

**BRIGHTON & HOVE CITY COUNCIL**

**HOUSING COMMITTEE**

**4.00pm 13 NOVEMBER 2019**

**HOVE TOWN HALL - COUNCIL CHAMBER**

**MINUTES**

**Present:** Councillor Williams (Chair) Brennan (Deputy Chair), Gibson (Opposition Spokesperson), Mears (Group Spokesperson), Atkinson, Barnett, Fowler, Heley, Hugh-Jones and Osborne

**PART ONE**

**17 PROCEDURAL BUSINESS**

**(a) Declaration of Substitutes:**

There were none.

**(b) Declarations of Interest:**

Councillor Mary Mears declared an interest in item 23 as they are a trustee of Valley Social Centre.

Councillors Martin Osborne, Nichole Brennan and Gill Williams declared an interest as they are members of ACORN (subject of a deputation being presented to the Housing Committee).

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

There were no Part Two items. The Press and Public were not excluded from the discussions of any items on the agenda.

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

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

**18 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting on 18 September 2019 were accepted as a true record following the minor amendments listed below:

Item 9 Home Purchase Policy Progress Update

18.1 'Councillor David Gibson noted that 40 additional homes have been *achieved* this year.'

Item 10 Evictions from Temporary Accommodation Annual Update

18.2 'Councillor David Gibson noted the 412 units for short term / emergency accommodation and expressed concerns that *welfare officer* support...'

## 19 CHAIRS COMMUNICATIONS

19.1 *I would like to welcome the Acting Executive Director for Housing, Communities and Neighbourhoods – Pinaki Ghoshal to the Housing Committee.*

*Consultation on the Homelessness and Rough Sleeping Strategy is underway. This includes consultation on the adoption of a Homeless Bill of rights. A comprehensive consultation will be key to the development of a strategy. The consultation portal is almost ready to go live, a further update will follow once the go live date is confirmed. I encourage residents to engage with the consultation.*

*At the next committee there will be a notice of motion about the repeal of s21 of the Housing Act 1988.*

## 20 CALL OVER

20.1 The following items were called for discussion:

|    |  |
|----|--|
| 24 | Community Led Housing – Site Identification Update   |
| 25 | PRS Selective Licensing Update   |
| 26 | Private Sector Housing Enforcement Strategy  |
| 27 | Seniors Housing Review   |
| 28 | Health & Safety Update   |
| 29 | Sustainability Measures for New Homes  |
| 30 | Programme for the Future Delivery of Responsive Repairs and Empty Property Refurbishments, Planned Maintenance and Improvement Programmes, and Major Capital Projects to Council Stock |

|    |  |
|----|--|
| 31 | New Homes for Neighborhoods – Procurement of Sports Pavilion   |
| 33 | Procurement of Short Term and Emergency Temporary Accommodation  |
| 34 | Re-Procurement of Floating Support Service   |
| 35 | Procurement of an Outreach Service for People Rough Sleeping   |
| 36 | Procurement of a 'No Second Night Out' Service Grant Funded by the Ministry of Housing, Communities and Local Government                         |
| 37 | Procurement for the Provision of a 'Somewhere Space to Stay' Service Funded by Grant by the Ministry of Housing Communities and Local Government |

The following item was not called for discussion and the recommendations contained therein are therefore approved and adopted:

|    |  |
|----|--|
| 23 | Housing Supply – Items Considered at Policy & Resources on 10 Oct 2019 |
|----|--|

## 21 PUBLIC INVOLVEMENT

### (a) Petitions

21.1 None

### (b) Written Questions

21.2 Question: from Charles Harrison

Night Shelters: Would you please provide data indicating the total costs of operating each of the night shelters in Brighton and Hove, compared with the number of night beds occupied by the street homeless in each shelter, during the 2018 – 2019 winter period?

21.3 Response from the Chair:

*The Council funded a night shelter for the second year at the Syndicate Wing, Brighton Centre over the winter period. The shelter was open every night between Saturday 24 November 2018 and Tuesday 19 March 2019 (inclusive) which is a total of 116 nights.*

*The purpose of the Night Shelter was to provide a safe space where people who would otherwise be sleeping rough have the opportunity to sleep indoors, access food and have a period of stability in their lives whilst they make the necessary preparations to move into accommodation or treatment services.*

*BHT managed day-to-day operations at the centre, providing the staffing and logistics support. St Mungo's led on client referrals into the shelter and the work involved in supporting clients to move on from the Night Shelter. The Night Shelter operated from the Syndicate Wing of the Brighton Centre in Russell Road or from St Martin's Church in Lewes Road when the Syndicate Wing was unavailable.*

*2018/9 total cost was £150,160. This equates to £1294 per night (116 nights open). We will circulate a full breakdown of 2018/19 costs.*

*The Churches night shelter also ran during this period and we do not have their costs.*

*The No Second Night Out operated over the winter period (this is open all year round). This accommodated 17 people each night and is run by BHT for people found rough sleeping who are new to rough sleeping and/or new to Brighton and funded by both the MHCLG and the council. For the period 1<sup>st</sup> November 2018 – end of March 2019. This service cost £152,000.*

21.4 Supplementary Question: What is the progress and timescales regarding the lack of properties for short term accommodation.

21.5 Chair's Response:

*The Council will collate a response and write to the enquirer.*

21.6 Question: from David Thomas

SWEP Question: The Guidance on SWEP from Homeless Link recommends a process "based on empathy for people sleeping rough in severe weather, rather than sticking to a fixed approach". Accordingly, the Council's August 2018 Specification for SWEP, after discussing the set triggers for opening the shelter, adds "The service's primary focus is preventing a loss of life and therefore it will be expected to operate flexibly in times of extreme weather which may pose a risk to the lives of rough sleepers." How many times so far this autumn has SWEP has been operated flexibly when the triggers did not apply?

