>Acting Executive Director Economy Environment &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Glyn Huelin</b>	<b>Tel: 01273 293306</b>
	<b>Email:</b>	<a href="mailto:Glyn.Huelin@brighton-hove.gov.uk">Glyn.Huelin@brighton-hove.gov.uk</a>	
<b>Ward(s) affected:</b>	<b>All</b>		

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

- 1.1 This report provides an update on processes in place within the Repairs & Improvement Partnership with Mears Ltd to manage quality and avoid overpayments following the results of an internal audit review of overpayments identified by the council in respect of contracted housing repairs.
- 1.2 This follows an Internal Audit report to Audit & Standards Committee on 12<sup>th</sup> January 2016 and Housing & New Homes Committee on 13<sup>th</sup> January 2016 that concluded that mechanisms put in place by Mears to identify overcharging were not operating as intended. There was significant evidence that a particular subcontractor had routinely overcharged Mears and that these costs had been passed onto the council.
- 1.3 Mears Ltd provide a comprehensive responsive repairs, planned maintenance and major works service for council homes across the city under a 10-year contract. Around 20% of the annual contract is responsive repairs and approximately 4% of the annual cost relates to subcontracted responsive repairs. The overcharging was isolated to a single subcontractor working on a small proportion of responsive repairs.
- 1.4 The subcontractor involved with the overpayments no longer works with Mears and the council is continuing to work with Mears to strengthen processes and procedures to prevent any reoccurrence.

**2. RECOMMENDATIONS:**

- 2.1 That the Housing & New Homes Committee notes the updates on progress following the initial report to both Audit & Standards Committee and Housing & New Homes Committee in January 2016.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Housing & New Homes Committee received a report of the Acting Director Finance & Resources summarising the results of an internal audit review of overpayments identified by the council in respect of contracted housing repairs delivered via the Repairs & Improvement Partnership on 13 January 2016. The same report was also discussed at Audit & Standards Committee on 12 January 2016.
- 3.2 Members asked that a report be presented to the Committee on a biannual basis, demonstrating that the council and Mears have robust processes in place to avoid any further overpayments.
- 3.3 The Housing & New Homes Committee requested a workshop to look at the operation of the contract between the council and Mears. This workshop was held on the 23<sup>rd</sup> February 2016.
- 3.4 Following the identification of the issue by council officers within the Housing Property & Investment team the council has been meeting with senior management at Mears on a weekly basis to review progress with quality assurance on the contract and undertake, monitor and complete agreed actions.

#### Agreed actions undertaken

- 3.5 The council has received a total repayment of £513,113 related to the overcharge. This is made up of a sum of £274,866 for repairs post April 2014 and a sum £238,247 relating to the repairs undertaken by this subcontractor before April 2014.
- 3.6 The contractual mechanism allows for retrospective review and adjustment of all valuations on a monthly basis. The total credit for repairs post April 2014 represents 0.7% of the total valuations for the period.
- 3.7 Mears recruited a Quality Assurance Manager for the contract shortly after this issue came to light. This has had a positive impact in terms of implementing robust new post inspection and audit procedures and delivering cultural change.
- 3.8 Mears have reduced reliance on subcontractors for the responsive repairs service. This has reduced from an annual expenditure of £1.7 million to £0.872 million as at end of July 2016. This represents 12% of repair orders. There was an increase in subcontracted jobs in February to April 2016 due to increased roofing and drainage issues however there were still considerably less jobs subcontracted than in the same period in 2015 and the overall trend is still a reduction in subcontractor usage. This will continue to be monitored on a quarterly basis and is detailed in the table below:

	Projected annual subcontractor spend	Projected annual subcontractor jobs	Projected annual spend with subcontractors (%)	Projected annual jobs with subcontractors (%)
Feb 15 to Apr 15	£1,690,401.96	7,040	56%	20%
May 15 to Jul 15	£1,553,365.31	6,962	52%	20%
Aug 15 to Oct 15	£1,330,288.71	6,359	44%	18%
Nov 16 to Jan 16	£973,207.42	5,439	32%	15%
Feb 16 to Apr 16	£1,105,884.87	6,239	39%	15%
May 16 to Jul 16	£872,290.92	4,820	31%	12%

3.9 The following trades have moved from subcontractor delivery to directly employed operatives over the last six months; roofing, flooring, plastering, drainage, general building. Fourteen additional locally recruited and directly employed operatives have been appointed to deliver work in house. The following are the main areas of the repairs service that are supported by specialist subcontractors; glazing, large scale drainage.

