

BRIGHTON & HOVE CITY COUNCIL

HOUSING & NEW HOMES COMMITTEE

4.00pm 15 MARCH 2017

COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE, BN3 3BQ

MINUTES

Present: Councillor Meadows (Chair), Councillor Hill (Deputy Chair), Mears (Opposition Spokesperson), Gibson (Group Spokesperson), Atkinson, Barnett, Bell, Lewry, Drutt and Moonan

PART ONE

65 PROCEDURAL BUSINESS

65a) Declarations of Substitutes

65.1 There were none.

65b) Declarations of Interests

65.2 There were none.

65c) Exclusion of the Press and Public

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

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

66 MINUTES OF THE PREVIOUS MEETING

66.1 Councillor Barnett referred to paragraph 54.9 in which she had asked if some areas of the large community lounges could be partitioned to provide a space for mobility scooters. She had not had a reply to that suggestion. Councillor Barnett also asked for clarification about the Housing Repairs & Improvement Workshop as one email had been cancelled.

- 66.2 The Executive Director Neighbourhoods, Communities and Housing confirmed that an email had now been sent to all councillors inviting them to a Housing Repairs & Improvement Workshop on Wednesday 22 March 2017. The Workshop was taking place between 9.30am and 11.30am in the Council Chamber at Brighton Town Hall. The cancelled email had been sent to committee members only as it had subsequently been decided to invite all councillors due to considerable interest in the workshop.
- 66.3 Councillor Gibson referred to page 10, paragraph 55.3 in relation to right to buy, which read “when the council received the capital receipt it was allowed to use 30% of the total.” Councillor Gibson considered this was potentially misleading. The Executive Director agreed to provide new wording regarding this complicated matter. Generally it was acknowledged that a new purchase could only have 30% off that cost paid by Right to Buy.
- 66.4 (Wording provided following the meeting is as follows:
- The capital receipt from the sale of a council home can cover a maximum of 30% of the cost of building a new home. The remaining 70% is to be found from local authorities’ own resources, borrowing or other monies. Councils have three years to spend the right to buy receipts on new homes. After this period, unspent receipts need to be repaid to the government with interest at base rate + 4%.)
- 66.4 Councillor Mears referred to page 11 – Housing Revenue Account Budget. As there had been an amendment at Budget Council to ring fence youth service funding, she considered that it was important that there was a report back to the Committee to explain what was going to happen with the funding. Councillor Mears referred to page 18, paragraph 56.3. She had received a response to her question this morning regarding the general fund paying the HRA for temporary accommodation on Stonehurst Court. Councillor Mears asked for clarity about this issue. The general fund was going to send the rents to the HRA so she assumed that within that rent the HRA will then be responsible for the repairs and management element.
- 66.5 The Head of Housing replied that she would provide an answer in writing to all committee members.
- 66.6 Councillor Mears referred to page 23, paragraph 59.3 (Housing Adaptations Framework). There was a question around the general fund and Councillor Mears had asked for a report back to the Committee. She stated that when councillors asked for reports back there should be clear indications on timings.
- 66.7 Councillor Gibson referred to page 17, paragraph 55.33, (d) – “set up a task and finish working group and use the existing consultation process with tenant’s representatives (including Area Panels), members of all parties and officers to review transfers between the HRA and General Fund.....”. Councillor Gibson stated that he was interested in progress on that issue and asked if it could either be appraised now or to all members of the Committee in writing.
- 66.8 The Chair replied that a reply would be sent out to members in writing.

66.9 **RESOLVED** - That the minutes of the Housing and New Homes Committee held on 18 January 2017 be agreed and signed as a correct record subject to the amendments and clarifications outlined above..