21.7 Response from the Chair:

*Brighton & Hove's trigger for SWEP is currently 'feels like' 0 degrees for one night and amber weather warnings. This trigger is in keeping with the Homeless Link guidance which encourages local authorities to go beyond the traditional three consecutive nights at 0 degrees trigger. In winter 2018/19 Homeless Link data showed that 31% of local authorities still offered SWEP at 3 nights at 0 degrees, 24% opened on one night at zero degrees and 28% offered a variety of flexible triggers which included opening on a feels like temperature trigger and opening in response to weather warnings. Brighton & Hove City Council was one of the authorities offering a lower flexible trigger in line with the guidance. 24% of those surveyed also offered some form of winter shelter and Brighton & Hove was one*

*of the local authorities who offered this provision in the form of the shelter at the Brighton Centre. SWEP has not opened so far this autumn.*

- 21.8 Supplementary: We acknowledge that the triggers in the 2018 Specification are low, for which we are grateful. My question is about the discretion to operate SWEP outside the triggers, “in times of extreme weather which may pose a risk to the life of rough sleepers.” There have been a number of severe storms in the last couple of months. On the second of November, there was very severe rain coupled with gale force winds over a long period of time, bringing the sea smashing over the whole width of the esplanade, uprooting trees in the Old Steyn. If that was not extreme weather posing a risk to life, what is?
- 21.9 Response from the Chair:  
*Brighton & Hove City Council is currently looking at the triggers for SWEP provision in light of the recent storms. The decision to open is based on the met office weather forecast as well as the time of the day that the storm is expected. As a local authority we are currently only able to deliver SWEP overnight and not when storms hit during the day. We are however aware of the concerns of the community about the recent storms and the fact that the weather exceeded what we usually experience under a yellow weather warning. The council would obviously like to operate SWEP more flexibly however there are operational and budgetary implications to this which we are currently in the process of examining.*
- 21.10 Question: from Barry Hughes  
Homeless Bill of Rights:  
On 25th July 2019 the Housing Coalition presented a petition to the full Council calling upon the city of Brighton & Hove to adopt the Homeless Bill of Rights. The council welcomed the petition and referred it to the Housing Committee. On 18<sup>th</sup> September we appeared here to express our concerns. The committee asked for the Executive Director to prepare a report to bring to the next committee to enable them to consider it. The agenda for the committee has been published without any reference to such a report. Winter is upon us. Is this to be further delayed?
- You will remember that last time we were concerned that the statutory consultations on the homelessness and rough sleeper policies was under way. The initial meeting for those consultations took place on 2<sup>nd</sup> November, and the first part of the meeting was on the Homeless Bill of Rights, which we welcome. What we welcome less is that the participants had been given the wrong version of the document; the English language version, rather poorly translated from the French, on the FEANTSA website; **not** the tweaked and added to version that was launched in this city with the support and participation of FEANTSA on 28<sup>th</sup> October last year, which was the document referred to in both parties manifestos and in the petition referred to the housing committee. Can the chair assure us that that was a mistake that will not be repeated?
- 21.11 Response from the Chair:

*Before reporting back on the adoption of a Homeless Bill of Rights we need to consult. The consultation on the Homeless Bill of Rights is included in the Homelessness and Rough Sleeping Strategy consultation. We are doing this as one consultation as doing two consultations on homelessness so close together could be confusing and also reduce the uptake of either or both of them.*

*Feedback from the consultation will help inform our strategic approach to adopting a Homeless Bill of Rights, this will be set out in the draft Homelessness and Rough Sleeping Strategy, which is coming back to January's Housing Committee. The final version will be released in March 2020.*

*As you have pointed out, the initial consultation meeting took place on 2<sup>nd</sup> November. The participants were provided with Brighton Housing Coalition's Homeless Bill of Rights and the European version which was created by the Federation of National Organisations working with the Homeless. Brighton & Hove Council's consultation portal for the Homelessness and Rough sleeping strategy will link to the Brighton Housing Coalition's version, this will be used at consultation events going forward.*

21.12 Supplementary Question: None

21.13 Question: from Dave Croydon

Sustainability Measures for new Homes – Agenda item 29.

I note that, on Agenda item 29, page 185, clause 3.2.3, the Estates Regeneration team, in collaboration with other colleagues, have been considering several initiatives to improve sustainability and carbon emissions standards, to support the Council's 10-year carbon neutral programme. I also note that there is a desire to develop zero carbon homes and improve air quality and well-being.

Would the Council consider adding the adoption of Passivhaus standards for new Council homes to their list of initiatives under review, as many other progressive Councils have demonstrated the benefits of these standards?

21.14 Response from the Chair:

*Working to Passivhaus standards, principles and certification are one way of achieving high sustainability standards in homes and will certainly be looked at by the new working group that is proposed to be established in today's committee paper. The effectiveness of Passivhaus has been reinforced by the success of Norwich City Council for winning the Stirling Prize with their Passivhaus certified council homes and Brighton & Hove council officers have been talking to other councils who have delivered homes to Passivhaus standards to see what can be learnt for our own programme. It is likely that a range of options for moving towards zero carbon homes are adopted rather than one standard, but this will be for the working groups to consider and advise upon.*

21.15 Supplementary Question:

Other authorities in England are leading on this initiative. How will other stakeholders be involved with Brighton and Hove?

21.16 Response from Chair:

*The Council will investigate the matter and respond to the enquirer.*

21.17 Question: from David Spafford

HRA Revenue and Capital Budgets:

In the past there has been consultation between resident associations, councillors and Housing officers to study the HRA revenue and capital budgets for the following year. Previously, consultation has started in September, however I would suggest that it is not too late to hold meetings to help inform decisions which will be made by this committee and Policy and Resources Committee in January.