3.10 As part of the review of quality assurance Mears post inspected the work of all other large volume responsive repair subcontractors working on responsive repairs to establish whether the overcharging was isolated to the one subcontractor or not. In total 1,002 targeted inspections and re-inspections were completed. Aside from nominal coding errors and minor quality issues, no concerns were highlighted as part of this exercise.

3.11 Mears are funding an additional council resource to work alongside the existing team of three Quantity Surveyors in sample checking the post inspection process detailed in 3.10.

3.12 The Mears responsive repairs team is now producing more reliable, consistent, structured and timely data to ensure that a robust view of the quality of work and accuracy of valuations is gained. Examples of this are providing staff with in-depth, property specific repair history prior to inspection and ensuring that comprehensive post inspection records are received by return.

3.13 Mears have overhauled inspection documentation to accurately reflect and record findings. The new post inspection form ensures that there is suitable levels of focus on the measurement and valuation of works, as well as the quality. A suite of reports has been produced detailing findings from post inspection data on a weekly and monthly basis. These reports cover all areas of data captured at inspection stage and identify any incorrect coding

### **3.14 Next Steps**

3.15 The council and Mears will continue to meet on a weekly basis to discuss progress with quality assurance within the partnership.

- 3.16 The council will be undertaking a review of the partnership to identify further improvements that would benefit the partnership, residents and stakeholders.
- 3.17 Alongside this the council will continue work with Mears to pro-actively monitor and review other areas of the contract including planned works and major projects for contractual compliance.
- 3.18 A further report will come to Housing & New Homes Committee in six months time.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 None considered.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 An initial update on overcharging was provided to Area Panels in July 2016 as part of the “Blue Pages” responses.
- 5.2 A copy of this report has been provided to the September 2016 round of Area Panels for information.

#### **6. CONCLUSION**

- 6.1 This report sets out the progress made following the identification of a subcontractor overcharging on the repairs partnership in 2015.
- 6.2 A further report will follow in six months in line with the recommendations made by Housing & New Homes Committee on 13<sup>th</sup> January 2016.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 7.1 The HRA revenue budget outturn for 2015/16 included the recovery of the over payments totalling £513,113, as detailed in this report, which increased the overall HRA revenue budget underspend for 2015/16. The HRA provisional outturn for 2015/16 was included in the council’s Targeted Budget Management (TBM) provisional outturn report to Policy, Resources & Growth Committee in June. It should be noted that any HRA net underspend will be transferred to the HRA general reserves and will be available for future reinvestment within the HRA.
- 7.2 A small element of the entire over payment for both periods estimated at £6,500 related to leaseholders. This is a total amount across all leaseholders and not an individual amount per leaseholder. This will have been included in leaseholder service charges and therefore a reimbursement for any overcharge will be included in the 2016 service charge statement.

*Finance Officer Consulted: Susie Allen, Principal Accountant*  
*Date: 27/08/16*

Legal Implications:

- 7.3 The measures outlined in this report will help ensure that the council is protected from similar overcharging in the future

*Lawyer Consulted: Liz Woodley*

*Date: 23/08/16*

Equalities Implications:

- 7.4 None

Sustainability Implications:

- 7.5 None

Any Other Significant Implications:

- 7.6 None

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

None

### **Documents in Members' Rooms**

None

### **Background Documents**

None



## **Area Panels: September 2016**

### **Report: Somerset Point Sprinkler Project**

#### **Purpose of Report:**

The Purpose of this report is to gain feedback from Area Panels on the recent Pilot project for the installation of a Sprinkler system at Somerset Point. This feedback will be used assist Housing Committee in reaching a decision to progress with further installations in high rise blocks across the City that are designated as 'high risk' of incidents of fire outbreak.