67 CHAIRS COMMUNICATIONS

- 67.1 The Chair was pleased to advise the committee that the housing service had been gaining the attention of both the regional and national awards with BHCC housing being short listed for two awards in March.
- 67.2 The Council was one of three finalists at the Chartered Institute of Housing south east region housing awards on 7th March for the council's hidden home programme and the council were also shortlisted for the LGC awards on the 8th of March for the New Homes for Neighbourhoods programme under the category of housing innovation.
- 67.3 The Chair was also pleased to have the opportunity to visit a local modular homes manufacturing plant recently, with members of the committee and local ward councillors for the small sites that the council was hoping to develop under a Modular Pilot.
- 67.4 Through the New Homes for Neighbourhoods programme the council were testing various innovative ways of developing affordable rented homes on council owned land, for their quality, speed of delivery and value for money. And to make best use of redundant or underused council housing assets, even on small and very constrained sites, to build those affordable rented homes the city needs.
- 67.5 The Chair also enjoyed showcasing the council house building programme and housing service at the Chartered Institute of Housing's conference last week. The council had a free stand which was busy with lots of enquiries from visitors to the conference wanting to find out more about the many housing initiatives in the city.
- 67.6 The Chair was also able to advise the committee that the council had submitted its proposals for the summary of spending plans for the Community housing fund to the DCLG, in line with the council's housing strategy and the Fairness Commission action plan.
- 67.7 The DCLG were looking for the council to set up an independent hub and the council were well placed for the hub to get up and running swiftly subject to business plan approval to establish a programme board. This proposal focused on a Brighton based solution due to demand and established connections and the council were also looking to Greater Brighton opportunities as funding had been given to most if not all authorities in Sussex.
- 67.8 The council aimed to be involved through membership of the programme board and the Strategic Housing Partnership. Further information would be provided once officers had received further advice and guidance from the DCLG.
- 67.9 The Council were also taking the next steps to consult on the Student Housing Strategy

and would be sending out the scoping document on the consultation proposals to Strategic Housing Partnership members and the universities next week including a proposed timetable for the full consultation process. A report would also come to Housing & New Homes Committee for decision / approval at each stage of consultation and completion.

- 67.10 As a result of the Tenancy fraud amnesty which ran from December to January, the council reclaimed 6 properties. This means that the council had been able to reclaim a total of 21 properties so far this year as a result of the tenancy fraud investigation and enforcement. This had provided much needed social tenancies to 21 households in urgent need of housing, many of whom have been waiting in temporary accommodation for some time.
- 67.11 As requested at Housing and New Homes committee, the Housing team along with colleagues from Mears, Internal Audit and Health & Safety were holding a Housing Repairs & Improvement Workshop on Wednesday 22 March. The Workshop would be a mixture of short presentations and discussion covering the establishment and delivery of the repairs partnership; the roles of internal audit and Health and safety. The workshop was taking place between 9.30am and 11.30am on Wednesday 22 March, in the Council Chamber at Brighton Town Hall. Invitations would be sent to all councillors to this workshop and it was hoped that members would be able to attend.
- 67.12 This spring, the council would also start consulting with council tenants on changes to the tenancy agreement. The council tenancy agreement was last reviewed in 2009 and it now needed to be brought up to date. Work had been carried out with the Neighbourhood Service Improvement Group as well as managers across the service including legal services to discuss improvements and take on board legal updates. A comprehensive mix of consultation through postal information, drop in events and reports to Area panels would take place over the next 6 months, with a report back to Housing & New Homes Committee in the autumn.
- 67.13 If necessary, the consultation timetable would also allow the council to address the statutory requirement to introduce flexible tenancies and changes to succession. A full briefing and timetable would be circulated to councillors for their information.
- 67.14 The council had also taken the opportunity to advise residents in temporary accommodation of the Government's proposed changes to the way Temporary Accommodation management costs were paid for. The government planned to move away from the management allowance being included in Housing Benefit to an annual grant direct to the local authority based on the number of homeless acceptances per year. Whilst all the details were still not known, officers had been advised this would be implemented with effect from April 17, and felt it was important to advise residents in temporary accommodation to ensure the 1 month notice period. A full briefing would be sent to councillors and initial feedback from residents had been positive, thanking the

council for keeping them informed on up-coming changes.