21.18 Response from the Chair:

*Thank you for your question.*

*The budget process is quite detailed, and officers are now finalising budgets for Policy & Resources Committee.*

*There has been considerable consultation with residents (tenants and leaseholders) that have informed budget decisions. For example, there was recent detailed consultation regarding the insourcing of repairs and maintenance. This forms a significant part of the budget, and the consultation put residents very much at the heart of the council's deliberations in a quest to deliver improved services. There has also previously been consultations with residents on the council's asset management strategy, which will be repeated in the next year or so. More recently residents have also been consulted on their priority areas for improving the public areas of estates. The results informed the budget priorities for the current year and will continue for the next two years.*

21.19 Supplementary Question:

The council website used to proclaim that "Resident Involvement is at the heart of everything we do in Housing" on the new site I could not see this worthy claim – does this indicate a change in policy?

21.20 Response from the Chair:

*Thank you for your supplementary question and for bringing this to our attention. There has been no change of policy, and we are very much committed to ensuring that residents remain at the heart of what we do. This is demonstrated by, for example, the various consultations I previously mentioned, as well as the high levels of customer satisfaction that residents have fed back in previous surveys. An independent survey of residents is currently underway, and the results will be reported to Area Panels early next year.*

### **(c) Deputations**

21.21 Deputation on the Need for Qualifying Long-Term Agreements.

The contract with Mears is a ten-year partnering contract, which will end on 31<sup>st</sup> March 2020. The council agreed at the September 2018 Housing & New Homes Committee and at October 2018 Policy Resources & Growth Committee to deliver these services in a different way from April 2020. On 1<sup>st</sup> October 2019 the council issued a Section 20 Notice to leaseholders giving notice to enter into Qualifying Long-Term Agreements for six types of work including roof, window and door replacements; these notices required a response by 4<sup>th</sup> November 2019. It was also indicated that the intention was to make these agreements for a period of five years with the option to extend by a further two years.

As the decision to deliver these services was taken by this committee in 2018 only this committee can agree to whatever new system is implemented and it therefore seems to us that it is precipitate to have issued these Section 20 notices ahead of Housing Committee consultation and discussion. There are a number of contentious issues in the proposals; the five-year term with the option to extend for two years would take the agreement beyond the life of the current administration. There is also an argument for selecting more than one supplier for the range of services described.

We are advised that there is no statutory need for the council to use the procedures for Long Term arrangements and that prior to the Commonhold & Leasehold Reform Act of 2002 these did not exist. The QLTA procedures were introduced as an alternative not a requirement.

This deputation argues that the proposal to introduce these QLTA's should be abandoned and the Section 20 notices withdrawn, we also wish to see the matter debated by Housing Committee with a view to shortening the length of contracts given to suppliers and that monitoring procedures and accountability of all contractors should be improved.

Barry Hughes - 8 The Laurels, Bromley Road, Brighton BN2 3GE

David Croydon, BN42 4LA

Jane Thorp BN2 9WE

David Spafford BN2 1SR

Charlotte Rogers BN2 0GH

Nic Bowker BN2 3RQ

#### 21.22 Response from the Chair:

*Prior to the committee decisions last year, extensive consultation with tenants and leaseholders took place to inform the way services would be delivered following the end of the Mears contract. This included workshops with residents, over 1,000 door-to-door surveys, and an online and postal survey.*

*The council has also recently appointed a new leasehold liaison officer following feedback from leaseholders around improving communication and consultation.*



*In the new arrangements, we are moving from a 10-year contract with one contractor, to 5-year contracts with 3-7 contractors. A 5-year contract provides good value for money as the costs of services are locked into the length of the contract and allows the council to build a relationship with the contractor.*

*Consistency of approach, materials and service levels is more achievable when working with one supplier for each work type. Having multiple contractors per lot would increase the costs of delivering and managing the works, and we need to consider the impact on all residents of any increase in costs. For example, the transition from two gas contracts in the city to one contract covering the whole city in 2016 delivered savings in excess of £500,000 per annum and enabled the council to focus resources on improving service delivery for residents.*

*The council will be responsible for quality assuring the works undertaken under all of these contracts. The service will have teams focused on the management of each work area and technical staff project managing each lot or project. Key performance indicators are included in the tender documents which will form part of the performance management of the contractors, and break clauses are also being put into the contracts.*

*Leaseholders and tenants have given valuable feedback in this area which officers have used to develop these proposals and to plan for the future management of contracts. There will be further consultations with individual leaseholders where works are proposed to blocks where any individual leaseholder's share of the cost exceeds £250. There is also a range of financial options that the council offers to support leaseholders with high cost works.*

*The council is keen to build on the resident engagement undertaken throughout this process and ensure this remains central to how we manage contractors and delivery of works in the future. We have established a resident task and finish group focused on setting up these arrangements and, in the coming months, will be working to set up an ongoing structure for tenants and leaseholders to be actively involved in the management of these contracts.*

#### 21.23 ACORN Brighton Minimum Standards for Landlords Charter.

Summary: ACORN the union have produced a Minimum Standards for Brighton Landlords Charter for Brighton and Hove City Council to use as guidance for future housing policy.

This charter was written by ACORN Brighton members who have consulted hundreds of renters across the city including at our 'Big Renters Meeting'. The final draft of this charter was then voted on and approved at our Annual General Meeting on November 2, 2019.

This charter includes recommendations for affordable rents, tenancy length and fair evictions, repairs and maintenances and guidance on avoiding discrimination.

ACORN Brighton will call upon councillors to commit to using this charter to guide future housing policy.

This charter has been sent to all councillors on the committee and can be viewed here: <https://tinyurl.com/acornlandlordscharter>

About ACORN: ACORN is a community union representing thousands of renters across the UK. Our Brighton branch was launched in February 2018 and since then has won successive campaigns against rogue landlords in Brighton. You can find further information on ACORN at <https://acorntheunion.org.uk/> or contact the Brighton branch at [brighton@acorncommunities.org.uk](mailto:brighton@acorncommunities.org.uk).