#### **Introduction:**

Through the joint partnership working delivered by the Repairs and Improvement Partnership, we have successfully invested £1.5m in the upgrade of fire safety to our properties.

The Partnership (BHCC / Mears), have developed collaborative relationships with our stakeholders and other public bodies and we work closely with East Sussex Fire and Rescue Services (ESFRS) to continue to review and improve Fire Safety throughout the city.

#### **Background - ESFRS**

Fires in the home still account for the greatest number of fire deaths and injuries each year. All fires will grow and spread until someone, often the Fire Service intervenes to halt the spread and extinguish the fire. Most fire safety measures are designed to guarantee a safe escape from premises in the event of fire; however ESFRS, in partnership with BHCC, are keen to further improve fire safety and progress the installation of sprinkler systems within our blocks, paying particular attention to those housing vulnerable residents and high rise dwellings.

#### **BHCC – Corporate Plan Commitments**

BHCC have pledged, through its corporate plan to deliver on its main values / purpose:

**A good life:** Ensuring a city for all ages, inclusive of everyone and protecting the most vulnerable.

And in line with our principles of demonstrating citizen focus and increasing equality to improve:

**Health and Wellbeing:** Safeguarding our most vulnerable children and adults from neglect and harm. Providing better care services for older and vulnerable people, focused on personal choice and staying independent.

#### **Sprinkler Systems – overview**

Sprinklers are one of the few measures that intervene to control the fire at an early stage – significantly earlier than the fire service could and without placing anyone in danger to do so. This not only guarantees the occupants time to escape but stops

the fire from growing and damaging the property further as well as reducing the risk for the firefighters.

ESFRS are committed to promoting and encouraging the installation of sprinklers, particularly in premises housing vulnerable people. In order to do this, they committed a sum of money to match fund sprinkler installations in selected premises. This was to demonstrate the feasibility of such schemes, and obtain a commitment to continue installing sprinklers. The overall goal is to protect vulnerable people in the future. Brighton & Hove City Council & ESFRS were one of the first partnerships to declare such a commitment.

### **Somerset Point – Sprinkler Installation Pilot**

Somerset Point was selected for a pilot study with BHCC as it was a high-rise premise housing elderly people, both of which created added challenges to ensuring the safety of the occupants from fire. It contains 72 flats on 13 floors plus various communal facilities. The guest flat was fitted out to show the residents how the system would look in their flat on completion.

A comprehensive consultation process was carried out with residents before the commencement of the project, by BHCC, ESFRS and Triangle Fire Systems (the installer). The main concerns from residents were around aesthetics, however we were able to demonstrate how the pipework would be sympathetically ‘boxed in’ following installation and this was well received.

The project is due to be completed in early October which meets the anticipated target completion date.

### **Project Feedback:**

- a) Resident disruption – The Project Team sought to keep disruption and inconvenience to an absolute minimum and each resident was consulted personally before commencement of works to fully explain the installation procedure. The pipework was ‘boxed in’ and decorations made good. There was only one complaint throughout the project.
- b) Scope of Works / VFM – As this was a pilot scheme, we procured the works through a supplier known and trusted by ESFRS. We conducted some soft market research around the quotes / estimates received and were satisfied that the project offered VFM. The final cost for the Somerset Point installation was £136k and this was match funded by ESFRS.
- c) Tenant Satisfaction – we have carried out a Tenant Satisfaction Survey following the works and our survey (achieving a 55% response rate) demonstrated a high Satisfaction rate, where most residents gave a satisfaction rate of 9 or 10. (Table attached).
- d) Ongoing costs – maintenance – We have established that the ongoing maintenance costs are relatively low. The systems will need an annual maintenance regime which is currently being quoted at around £250 pa. We will continue to review costs and value for money.