- 67.15 The council had also had a positive outcome from the Information Commissioner's Office with regard to a recent Freedom of information challenge. Housing had received 220 FOIs in the last 12 months and it was a difficult balance to ensure transparency and compliance with the law, along with ensuring limited capacity and resources were not wasted.
- 67.16 The Freedom of Information Act 2000 allowed organisations to apply exemptions in some circumstances. The council applied Section 12. This exemption meant that the council did not have to comply with a request if the cost of doing so exceeded the 'appropriate limit'. The appropriate limit was, effectively, 18 hours, and applied to time spent locating and collating the requested information.
- 67.17 The Information Commissioner's Office agreed on the council's decision to apply Section 12 – Appropriate Costs and Time Limits and if the council did provide the information within the appropriate limit, it may not be a true representation or provide accurate data to the requestor.
- 67.18 The Chair stated that Item 71 – New Homes for Neighbourhoods – Scheme Approval – Lynchet Close had been withdrawn from the agenda as officers had not had time to consider the financial, legal and policy implications of an amendment received by 9.45 this morning.
- 67.19 Councillor Mears referred to the Council's Constitution which stated that amendments should be received by 10.00am. This amendment had been submitted by 10.00am. Councillor Mears asked for clarity with regard to the constitution.
- 67.20 The Executive Director Neighbourhood, Communities and Housing explained that if an amendment was relatively straightforward and members could easily understand all of the implications, then the amendment should be accepted for consideration. However, if the impact of an amendment was not something that could be easily identified in the time before the Committee, then the decision the committee took could be open to challenge. The council had to consider not only financial but legal and policy decisions, therefore in the event that officers were unable to give enough information to the committee to make a decision on that basis then officers would speak to the Chair to request that the item is withdrawn.
- 67.21 Councillor Mears asked for the relevant part of the constitution which made reference to instances of withdrawing an agenda item to be provided to members.
- 67.22 The Senior Lawyer explained that Councillor Mears was right in what the constitution said in terms of putting an amendment. However, the constitution also did provide for withdrawal of items from the agenda. It was written mainly for full council but applied equally to committees. The Constitution stated in Part 3.2 – Procedural Rules for Meetings of Full Council, Committees and Sub-Committees, Paragraph 7.4 – Withdrawal of items from the Agenda – "That after consulting the group leaders the mayor may remove or withdraw any items of business from the agenda for the meeting. Consultation may take place before or during the meeting and the mayor may if he/she

considers it appropriate adjourn the meeting for the purposes of undertaking the consultation.” The constitution did not say that the group leaders had to agree the decision of the Chair and the person presiding at the meeting (procedural rule 1.4) is entitled rule on what the rules mean. Legal advice had been that in this case the implications of the amendment were far reaching. There were policy implications, and finance officers had concern that if one particular route was taken the rent for a four bedroom property would be less than some three bedroom properties. Those matters needed to come before the committee so it could make an informed decision which would not be vulnerable to challenge.

68 CALL OVER

68.1 It was agreed that items 72 to 76 be reserved for discussion.

69 PUBLIC INVOLVEMENT

Petitions

69.1 There were none.

Questions

69.2 Daniel Harris asked the following question:

“I note in the inspections report the low but slightly positive feedback from survey respondents, you state that "to date the number of occupants returning the forms has been low, and we have been reliant on staff from either the Council or proprietors completing the forms with occupants." Can I ask, were these forms also provided to other front line providers, and if so can you name the providers who completed these forms, for example Arch Healthcare, formally Morley Street Clinic or Mental Health Homeless Team?”

69.3 The Chair replied as follows:

“We did ask ‘Homegroup’ for assistance, who provide support for people under the age of 26 experiencing accommodation difficulties. We didn’t receive any forms back and so it was considered prudent to await the outcome of the meeting agreed at January’s Housing & New Homes Committee to discuss the feasibility of a temporary accommodation board, as that might be a suitable conduit through which we engage a range of external partners so as to increase feedback.”

69.4 The Chair asked if Mr Harris had a supplementary question.

69.5 Mr Harris stated that residents at The Baytree (Emergency Accommodation) had issues with rats. Mr Harris noted that in the Inspection report on the agenda that the council were not asking feedback from these accommodations. There were many accommodations that were not part of the feedback. Mr Harris asked why and hoped this would be rolled out across the board in due course.

69.6 The Chair replied that there would be a written response to Mr Harris's question but most of it could be dealt with through the Temporary Accommodation Board of which Mr Harris was so closely aligned with.

69.7 (The written reply was as follows:

"The Baytree Hotel is spot purchase accommodation and so the council has undertaken fewer inspections because we are not managing a contract.