21.24 Response from the Chair:

*The Committee noted the deputation.*

## 22 ISSUES RAISED BY MEMBERS

To consider the following matters raised by councillors:

### (a) Petitions:

22.1 No petitions were received;

(b) **Written Questions:** One written question was received;

22.2 Councillor David Gibson asks: Please can you provide a table for the period from 1<sup>st</sup> May to 1<sup>st</sup> November 2019 showing the numbers of council homes bought or built and let to tenants from:

- a) the hidden homes programme,
- b) new build completions and
- c) home purchase programme

And for each of these programmes indicate the numbers let at social rents, 27.5% Living wage rents, 37.5% living wage rents and Local Housing Allowance rates that have been charged.

22.3 As of the 1<sup>st</sup> November 2019 how many council homes had been sold under the right to buy?

### 22.4 Response from the Chair

*Homes Bought - 25*

*Homes Built – 17 Kensington Street and Hidden Homes*

*Sold under RTB - 18*

|              | LHA rents* | 37.5% LW rents | 27.5% LW rents | Social rents |
|--------------|------------|----------------|----------------|--------------|
| Homes Bought | 7          | 16             | 2              | 0            |
| Homes Built  | 12         | 0              | 0              | 5            |

\*This includes properties let at LHA TA rates

**(C) Letters:**

22.5 One Letter was received.

Dear Geoff Raw,

I am submitting the following letter under Council Procedure Rule 23.3 to be included on the agenda for the Housing Committee meeting of 13th November 2019.

In light of this Council's commitment to achieve net zero carbon emissions by 2030 and given the imminent end of the Mears repairs contract for council properties, I wish to call for a review of planned maintenance contracts and a move towards greater conservation of financial and material resources.

A report to the Housing & New Homes committee in June 2018 detailed the outcomes of an independent review of the Term Partnering Contract with Mears carried out by consultants 31ten. The review identified that "it is widely acknowledged that the partnership worked very well *in the early years* and that an improved service was being provided, at a reduced cost and that Decent Homes standard was exceeded across the housing stock..."

From discussions with leaseholders and tenants, it is clear that, more recently, there have been serious problems with the Mears contract, including lack of consultation, overcharging and, in some instances, works that tenants and leaseholders regarded as wholly *unnecessary*. It seems the focus has been on replacement (e.g. of all the windows in a particular block or of door entry systems) rather than conservation, and, where there was no option but to replace, the tendency was towards wholesale - not selective - replacement. The Knightguard contract has been a particular issue here as, where the Knightguard arrangement has been circumvented, residents have seen door entry systems repaired. On the other hand, where Knightguard has been involved, entry systems have been removed, in some cases leaving blocks with no effective door entry system for weeks or even months, while the replacement systems have not always been appropriate for the particular block, so have in turn needed to be replaced. This cannot be an effective use of public funds.

Given the transfer to a new system in April 2020 the Council now has an opportunity to address this problem and to ensure its default position is, in the first instance, to maintain Council properties and fittings, such as entry systems, doors, lifts etc., rather than replacing them i.e. to move away from planned works towards keeping repair logs. This should generate savings for the Council's general housing account, the housing revenue account and the environment alike.

I therefore call upon the Council to commission a review into the relative merits of effective maintenance compared with replacement so that members can make an informed decision in due course. While I understand there are economies of scale when purchasing e.g. windows for an entire block, or several blocks,

compared with purchasing individual windows on an ad hoc basis, we need an evaluation of whether such economies of scale really do represent savings given the work that genuinely needs to be done, and of the environmental impact of such an approach.

Yours sincerely,  
Councillor Siriol Hugh-Jones

## 22.6 Response from the Chair

*The council carried out significant consultation and engagement with residents in the initial proposals for the new services and continues to engage via the Task and Finish group in preparing for the new services.*

*Feedback from consultation helped us to develop a set of clear strategic objectives for the future delivery of the services. These objectives include ‘a strong focus on the pro-active maintenance of existing assets’, and ‘increased transparency, control and accountability around cost, programme information and quality assurance’.*

*These objectives have helped shape the decisions for the services going forward. One of the differences between the current arrangements with Mears and the new arrangements from April 2020 will be the separation of repairs and replacement works. Repairs will be carried out by the council in-house repairs team and planned replacement works will be through contractors.*

*The council will also be responsible for specifying, tendering and quality control on all works, with Customer Service and Quality Assurance functions also being delivered directly by the council.*

*The council is currently carrying out a stock condition survey to help us plan for future maintenance and improvement works. Approximately 40,000 repairs are carried out annually, and any replacement works will be evaluated on a case by case basis to ensure that only necessary works are completed in order to improve and maintain the quality of homes and neighbourhoods.*

*The council will continue to work closely with residents through the Task and Finish Group and our Home Service Improvement Group around delivering the objectives above including that strong focus on pro-active maintenance.*

### **(d) Notices of Motion:**

22.7 No Notices of Motion were received.

## **23 HOUSING SUPPLY - ITEMS CONSIDERED AT POLICY & RESOURCES ON 10 OCTOBER 2019**

23.1 The Committee notes the decisions for items 60, 62 and 63 made at Policy & Resources Committee on 10 October 2019 (attached at appendix 1).

**24 COMMUNITY LED HOUSING - SITE IDENTIFICATION UPDATE**

- 24.1 The Committee considered the report presented by Emma Kumar.
- 24.2 Brighton & Hove has a well-established and active community housing sector and a history of community housing schemes. The city's Housing Strategy, Fairness Commission Report and City Plan recognise and confirm the council's commitment to community led housing in the city highlighting its importance in helping to meet a key priority of improving housing supply in the city.
- 24.3 The Housing Committee Work Plan 2019-23 agreed at Housing Committee on 18 September 2019 includes a commitment to community led housing in the city and identifies that a report will be brought to this committee identifying suitable sites to work in partnership with the Brighton & Hove Community Land Trust for development. The report is to provide an update on progress with site identification.
- 24.4 Councillor Siriol Hugh-Jones noted that there were a number of exciting projects across the country. The Councillor was informed that Community Land Trust champions are in place and looking at incentives.
- 24.5 Councillor David Gibson noted that developments of self builds were a good idea with below commercial market rates. The Councillor noted that revolving loan funds in other areas of the country worked well and felt that they should be tried in Brighton and Hove. The regular monthly meetings with the Council and BHCLT were a good idea.
- 24.6 Councillor Mary Mears commented that the review of loans through public loans board should be supported.
- 24.7 **Resolved:** The Housing Committee notes the progress to date with identifying sites for community led housing in the city.