## Somerset Point Sprinkler System – Gallery

### Somerset Point – Scheme Managers and Installation Team



### Somerset Point Sprinkler System – Satisfied Customers!



### Sprinkler System – Boxing in detail



**Contact:** Theresa Youngman, Contract Compliance Manager  
**Phone:** 01273 29319 **Email:** [theresa.youngman@brighton-hove.gov.uk](mailto:theresa.youngman@brighton-hove.gov.uk)

### Somerset Point Sprinklers Satisfaction Survey

	Scores – 10 out of 10	Comments
1	10	
2	10	Still to box in pipes
3	10	
4	8	Would like to have known contractor coming
5	9.5	Did not have a letter stating contractors coming
6	10	
7	10	
8	10	
9	9.5	Only issue was noise as tenant sensitive
10	10	
11	10	
12	10	
13	10	Still to box in pipes
14	3	Tenant away and not happy that contractors left dust in flat – spoke with scheme manager and contractors apologised
15	10	
16	7	Hold up to finish because of tenant in certain flat
17	10	
18	10	
19	8	Still to finish
20	9	Tenant asking when external decorations being done on block
21	10	
22	7	
23		Have not finished yet will say after
24	8	
25	8	
26		Good so far not finished yet
27	7	Lifts a bit dusty untidy from contractors
28	10	
29	9	
30	10	
31	9	Acceptable clean up – what was told did not happen in that they had to get another company to drill through the concrete
32	10	Polite
33		Still to box in
34		Still waiting to finish but good so far
35	10	
36	10	Would have been good to give dates to do flats
37	9	Polite – tidy neat
38	7	Not to tidy – some mess
39	8	
40	10	

# New homes for neighbourhoods Update



September 2016

Brighton & Hove City Council's New Homes for Neighbourhoods programme is building much needed new council homes on council owned land. We work with local resident associations, ward councillors, the council's in-house architects, Building Control, Housing and other colleagues to improve council estates and neighbourhoods, while making best use of council housing land and buildings to deliver new, affordable rented homes that the city needs. We aim to build at least 500 new homes across Brighton, Hove and Portslade.

Two more new housing schemes were finished this summer, bringing the total to 20 new homes completed at four sites since summer 2015, with another 4 houses to be handed over in September. 112 more homes are currently under construction, 29 have planning consent and many more are in the pipeline.

All new homes are being let through Homemove.

## **Darwell Court – 5 new homes in Kemp Town**



In July we celebrated completion of three 1 bedroom flats, a 2 bedroom maisonette and a 2 bedroom ground floor wheelchair accessible flat on the former Ardingly Street car parking site near Ardingly Court and St. James's House.

This scheme demonstrates how even small, constrained sites can be developed to deliver great new affordable rented homes.

## **Aldwick Mews – 4 new three bedroom houses in Hangleton**



A fortnight later, the Chair of Housing & New Homes was opening this new scheme of four family houses with gardens on a former garage site off Hardwick Road, previously used for storage. One home is designed for a family with a wheelchair user. Solar panels on each roof can generate up to a third of the electricity that each household uses, reducing their electricity bills.

## **Flint Close – 4 new family houses in Portslade**

Two 3 bedroom and two 2 bedroom houses with gardens and off street parking at Flint Close will be handed over and let in September. Two former under-used garage sites which suffered from flytipping and anti-social behaviour have now each been transformed into a pair of modern, adaptable new homes. Tenants there will also benefit from the electricity generated by solar panels on their roof.



## **Robert Lodge North – 6 new flats in Whitehawk**

The six 1 and 2 bedroom flats at the north end of Robert Lodge are well on track for completion in December. A recent Considerate Constructors inspection rated this site 'excellent' for respecting the community, securing everyone's safety and valuing their workforce. Westridge Construction are also helping to install the sculpture developed with Robert Lodge residents as a lasting legacy of the new development here.



## **Pierre Close – 4 more three bedroom houses in Portslade**

This development of four 3 bedroom houses on the former, boarded up Foredown Road garage site is expected to be completed and let by the end of the year.