As staff are not on site as often as with contracted accommodation, we have been unable to obtain feedback through face to face contact.

However, we will be exploring a range of options on how we can obtain feedback from tenants living in temporary accommodation and it is hoped that the emergent Temporary Accommodation Board will be a conduit to assist with this.

We are committed to providing high standards in all our Emergency and temporary accommodation."

6987 **RESOLVED-** That the Public question be noted.

69.9 Nikkie Brennan asked the following question:

"In November's meeting of the Housing and Homes Committee Meeting, an urgent report was requested into revenge evictions.

It is now March and it is still not on the agenda.

Can the Chair explain why, when I am hearing of an increased number of cases?

Caroline Lucas MP also recently has raised this issue."

69.10 The Chair replied as follows:

"Although there is no report on the agenda for this meeting, Officers and Councillors have had positive meetings with Ethrag and the providers with a view to setting up a temporary accommodation board. One of the purposes of this board will be to look at evictions from temporary accommodation and agree a protocol which protects tenants, the providers and the council. The council is opposed to any 'revenge evictions' and officers are working to bring a report to the next meeting of the Housing and Homes committee regarding evictions from temporary accommodation. This report will set out the numbers of evictions from TA, the reasons for those evictions and whether any action was taken to discharge housing duty."

69.11 The Chair asked if Ms Brennan had a supplementary question.

69.12 Ms Brennan stated that the Chair had acknowledged the revenge evictions.

69.13 **RESOLVED-** That the Public question be noted.

Deputation

69.14 There were no deputations.

70 ISSUES RAISED BY MEMBERS

70.1 There were no Petitions, Written Questions, Letters or Notices of Motion from Councillors.

71 NEW HOMES FOR NEIGHBOURHOODS-SCHEME APPROVAL - LYNCHET CLOSE

71.1 This item had been withdrawn from the agenda for this meeting

72 REVIEW OF HOUSING REVENUE ACCOUNT GARAGES PORTFOLIO

72.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which proposed the demolition of thirteen low demand and unviable garages, which were uneconomical to bring up to modern standards. The demolition of Housing Revenue Account (HRA) owned buildings required Housing & New Homes Committee approval. It was proposed to convert the land the garages occupied into off street HRA parking spaces, to ease demand for parking in the locality and generate income, while at the same time reducing ongoing expenditure on these unviable assets. The report was presented by the Housing Stock Review Manager.

72.2 Councillor Mears stressed that the committee had been receiving policies and strategies on this subject for a number of years. It was now time to move forward. Councillor Mears hoped that the consultation set out in paragraph 3.1 would not lead to a long strategy report.

72.3 Councillor Gibson asked for details on the cost of tarmacing. Councillor Gibson referred to paragraph 5.3 with regard to the comments from the Central Panel. He asked if this was a correct statement. Councillor Gibson asked if the sites could be developed for social housing. Councillor Gibson asked why option 4.2 was medium to long term and not short to medium term.

72.4 The Housing Stock Review Manager explained that the main surfaces would be hard core and not tarmac. With regard to the comments of Central Panel, housing may be an option, especially modular housing. With regard to the question about the medium to long term option, it was pointed out that the report before councillors was about demolition of the garages. Officers could come back with options for the future of the site.

72.5 Councillor Moonan was pleased to hear that the options would be revisited. She asked if officers were confident that they could deal with fly tipping and anti-social behaviour. Councillor Moonan asked if there would be a demand for car parking spaces.

72.6 The Housing Stock Review Manager confirmed that there would be a demand for car parking spaces. There had been fly tipping at the Dunster Close site which was being minimised with solid high boarding.

72.7 Councillor Mears proposed the following amendment which was seconded by Councillor Bell.

“To amend recommendation 2.2 as shown in bold italics below:

Recommendations

2.2 Agrees to ~~replace the garages with off road parking spaces, where possible for rent, generating income for the HRA.~~ explore replacing the garages either with off road parking, self-build or Co-op Housing.”

72.8 Councillor Mears stated that there had been a great deal of innovation around building housing on small sites. She was very keen to see more than car parking and tarmac. She stressed the need to do something productive. The small site would attract people who could not afford to develop larger sites.