**25 PRS SELECTIVE LICENSING UPDATE**

- 25.1 The Committee considered the report presented by Sylvia Peckham.
- 25.2 Following a report to Housing & New Homes Committee on 13 March 2019, this report is to further update members by outlining the current position in considering taking forward a smaller-scale selective licensing scheme for private rented housing in the City. This would primarily cover properties occupied by single-family units. It would not cover Houses in Multiple Occupation that are currently licenced under the National or Additional HMO Licensing Schemes.
- 25.3 Councillor Martin Osborne was informed that the Secretary of State withdrew approval for the previous scheme to designate 12 wards in the city as subject to selective licensing. A smaller scheme with a focus on specific areas where there are indications of poor standards is being explored. The Councillor considered that a standards level should be considered across the country.
- 25.4 Councillor Theresa Fowler welcomed the initiative.

25.5 **Resolved:** The Committee notes the current position and that there is a lot more work to be undertaken with the aim to bring a report to Housing committee updating on the strength of the evidence to support a scheme in March 2020.

## 26 PRIVATE SECTOR HOUSING ENFORCEMENT STRATEGY

26.1 The Committee considered the report presented by Sylvia Peckham.

26.2 Recent legislative changes have introduced new powers to tackle private sector landlords who do not maintain their privately rented properties to a safe, secure and warm standard. The Council is required to have regard to the Regulators' Code when regulating private rented housing standards, which came into force 6th April 2014 under the Legislative and Regulatory Reform Act 2006. This provides a clear, flexible and principles-based framework for how regulators should engage with those they regulate.

26.3 A Private Sector Housing Enforcement Policy has been developed to reflect these changes and detail how the council will regulate standards and tackle empty homes. The Enforcement Policy will enable consistency of approach and sets out what residents can expect from the service. The policy also contains a process for appeal against enforcement action and/or or legal proceedings.

26.4 Councillor Peter Atkinson stressed the need for partnership working with landlords in the city and thanked ACORN for there work. The Councillor was informed that alternative options to prosecution were always sort and legal advice taken in each case. It was noted were overcrowding is an issue, the fitness for habitation statutory guidance is used. The Council can offer support. Legal advice is also sort in each case. The Councillor was informed that licensing fund and the general fund support staffing. If more enforcement action is to be taken, then more funds would be required. The Councillor noted that s21 was to be removed by the Government.

26.5 Councillor David Gibson was informed that at the triage stage the numbers are levelling and staying the same as the previous year. Any changes will be reviewed later, when and if needed.

26.6 Councillor Mary Mears was informed that the number of enforcement officers did not include the field officers.

26.7 Councillor Siriol Hugh-Jones received confirmation that the highest charge for a landlord who was culpable was £30,000.

26.8 Councillor Martin Osborne commented that they felt that tenants in the private rented sector may not know the Council can offer help and support. The Councillor was informed that, in order to reach out to tenants, the website has been changed to be more user friendly. Tenants are now able to submit photographs as part of their query. Moving forward, other ideas will be discussed. It was noted that social media is not widely used at the present time, this may change in the future. It was noted that a review of the monitoring will be reported to the Chair for the next meeting. The Rogue landlord's data base is generally avoided with a preference to negotiate a situation. Landlords can be added to the nationwide data base who are given a banning or order or convicted of certain offences.

**26.9 Resolved:**

1. The Housing Committee approves the Enforcement Policy, including the approach to fees, charges and fines charges and methods of debt recovery.
2. The Housing Committee notes that procedures will be devised, and the policy implemented from April 2020.
3. The Committee agrees the approach to fees, charges and fines, along with indicative amounts. These will be kept under review and if significant changes are considered necessary, these will be brought back to Committee.

**27 SENIORS HOUSING REVIEW**

- 27.1 The Committee considered the report presented by Peter Huntbach.
- 27.2 To report on the findings of the seniors housing review agreed at Housing Committee in November 2018 and for the recommendations of this review to be agreed.
- 27.3 Councillor Mary Mears commented that they felt that pets were needed by seniors to support wellbeing and that pets should be kept to private units not communal areas. It was noted that some schemes do allow pets, and the benefits to seniors were clear. Communal gardens were also supportive of wellbeing.
- 27.4 Councillor Dawn Barnett noted that Churchill House, Hangleton Road, Hove, would benefit from renovations to support seniors. Access could be improved generally, ramps to access bins and mobility scooter storage area would be helpful. It was noted that access needed focus, along with scooter storage. It was also noted that seniors want to stay in neighbourhoods they know and understand.
- 27.5 Councillor Peter Atkinson supported improvement schemes as positives for senior living.
- 27.6 Councillor David Gibson was informed that the quality of the housing stock needs to be improved. A number of studio apartments have been altered to small one beds. Some of the remaining studios have been a challenge for senior living.
- 27.7 Councillor Siriol Hugh-Jones was informed that the new ideas on how to improve housing stock were being encouraged. A large number of seniors live alone in larger accommodation and could move the smaller units to release properties to others. Seniors have been shown alternatives to current living at Out Reach events held across the city. More seniors are to be encouraged to consider smaller accommodations.
- 27.8 Councillor Nichole Brennan noted that seniors in private rented accommodation also need support.
- 27.9 Resolved:**
1. The Housing Committee agrees the overarching design standards proposed by Design South East.

2. The Housing Committee agrees the solutions for removing barriers to letting seniors housing properties.
3. The Housing Committee agrees the proposals for Burwash Lodge outlined in section 9 of this report.
4. The Housing Committee agrees for further reports on any proposals to be considered on a case-by-case basis.