## **Brooke Mead – 45 extra care flats in Albion Hill**

Construction of this scheme of 45 one bedroom extra care flats with community facilities is progressing well. Bricks are being laid around the concrete frame and windows are being installed. The scheme should be completed by summer 2017.

Local residents will be invited this month to work up proposals for the new community garden which will be developed next to the scheme.



## Kite Place – 57 new flats in Whitehawk



The large crane and the frame of the west block of Kite Place, which is emerging above the award winning hoardings on Whitehawk Road, are a striking sight. Although this sloping site needed a lot of ground works, 98% of waste is not going to landfill.

We expect the 57 one, two and three bedroom flats with lifts and private balconies will be completed and let in autumn 2017.

## Wellsbourne site, Whitehawk – planning consent for 29 flats



In August the council's Planning Committee approved our plans for 29 flats on the empty site between the Wellsbourne Health Centre, Whitehawk Academy and Hub.

This is the sixth scheme with the council's in-house architects and corporate strategic construction partnership. One of the benefits is no procurement delays, so work can start on site later this autumn.

## Former Selsfield Drive Housing Office



More initial design work will be carried out to come up with the best solution for this site, following feedback on the earlier design from Planning and the Design South East design panel.

Bates Estate Tenants and Residents Association will be kept fully informed as that progresses.

## For more information on New Homes for Neighbourhoods

You can contact the Estate Regeneration Team by:

Email: [estate.regeneration@brighton-hove.gov.uk](mailto: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

Webpage: [www.brighton-hove.gov.uk/nhfn](http://www.brighton-hove.gov.uk/nhfn)



### Meeting Action Minutes

<b>Meeting</b>	<b>Senior Housing Action Group (SHAG)</b>		
<b>Attendees</b>	<p><b>Residents:</b> Roy Crowhurst (RC), Chair (Woods House), Bob Spacie, Elisabeth Tinkler (Laburnum Grove), Walter Sargison, Kath Davis (Broadfields), Jean Davis (Leach Court), Joyce Bean, Ray Goble (Elwyn Jones Court), Tomm Nyhuus (Somerset Point), Bette Lewis (Jasmine Court), Ernest Tidy (Churchill House), Terry Weller (Evelyn Court), Paul Agius (Evelyn Court), Alan Davis (Rosehill Court), Steven Nye (Elizabeth Court)</p> <p><b>Partners:</b> Peter Lloyd, Volunteer, Healthwatch</p> <p><b>Staff:</b> Sharon Terry (Resident Involvement Officer) Peter Huntbach (PH), (Older Persons Housing Manager) Tracy John (TJ) (Head of Housing) Satti Sidhu (SS) (Performance &amp; Improvement Officer)</p>		
<b>Apologies</b>	Rachel Chasseaud, Tenancy Manager; Hannah Barker, Resident Involvement Officer; Charles Penrose (Sloane Court)		
<b>Meeting location</b>	Leach Court	Produced by	Sharon Terry
<b>Date Time</b>	11 May 2016 10am to 1230pm	Minutes completed on	11 May 2016

### Section 1 – Update on actions from previous meeting

Description	
1	PH reported that scaffolding at Evelyn Court dealt with; scaffolding at Rosehill Court needs to stay up longer as more extensive work needs to be done to roof repairs (asbestos in place requires specialist work).
2	PH reported that Lift Replacement programme for Elizabeth Court and Laburnum Grove on schedule for 2016/2017 financial year. Residents will be informed of when this work will commence.
3	RC drafted official complaint to P&I regarding Laundry Contract Review; RC has response from Martin Reid to communicate back to the group.
4	<b>Minutes of last Meeting, 9 March 2015</b> These minutes were accepted as a true record.