72.9 Councillor Moonan informed members that she accepted the spirit of the amendment. She proposed an amendment to the amendment which was seconded by Councillor Hill, as follows:

“To agree to a full options appraisal including off road parking, self-build and co-op housing, where possible generating income for the HRA.”

72.10 Following a request from Councillor Mears the Chair stated that the full options paper could be submitted to the June committee meeting.

72.11 Councillor Gibson welcomed the amendment and the amended amendment.

72.12 **RESOLVED:-**

- (1) That the demolition of twelve garages in Dunster Close, Hollingdean, and one garage in Knoll Close, Hangleton, be agreed on grounds of their low demand, structural safety and negative financial impact on the HRA.
- (2) That it is agreed to have a full options appraisal including off road parking, self-build and co-op housing, where possible generating income for the HRA.
- (3) That it is noted that an overall strategy for HRA carparks and garages will come to the June committee, including development options.

73 EMERGENCY ACCOMMODATION INSPECTION AND SATISFACTION REPORTS

73.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which reminded members that in September 2016 it had been agreed that the outcome of inspections of emergency accommodation and customer satisfaction surveys be reported to committee twice a year. The outcomes were set out in the report. The report was presented by the Head of Temporary Accommodation and Allocations, accompanied by the Housing Options Managers (Homelessness).

73.2 Councillor Bell asked why problems had not been discovered before and whether any of these matters had been reported to the council in the past. He asked who was

responsible for carrying out the inspections and how did tenants report any issues or problems.

- 73.3 The Head of Temporary Accommodation and Allocations stated that officers had been aware of the problems. Officers had always carried out inspections and dealt with problems as they appeared. Officers had recently been asked to provide details of the inspections, and as a result had collated some of that information for councillors, to show the results of inspections that were being carried out on a regular basis. Inspections were carried out by officers in her team and the residents placed in temporary accommodation were informed how they could report repairs. In the first instance they could report direct to the provider. If there were issues that were not resolved they could report problems to the council's Emergency Accommodation Team.
- 73.4 Councillor Mears referred to page 62, paragraph 3.6 which listed works currently being undertaken by providers as a result of feedback from officers following inspections. Councillor Mears stressed that it was clear there was a need for regular inspections. Councillor Mears referred to paragraph 3.7 in relation to feedback forms. She emphasised the importance of receiving back completed feedback forms. She was not keen on a proprietor receiving feedback forms. People who used the accommodation needed to feel that they could report problems safely.
- 73.5 Councillor Druitt referred to Appendix 2 on page 68, in relation to Windsor Court where feedback had been collected differently to other properties. He stressed that it was important to have similar methods of collection. Councillor Druitt raised a general concern regard conflicts of interest. He stressed that the council had an interest in having a good report. He considered it would be better to have a third party with no interest carrying out inspections to ensure independence.
- 73.6 The Executive Director Neighbourhoods, Communities & Housing replied that it was in the council's interest that accommodation for the homeless was of the highest quality and that people were not leaving and asking the council for alternative accommodation which had a cost.
- 73.7 Councillor Druitt replied that he had a greater concern about the providers' conflict of interest. However, he considered that the council also had a conflict of interest as it looked better to have a good report.
- 73.8 The Executive Director stated that she would consult with Ethrag about this matter. There would be a significant cost to any independent review. If requested she would come back with costs. There was no funding at the moment.
- 73.9 The Head of Temporary Accommodation and Allocations stated that third party inspections would cause difficulties. Inspections formed part of the responsibility of council contract managers. A third party would add to duplication and to costs. Discussing this matter with Ethrag at the Accommodation Board would help to resolve this situation.
- 73.10 Councillor Atkinson thanked officers for the report. He referred to the final sentence on page 68 which spoke about the difficulty in collecting consistent feedback. There were many ways of receiving feedback such as online or on postcards. Councillor Atkinson

referred to the feedback on page 67 (appendix 2). He noted that the comments about staff were generally positive.