## **28 HEALTH & SAFETY UPDATE**

- 28.1 The Committee considered the report presented by Glyn Huelin.
- 28.2 The report updated the Housing Committee on Health and Safety in key areas for council housing stock. The report included updates on fire doors, large panel system-built blocks and other items identified by central government.
- 28.3 Councillor Mary Mears was informed that the East Sussex Fire & Rescue Service report into the fire on Pankhurst Avenue will investigate the reasons for the fire and the actions taken.
- 28.4 Councillor David Gibson was informed that once the report by the East Sussex Fire & Rescue Service has been completed, the Members will be informed.
- 28.5 The Chair, Councillor Gill Williams, wanted to express their support for the Pankhurst Avenue residents affected by the fire. This was reiterated by all the committee Members.
- 28.6 **Resolved:**
1. The Housing Committee notes the contents of this report.
  2. The Housing Committee notes that any recommendations arising from the Grenfell Tower Inquiry and / or the Pankhurst Avenue fire investigation, to improve the health and safety and fire safety of our homes, will be brought forward to a future Committee.

## **29 SUSTAINABILITY MEASURES FOR NEW HOMES**

- 29.1 The Committee considered the report presented by Nick Fishlock and Sam Smith.
- 29.2 The paper reviews the relationship between the Council's commitment to develop a 10-year carbon neutral programme, which will include an engagement plan and a Citizens' Assembly and the council's delivery of new council homes.
- 29.3 The report covers the policy context, current standards and progress to date in relation to housing and environmental sustainability; examines the opportunities, risks, challenges of developing zero carbon homes; and proposes key actions and milestones to delivering zero carbon homes by 2030.



- 29.4 Councillor Peter Atkinson was informed that modern methods of construction were being investigated, including modular systems.
- 29.5 Councillor Siriol Hugh-Jones was informed to achieve wider engagement, the working group are reaching out. Contentious issues are reported back to the group to discuss.
- 29.6 Councillor Mary Mears noted that in previous years the same issues had been reported and did not want to go around in circles. The Member was reassured that the Council was working towards the zero-carbon standard.
- 29.7 Councillor Dawn Barnett was informed that newly installed solar panels on roofs were equipped with netting to prevent birds, and other animals, nesting under the panel.

29.8 **Resolved:**

1. The Committee notes the progress to date.
2. The Committee agrees to the establishment of working group on Zero Carbon Homes based on the terms of reference, contained in Appendix 1.

**30 PROGRAMME FOR THE FUTURE DELIVERY OF RESPONSIVE REPAIRS AND EMPTY PROPERTY REFURBISHMENTS, PLANNED MAINTENANCE AND IMPROVEMENT PROGRAMMES, AND MAJOR CAPITAL PROJECTS TO COUNCIL HOUSING STOCK**

- 30.1 The Committee considered the report presented by David Canham.
- 30.2 The report updated the committee on the progress of the programme to set up the future delivery of responsive repairs, empty property refurbishments, planned maintenance and improvement programmes, and major capital projects to council housing stock post April 2020.
- 30.3 Councillor Mary Mears felt that the background to the report was important for the committee to understand. The information gained at the workshop will be circulated. It was noted that timescales were tight and extra resources would be needed.
- 30.4 Councillor Siriol Hugh-Jones welcomed the new system to be introduced in April 2020. It was noted that the consultations have taken place with more in the new year. The process started about a year ago, with dialogue and meetings before that. The Council is willing to meet and listen to residents and to explain the new contract. Any complex enquires will be investigated before responding.
- 30.5 Peter Atkinson was informed that local contractors would be included in the bidding process and residents would be involved in any decisions.

30.6 **Resolved:**

1. The Committee notes the progress with the programme which is outlined in the body of this report.

**31 NEW HOMES FOR NEIGHBOURHOODS - PROCUREMENT OF SPORTS PAVILION**

- 31.1 The Committee considered the report presented by Sam Smith for Jo Thompson.
- 31.2 In November 2018, Housing & New Homes Committee approved a budget of £12.914m for the construction of 45 new council homes as well as a Sports Pavilion to be delivered through the council's City Build Construction Partnership with Morgan Sindall.
- 31.3 The council's Quantity Surveyors (Potter Raper) have carried out an independent review of Morgan Sindall's order of costs for the Sports Pavilion. These latest costs have exceeded the budget approved by Housing Committee for the delivery of the Sports Pavilion. This is not unexpected since the project is smaller than would normally be undertaken by the Partnership. As such, Potter Raper are unable to recommend Best Value and have advised that the council tests the market by exploring a different procurement route for the delivery of this project.
- 31.4 This report explains the procurement pathway which has been chosen for the project and outlines the reasons why.
- 31.5 Councillor Peter Atkinson noted that the local bowls club were keen to see the conclusion of the project and was informed that the Council are also keen to move forward. It was also noted that the procurement process had delayed the scheme slightly.
- 31.6 **Resolved:**
1. The Committee notes the reasons why Urgency Powers were exercised by the Executive Director for Neighbourhoods, Communities and Housing and Head of Legal Services to use a different procurement route to the one agreed by Housing Committee on 14 November 2018;
  2. The Committee agrees to delegate authority to the Executive Director for Neighbourhoods, Communities and Housing and Head of Legal Services to procure and award a contract under a suitable framework or through an open procurement process.

**32 PRESENTATION BY ADULT SOCIAL CARE****33 PROCUREMENT OF SHORT TERM AND EMERGENCY TEMPORARY ACCOMMODATION**

- 33.1 The Committee considered the report presented by Sylvia Peckham.
- 33.2 Over the next five years, the council are planning to change the model of Temporary Accommodation (TA) provision to reduce the ratio of short term and emergency temporary accommodation to longer-term leased accommodation and to provide more council owned short-term accommodation. Overall, the council plan to reduce the use of TA over the next 5 years.