### Section 2 – Agenda items discussed, agreements and future actions

1. Chairs Communications	
Item	<ul style="list-style-type: none"> <li>- City Innovation Award: Peter Huntbach congratulated for this award.</li> <li>- Laundry Contract: RC shared response from Martin Reid. Residents unhappy with this response. Requested RC to submit a 2<sup>nd</sup> stage complaint; RC reported that he had received assurance from Rob Nayan that a copy of a report to Housing Committee regarding the review of this contract would be shared with SHAG reps before it went to Housing Committee.</li> <li>- Residents expressed dissatisfaction with the length of time it takes for Housing's P&amp;I department to respond to requests from residents for information on repairs/capital works not being done etc. They</li> </ul>

	<p>requested that a representative from this department attend the next meeting;</p> <ul style="list-style-type: none"> <li>- Department of Transport in partnership with Local Community Transport and the Resource Centre have 500 free bus tickets and 10 minibus tips to give away to successful applicants. Members of Resource Centre qualify to apply to this scheme. Deadline for applications 15 June 2016.</li> </ul>		
	<p><b>Agreed:</b> RC agreed to submit 2<sup>nd</sup> stage complaint regarding the manner in which the laundry contract review process is being handled RC agreed to send free bus ticket and minibus trip information to PH to circulate to scheme managers and for scheme managers to advertise to residents asap.;</p>		
Action		By Who	Deadline
1.1	RC to log 2 <sup>nd</sup> stage complaint re laundry contract	RC	asap
1.2	HB to arrange for a representative from P&I team to attend next meeting to discuss response times to written requests for information	HB	13 July
1.3	RC to send bus ticket and minibus trip info to PH to circulate	RC	Before end May
2. Senior Housing Criteria Review, Satti Sidhu (SS), Performance & Improvement Team			
Item	<ul style="list-style-type: none"> <li>• SS circulated Senior Housing Criteria Review Consultation Report. Apologised to reps for not getting the documents to them sooner for them to have time to read and digest.</li> <li>• SS presented research findings</li> <li>• SS explained that these recommendations would be presented to Housing Committee in September</li> <li>• Any changes resulting from this research will not be implemented until after September 2016</li> <li>• Residents invited to take time to read these findings and revert to SS with any questions/comments/feedback</li> </ul>		
Action		By Who	Deadline
2.1	SS to take comments, feedback from SHAG to include in report to Housing Committee	SS	asap
2.2	SHAG reps to take documents away and get back to SS with any feedback	Reps	March
3. Senior Housing Update, Peter Huntbach, Senior Housing Manager			
Item	<p>Staffing:</p> <ul style="list-style-type: none"> <li>• New recruitment drive to replace Christopher Brain and Glyn Thomas.</li> <li>• Agency staff are being sought for Leach Court and Patrick Farrell has relocated from Stonehurst Court to Manor Paddock as that scheme is closing.</li> <li>• Intensive Housing Management Charge: PH circulated a full breakdown of this charge. Invited residents to ask any questions. Agreed to circulate to scheme managers to make available to any resident requesting this information</li> <li>• Know My Neighbour Week: Residents to let scheme manager know if they have any ideas of how to get to know neighbours better.</li> <li>• Update on Strengthening Community Initiatives: Fabrica Art Project, Men in Sheds Project, Older Men Creative Activities; Open Strings Music Projects; Equal Art 'chicken run' Rosehill Court. Residents invited to share any further ideas they may have to support schemes to get residents to get involved in activities etc and reduce isolation</li> </ul>		