- 73.11 Councillor Gibson considered that it was positive that the council were engaging with feedback. If more could be done to make inspections independent it would be a positive move. Councillor Gibson was heartened by paragraph 3.6 which listed works being carried out by providers. Councillor Gibson agreed with concerns that had been expressed about providers completing surveys. Residents might feel that they should not report anything bad. It was hard for people to give negative feedback.
- 73.12 Councillor Gibson referred to issues relating to Baytree Court and noted that some inspections happened a long time ago. He asked if there had been more recent inspections. Wellington Road had 0% recorded issues raised. It did not state how many inspections had been carried out. Norfolk Terrace, Appendix 1 stated that inspections that raised issues was 33%. That should read 3 out of 9 not 5 out of 9.
- 73.13 The Housing Options Manager explained that there had been further inspections since those recorded in the report. Many of the issues raised had been addressed. 6 weekly inspections had been a success. The figures under Wellington Road had been a typographical error.
- 73.14 The Head of Temporary Accommodation and Allocations informed the Committee that there would be a written response to the question about Baytree Court as explained at the beginning of the meeting.
- 73.15 Councillor Lewry noted that 12 flats had been inspected in Richmond Place. He asked how many flats there were in total. It was explained that there were two separate blocks with two different inspections. The blocks were solely for people in temporary accommodation.
- 73.16 Councillor Moonan referred to the issue regarding the council possibly having a vested interest. She stressed that it was more damaging to the council's reputation if there were people in temporary accommodation who were not satisfied, were becoming ill and were losing their accommodation and becoming homeless. That was more costly as they would need to be supported to be moved and they may end up sleeping on the streets. The council wanted to get the best feedback and ensure that the inspection regime was robust and transparent. Councillor Moonan agreed that it was difficult for a resident to fill in a form. She had had a number of conversations with colleagues and Ethrag about how to make that process better and work through the Temporary Accommodation Board to get a number of different processes in place. The Temporary Accommodation Board would be set up as soon as possible and would be the appropriate forum to discuss these issues. It would be a positive development for residents.
- 73.17 The Chair welcomed the report and thanked the tenants of the council's temporary accommodation providers for asking the council to bring this matter forward.
- 73.18 **RESOLVED:-**
- 1) That the performance outcomes and trends be noted.

74 POTENTIAL PURCHASE OPPORTUNITY OF PROPERTIES WITH RESTRICTIVE COVENANT

- 74.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which explained the Housing Asset Management Strategy acted as a link between the Housing Strategy and Investment programmes including a priority of supporting new housing supply. The 2017/18 Neighbourhoods, Communities and Housing (NCH) Budget Strategy included savings to be achieved through the potential development of Temporary Accommodation through commissioning a council housing stock review to deliver conversions of existing under-used or unused buildings or spaces into Temporary Accommodation. A covenant was included in the transfer of two properties in the Carlton Hill, Queen Park area of the city when they were sold by the council to Orbit Housing Association (HA) in 1999. This covenant required the properties to remain as affordable housing and required the council's approval to remove the covenant to allow sale on the open market. Orbit Housing Association was now seeking to dispose of the properties in question. Options for the properties were set out in section 4 of the report. The report was presented by the Empty Property Officer.
- 74.2 Councillor Mears stated that she was happy to support Option 1 which she considered was a good way forward. Councillor Mears referred to page 73, paragraph 7.3 which stated that the costs of managing and negotiating the purchase would come from the HRA and General Fund and yet the Committee was looking under the options for it to come solely out of the HRA. Councillor Mears asked for clarification that costs would come out of the HRA. Depending on what use was decided for it, she wanted to be reassured that if any payment/costings came out the HRA, it became a HRA asset.
- 74.3 Councillor Mears noted that further reports would be brought back to the Committee and thought it was a good opportunity to bring properties back into council ownership.
- 74.4 The Head of Strategy, Property & Investment stated that at the moment the lead officer on the property negotiation was the Empty Property Officer (general fund). The financial considerations of the report worked on the basis that it would come back through the HRA. That was subject to viability which would be brought back through the Members' Board and to the Committee.
- 74.5 Councillor Gibson fully supported Option 1. It would provide 15 more units to meet housing need.
- 74.6 **RESOLVED:-**
- 1) That the range of future options considered for these properties be noted.
 - 2) That it be agreed to proceed with preferred Option 1 that the council negotiates with the current owners with the aim of exploring the possibility of purchasing and refurbishing the properties for council use, subject to a viable scheme.
 - 3) That if a viable scheme is identified then a further report regarding the potential cost of this would be brought to Housing and New Homes committee for consideration, and then to Policy Resources and Growth Committee for a final decision.