- 33.3 However, there will be a continuing requirement for emergency accommodation for the short to medium term. Officers are therefore proposing to set up a new Dynamic Purchasing System (DPS) to provide a compliant route to market for short-term and emergency temporary accommodation, managed on behalf of the council for homeless households under statutory duties. The DPS would be a backup in case it takes longer to reduce down TA and/or buy accommodation, so the council is not exposed to risks of non-provision and have to rely on spot purchasing B&B style accommodation.
- 33.4 In 2012, the Council developed two Framework Agreements and a Dynamic Purchasing System for the provision of short term and emergency temporary accommodation managed on our behalf. This accommodation is for those households that we have an accommodation duty toward, either under the homelessness legislation; the Care Act or Children Act. These procurement systems have now expired and so the Council needs to develop a new mechanism to procure accommodation.
- 33.5 Under the above systems, the Council awarded individual contracts for the provision of 422 units of accommodation. The individual current contracts are due to expire between 2020 and 2022.
- 33.6 The purpose of this report is to provide an update of procurement options and to seek approval for the re-procurement of managed short term and emergency temporary accommodation; and to recommend this re-procurement to Policy & Resources Committee. Members should note that there are significant financial implications to recommending the level of service in Option 2 as outlined in section 7.
- 33.7 Councillor Mary Mears stated that they did not support the report, were nervous about the system and would prefer to see how contracts have worked. Any debate seemed pointless. Councillor Mears was informed that there are two options for DPS at this stage. The second option would allow units to be delivered when needed.
- 33.8 The Chair, Councillor Gill Williams stated they appreciated comments.
- 33.9 Councillor David Gibson was informed that contracts can be flexible, and more funds would result in more units.
- 33.10 Councillor David Gibson noted that the quality of life is very important.
- 33.11 Councillor Siriol Hugh-Jones noted that accommodation needs to be used wisely.
- 33.12 Councillor Amy Heley proposed an amendment to the recommendations seconded by Councillor Nichole Brennan.
- 33.13 Sylvia Peckham confirmed the finance comments on the amendment.
- 33.14 Councillor Mary Mears felt the amendment was bizarre and not thought through.
- 33.15 The amendment was accepted as proposed.
- 33.16 **Resolved:** The Recommendations as amended were:

The Housing Committee recommends that Policy & Resources Committee be recommended to:

1. Agree to procure short term and emergency temporary accommodation via a new dynamic purchasing system (DPS);
2. Agree that option 2 as set out in paragraph 3.9 should be used to develop the specification for the DPS. This service level is anticipated to create a minimum budget pressure of £0.300m requiring a funding commitment within the 2020/21 General Fund budget. If this exceeds available resources following announcement of the Local Government Financial Settlement, this would require equivalent savings from elsewhere across General Fund services;
3. Notes the indicative numbers of short term and emergency temporary accommodation units required in each year as shown in the table in Appendix 1;
4. Delegates authority to the Executive Director of Housing, Neighbourhoods and Communities in consultation with the Director of Finance & Resources, to:
  - (i) Procure and award the DPS referred to in 2.1 with a duration of up to four (4) years; and
  - (ii) Award and enter into call-off contracts under the DPS referred to in 2.1.

#### **34 RE- PROCUREMENT OF FLOATING SUPPORT SERVICE**

- 34.1 The Committee considered the report presented by Jenny Knight.
- 34.2 The report was presented in order to request that the authority tender a support service for homeless people transitioning into independent accommodation from supported accommodation and for people who require support to maintain an independent tenancy.
- 34.3 The council currently contracts with Southdown for the provision of the following services:
- Southdown Generic Floating Support Service;
  - Southdown Floating Support Service for those with Mental Health Needs;
  - Young Peoples' Floating Support for those in Independent Accommodation;
- The contract for these services expires on 30 September 2020.
- 34.4 Councillor Peter Atkinson was informed that in transition the Southdown Floating Support service is open to occupiers of independent accommodation and that Social Services talked to Housing to ensure both teams were not working on the same case at the same time.
- 34.5 Councillor David Gibson welcomed the outcome information in the report and proposed that the report came back to the Housing Committee annually to ensure a flow of information. Councillor Nichole Brennan seconded the motion to change recommendation 1 (ii) to read: to approve an extension to the contract referred to in

2.1(i) for a period or periods of up to two years in total if it is deemed appropriate *by the Housing Committee* and subject to available budget.

34.6 Councillor Siriol Hugh-Jones proposed, and Councillor Theresa Fowler seconded the motion to alter recommendation 1 (iii) to read: to report back to Housing Committee *annually* the progress and outcomes of this service.

34.7 The additional wording was approved by all Members of the committee.

34.8 **Resolved:**

1. That the Committee grants delegated authority to the Executive Director of Health & Adult Social Care (HASC) to take all necessary steps to:

(i) procure and award a contract for Five (5) years for the provision of a floating support service to the maximum value of £390,000.00 per annum,

(ii) to approve an extension to the contract referred to in 2.1(i) for a period or periods of up to two years in total if it is deemed appropriate by the Housing Committee and subject to available budget.

(iii) to report back to Housing Committee annually the progress and outcomes of this service.

2. The Committee is requested to note that this report was considered by the Procurement Advisory Board on 14<sup>th</sup> October 2019. The Board recommended that some additional information be included in the paper, this has been done and the paper is taken to Housing Committee for a decision.

## **35 PROCUREMENT OF AN OUTREACH SERVICE FOR PEOPLE ROUGH SLEEPING**

35.1 The Committee considered the report presented by Jenny Knight.

35.2 The report sought the approval of the Housing Committee for a competitive procurement, by tender, for a contract for the provision of a rough sleeping street outreach service in Brighton & Hove.

35.3 This is an assertive outreach service to engage with people rough sleeping in the city, to carry out comprehensive assessments, to assess support needs and local connection and move rough sleepers into accommodation. This is the only service we commission which is demand driven. There is no cap on the number of people the service works with. The current contract with St Mungos is in place until 30<sup>th</sup> September 2020.