Action		By Who	Deadline
3	PH invited residents to submit any new ideas	All residents	asap
<b>4. Changes to Guest Room Charges</b>			
Item	<p>The council set the guest room charges for 2016/17 in its budget. However, residents have asked for charges to be differentiated depending on the standard of the accommodation. Residents have complained that the guest rooms are in need of renovation and their standard is not consistent across the council.</p> <p>TJ agreed that these charges need to be reviewed based on an analysis of current usage vs costs for renovation; standard and quality of the guest rooms available across the city. TJ requested that the review also include reasons for usage; current cleaning contract and what this covers (scheme managers should not be doing the linen washing for these guest rooms). PH to lead on the review and return with results as soon as possible.</p>		
Action		By Who	Deadline
4.1	TJ/PH to produce analysis; share with resident reps for review	TJ/PH	Asap
4.2	TJ/PH agreed to produce timeline for review and share with SHAG reps at next meeting	TJ/PH	Asap
<b>5. A.O.B.</b>			
Item	<ul style="list-style-type: none"> <li>• Laburnum Grove rep reported that during estate inspection with senior managers, senior managers constant negative comments not good for overall morale on the estate. Residents have requested senior managers to be more positive and focus on the good that residents are doing;</li> <li>• Walter said that staff took a 'can't do' view when talking about health and safety rather than focus on what people could do. This deterred gardening and a letter was passed to PH on this. Laburnum Grove and others agreed. PH said that staff had to address risks when they saw them and agreed that a workshop suggested by Roy on this would be a good way for everyone to understand more about safety. This was thought to be a good idea.</li> <li>• Broadfields rep, Walter Sargison, announced need for volunteers for the Gardening Conference, 12 October, 10am to 2pm. They need a committee to make it happen. Cannot be arranged on its own. He confirmed that Jane Griffiths would be this year's judge. Residents invited to get application forms from Walter.</li> </ul>		
Action		By Who	Deadline
5.1	PH to arrange workshop above	Peter	Next meeting
5.2	Walter Sargison to provide application forms for schemes wishing to enter	Walter	Asap
<b>6. Date of Next Meeting</b>			
	13 July, 10am to 12:30pm, Leach Court		

### Section 3 – Agenda for next meeting

Update of action plan
Chairman's Communications
Senior Housing Update

Guest Room Charges Review
Laundry Contract 2 <sup>nd</sup> Stage Complaint

## **Service Improvement Group Update for September Area Panels**

### **Tenancy Service Improvement Group**

**18 May 2016**

- Worked with Housing Management Services to consider ways to improve how services are delivered.
- Looked at areas of the business that work well, exploring what residents like about the current ways of working.
- Identified areas of the business which do not work so well.
- Made recommendations on how things could be done differently to improve the service and achieve those aims.
- Getting updates on Possession proceedings and evictions process.
- Overview of Brighton & Hove City Council's Independent Mediation Service.
- Looking at examples of other social landlords' Code of Conduct formats.

### **Home Service Improvement Group**

**19 May 2016**

- Update on Somerset Point cladding discolouration liability investigation.
- Looked at potential impacts of Housing & Planning Bill to Housing Revenue Account.
- Martin Reid, Head of Property & Investment (P&I) Team discussed scope of P&I team. Questions regarding transparency of budget allocation, window and lift replacements, communal block areas, response times for enquiries, and contractors.
- Darren Miller, director K&T Heating services introduction following new gas service contract. Questions regarding gas safety certification, service to people with disabilities, energy saving advice, range of housing areas in new contract.
- Keith Dadswell, Mears described scaffolding timeline in detail. Through paperwork, appointments, safety check regime, new improved equipment, potential delays, and possible gutter cleaning program.

### **Involvement & Empowerment Service Improvement Group**

**26 May 2016**

- Launched timetable of Involvement & Empowerment subgroup meetings for the Resident Involvement Review.
- Finalised copy and design for new Resident Involvement Handbook.
- Agreed contents for new Tenant and Resident Association manual.

- Editing film footage of resident testimonials on how being involved has benefited them and their estates in preparation for Resident Involvement You Tube channel.
- Developing outline content for social housing training modules for residents.

### **Neighbourhood & Community Service Improvement Group 26 May 2016**

- Reviewed progress and achievements over the last two years; these included recommendations to improve parking service, cleaning service, refuse collection and grounds maintenance.
- Members agreed that residents being involved more proactively in reviewing these services and working within their communities to improve the estates helps to highlight these opportunities for improvements.
- Group working on review of Community Payback scheme and how to streamline the service to improve the system.

### **Business & Value for Money Service Improvement Group 7 April 2016**

- Discussed the remit of the Service Improvement Groups as council led meetings.
- Agreed the conduct of attendees at meetings.
- Looked at role of Land Registry identifying boundaries.
- Agreed a pilot grounds maintenance review on an estate in Portslade.
- Interested in finding out more about parking management.