75 EMPTY PROPERTIES - PILOT ENFORCEMENT SCHEME

- 75.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing which outlined proposals for a pilot low risk and cost neutral delivery of enforcement, works in default/enforced sale model, whereby essential safety/environmental improvement works were undertaken to longer term empty homes and owners charged for these works. The report was presented by the Empty Property Officer.
- 75.2 Councillor Druitt referred to page 75, paragraph 1.3 and asked how officers would make a judgement on essential safety and improvement works. Councillor Druitt stressed the importance of these works. The Empty Property Officer explained that all works were carried out by professional officers within the council. A new standard was not being introduced.
- 75.3 Councillor Mears remarked that it was encouraging to see the proposals in the report which would send a message that the council did need to bring empty properties back into use. However, she stressed that there were some situations that were more sensitive such as elderly people who could not afford to carry out work to their properties. She hoped officers would take this into account.
- 75.4 Councillor Atkinson thanked the Empty Property Officers for their work on the proposals which he fully supported.
- 75.5 Councillor Gibson fully supported the recommendations. This was a cost effective way of bringing properties back into use. Councillor Gibson noted that 52 properties scored 'HIGH'. Paragraph 1.2 referred to more problematic properties, which he assumed these were the 52 properties. Councillor Gibson asked about the criteria. How did a home become a more problematic longer term home?
- 75.6 The Empty Property Officer stated that enforcement took place after long conversations with owners. Some of the problematic properties would score as 'HIGH'. Long term properties would be empty for more than six months. Because of the council's system of regular contact, it would be two years before the score was increased to 'HIGH'.
- 75.7 The Chair thanked the Empty Property Officer and her team. 800 properties had been returned back to use which was excellent news.
- 75.8 **RESOLVED:-**
- 1) That the pilot be supported as part of the Empty Property Strategy, to address those empty property issues in the city not resolved through existing interventions.
 - 2) That it is agreed to support the implementation of the funding mechanism for the Empty Property Enforcement pilot proposal as outlined in the body of the report and Finance comments.
 - 3) That a review of the pilot is undertaken after one year and the results are reported to Housing & New Homes Committee.

76 HOUSING MANAGEMENT PERFORMANCE REPORT QUARTER 3 2016/17

- 76.1 The Committee considered a performance report of the Executive Director, Neighbourhoods, Communities & Housing which covered Quarter 3 of the financial year 2016/17. The report was presented the Head of Income, Involvement & Improvement, accompanied by the Business and Performance Manager, and the Executive Director and General Manager of Mears Ltd. Members were informed that a total of 46 performance indicators were measured against a target, of which 34 were on target (green), eight were near target (amber) and four were below target.
- 76.2 Councillor Bell asked for the officers from Mears to explain why so many items were failing and what improvements they were planning to make. He was still receiving complaints in his inbox. The Executive Director, Mears Ltd stated she appreciated that the performance was not what they would like it to be but she stressed that there had been a significant improvement in performance since quarter 3 as a result of changes that had been put into place. Some of the red indicators in quarter 4 had changed to green.
- 76.3 Councillor Bell stated that the complaints in his inbox were not going down. Tenants were contacting him on a regular basis and were not seeing any improvement. He considered that inspections should be carried out in a more thorough manner.
- 76.4 The General Manager Mears Ltd explained that over the last 10 months Mears Ltd had recognised that there had been some areas where the company had failed in its performance. By recognising those failures Mears had looked at ways it could improve that situation and had been assisted by their Regional Task Group. Action had included improved internal training, raising the awareness of individuals, and improved communication. The increased training and additional skillsets would be reflected in the performance report in the next quarter.
- 76.5 The Executive Director, Neighbourhoods, Communities & Housing informed members that she was concerned that councillors were receiving complaints from tenants in their inbox. She asked councillors if they could let her know the numbers of complaints they received each month and the nature of the complaints in order to provide Mears with this information.
- 76.6 The Chair informed members that she was making a request for one contact point for councillors, in order for calls to be monitored and recorded.
- 76.7 Councillor Druitt considered that it should be recognised that there had been a huge number of improvements. He referred to page 90 and was pleased to see that the percentage of tenants with no arrears was 80% (previous quarter 75%). However he noted that large arrears had risen to 3% (previous quarter 2%).
- 76.8 Councillor Druitt referred to page 91, Paragraphs 2.4, 2.5 and 2.6. These all saw a downward trend. 2.4 (Stage 1 complaints responded to within 10 working days – housing management) was 58% which was a significant drop. 2.6 - stage 1 complaints escalated to stage 2 – housing management was twice as bad as the last quarter.