35.4 This report was presented at Procurement Advisory Board on 14<sup>th</sup> October 2019, where approval was given for the paper to be referred to Housing Committee for a decision. Additional information requested by PAB has been included in the report.

35.5 Councillor Mary Mears noted that the Green / Labour amendment removed the financial information attached to the 2.1 (i) recommendation and this would be needed in order to

make a decision on the amendment. As it stood, Councillor Mears would be unable to vote on the amendment.

35.6 Councillor Amy Heley commented as the proposer of the amendment, with Councillor Nichole Brennan, that the Policy & Resources Committee report would have the costs information and P&R Committee would make the final decision.

35.7 A vote was held on the recommendations and the proposed amendments:

- (i) procure and award a contract for five (5) years for the provision of a 7 day per week street outreach service for rough sleepers *subject to Policy & Resources Committee decision on allocations and resources;*

7 For and 2 Abstentions.

- (ii) with the potential for adding the staffing and management of severe weather provision for rough sleepers;

7 For and 2 Abstentions.

- (iii) to approve an extension to the contract referred to in 2.1(i) for a period or periods of up to two years in total if it is deemed appropriate *by the Housing Committee* and subject to available budget; and

7 For and 2 Abstentions.

- (iv) to report back to Housing Committee *annually* the progress and outcomes of this service.

7 For and 2 Abstentions.

35.8 The recommendations and amendments were accepted by a majority vote.

35.9 **Resolved:** The Committee grants delegated authority to the Executive Director of Health & Adult Social Care (HASC) to take all necessary steps to:

- (i) procure and award a contract for five (5) years for the provision of a 7 day per week street outreach service for rough sleepers' subject to Policy & Resources Committee decision on allocations and resources;
- (ii) with the potential for adding the staffing and management of severe weather provision for rough sleepers;
- (iii) to approve an extension to the contract referred to in 2.1(i) for a period or periods of up to two years in total if it is deemed appropriate by the Housing Committee and subject to available budget; and
- (iv) to report back to Housing Committee annually the progress and outcomes of this service.

**36 PROCUREMENT OF A 'NO SECOND NIGHT OUT' SERVICE GRANT FUNDED BY THE MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT**

- 36.1 The Committee considered the report presented by Jenny Knight.
- 36.2 The paper outlined a proposal to procure a provider to manage a 'No Second Night Out' hub should grant funding be obtained externally to support such a service for a period which corresponds with the grant award or other identified funding.
- 36.3 The 'No Second Night Out' service is an accommodation-based service for people who are new to rough sleeping, who are identified by the street outreach team and referred to the service to move them off the streets swiftly.
- 36.4 Councillor David Gibson proposed that the recommendations be changed to accommodate the request for information to be submitted to the Housing Committee. Councillor Theresa Fowler seconded the proposal.
- 36.5 The Committee accepted the recommendations and amendments.
- 36.6 **Resolved:**
1. The Committee grants delegated authority to the Executive Director of Health & Adult Social Care (HASC) to take all necessary steps to:
    - (i) procure and award a contract for 2 (2) years for the provision of a No Second Night Out Assessment Service for people new to rough sleeping to the value of £360,000 per annum,
    - (ii) to approve an extension to the contract referred to in 2.2(i) for a period or periods of up to two years in total if it is deemed appropriate by the Housing Committee and subject to available budget/grant funding.
  2. The Committee is requested to note that this report was considered by the Procurement Advisory Board on 14<sup>th</sup> October 2019. The Board recommended that the paper is taken to Housing Committee for a decision;
  3. To report back to Housing Committee annually the progress and outcomes of this service.

**37 PROCURMENT FOR THE PROVISION OF A "SOMEWHERE SAFE TO STAY" SERVICE FUNDED BY GRANT BY THE MINISTRY OF HOUSING COMMUNITIES AND LOCAL GOVERNMENT**

- 37.1 The Committee considered the report presented by Jenny Knight.
- 37.2 The 'No First Night Out' service 'Somewhere Safe to Stay' opened in March 2019 following a successful grant application for this purpose to the Ministry of Housing, Communities & Local Government.
- 37.3 The contract with the current provider St Mungos expires at the end of March 2020.

- 37.4 The report sought the authority to secure, by way of competitive tender, a provider to continue to deliver the 'No First Night Out Service' which will assist those at risk of rough sleeping into accommodation.
- 37.5 Councillor Mary Mears was informed that any grant funding would be known about early next year.
- 37.6 Councillor David Gibson, seconded by Councillor Theresa Fowler, proposed to amend the recommendations to allow information to flow back to the Housing Committee.
- 37.7 A vote was held to accept the recommendations and the proposed amendments:
- (i) All agreed.
  - (ii) to approve an extension to the contract referred to in 2.1(i) for a period or periods of up to two years in total if it is deemed appropriate *by the Housing Committee* and subject to available budget/grant funding. All agreed.
  - (iii) to report back to Housing Committee annually the progress and outcomes of this service. All agreed.
- 37.8 The Committee accepted the recommendations as amended.

**37.9 Resolved:**

1. The Housing Committee grants delegated authority to the Executive Director of Health & Adult Social Care (HASC) on confirmation of funding to take all necessary steps to:
  - (i) procure and award a contract for two (2) years to the value of £860,000 per annum or to the level of the available funding for the provision of a No First Night Out Service for adults at risk of rough sleeping.
  - (ii) to approve an extension to the contract referred to in 2.1(i) for a period or periods of up to two years in total if it is deemed appropriate by the Housing Committee and subject to available budget/grant funding.
  - (iii) to report back to Housing Committee annually the progress and outcomes of this service.

**38 ITEMS REFERRED FOR FULL COUNCIL**

- 38.1 There were no items referred to Full Council.

The meeting concluded at 7.40pm

Signed

Chair

Dated this

day of