- 76.9 Councillor Druitt noted that page 98 (4.7 to 4.19) showed good news with regard to repairs and maintenance indicators. He asked if it was possible to revise targets to achieve even better results when a service had a particularly good result.
- 76.10 The Head of Income, Involvement & Improvement stressed that arrears had risen for people who had experienced changes to their welfare benefits, particularly for people on universal credit. Officers were trying to have regular contact with these tenants to ensure that they paid over time. Officers tried to avoid court action which would put tenants in even more debt. Tenants were also supported in terms of advice and budgeting skills. With regard to customer services and complaints indicators, it had been noted that the poorer performance was in teams that where there was service re-design. The situation had improved and this would be reflected in the next performance report. Meanwhile, officers were looking at complaints which went to stage 2. When reviewed by another independent team in housing they were not upheld.
- 76.11 The Head of Income, Involvement & Improvement stated that all targets were reviewed at the end of the year. Realistic targets would be agreed for the next year.
- 76.12 Councillor Gibson welcomed the progress in many areas. He noted however that there had been a big increase in the number of Stage 1 complaints escalated to Stage 2. Councillor Gibson stated that he was trying to understand the differences in repairs targets. He asked how repairs had become more complex.
- 76.13 The Head of Income, Involvement & Improvement explained that the council had not always been active in getting back to people who had repairs issues. There was a need to be quick and pre-emptive.
- 76.14 Members were informed that Mears had brought in the Regional Task Team and council officers were monitoring complaints.
- 76.15 Councillor Atkinson stated that he found it difficult to navigate between the council and Mears Ltd. He suggested that something should be prepared to inform members of where to go and who to contact.
- 76.16 Councillor Lewry was concerned at the length of time properties were left empty. The Head of Income, Involvement & Improvement explained that it was a concern of officers that 45 properties were left empty for six weeks or more. 10 of these properties were now ready to let. 16 were part of a sheltered housing block where there was a review. Of the 19 left, some were in progress. There were 3 properties where there was no work being carried out.
- 76.17 Councillor Moonan was encouraged to see an improvement. She asked for more detail about void turnaround. The Head of Income, Involvement & Improvement explained that the refusals process was causing delays. She would investigate further and provide members with details for refusal. Changes to the allocations policy would make a significant difference.
- 76.18 Councillor Barnett remarked that although Mears were very obliging when they visited, they did not provide feedback on particular cases. Councillor Barnett expressed concern about the length of time scaffolding was left up. The General Manager, Mears stated

that scaffolding could remain in situ considerably longer than anticipated. Mears would like to see scaffolding up and down within three weeks. Meanwhile, he apologised for there being no feedback. He would take back Councillor Barnett's comments.

76.19 Councillor Mears informed members that there were no longer scaffolding yards and scaffolding was often kept in situ until the next job. This was a serious issue. The Business & Performance Manager explained that Mears Ltd had introduced fines for having scaffolding up for more than a particular period.

76.20 The Executive Director informed members that performance was improving but was not good enough yet. Having a property empty for three years was not acceptable. The Head of Income, Involvement & Improvement was looking at improving targets across the board. The council were working with Mears Ltd to improve performance in every area.

76.21 **RESOLVED:-**

- 1) That the report which was circulated to Area Panel members for their feedback on 18 May 2016 be noted along with the comments of the Committee as outlined above.

77 ITEMS REFERRED FOR FULL COUNCIL

77.1 No items were referred for information to Full Council.

The meeting concluded at 6.17pm

Signed

Chair

Dated this

day of