

Brighton & Hove City Council

Housing & New Homes Committee

Agenda Item 66

Subject: Housing Management Decant Proposals

Date of meeting: 13 March 2024

Report of: Rachel Sharpe

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Ward(s) affected: Moulsecoomb & Bevendean and Queen's Park

For general release

1. Purpose of the report and policy context

- 1.1 This report presents proposals for the permanent decant and future use of two residential blocks, consisting of 20 homes. Broadfields, a 14-property Seniors Housing Scheme and Oakley House, a 6-property general needs block. This is pending proposed regeneration for Oakley House and consideration of regeneration for the Broadfields site.
- 1.2 A decant is where a resident moves from their current home to another one, either temporarily or permanently. In taking forward these proposed decants, resident engagement and support will be our key priority.
- 1.3 Included in the report is information on the background of the proposed decants, and the approach that the Housing Management service will take to managing these. This includes support and financial compensation that will be offered to residents to move and resettle.
- 1.4 Given the properties will be empty pending potential regeneration, we propose to use both as temporary accommodation pending approval and / or commencement of future development of both sites. This aligns to temporary accommodation General Fund (GF) budget savings proposed for 2024/25.

2. Recommendations

- 2.1 That Committee agree to the decant of Broadfields and Oakley House.
- 2.2 That Committee agree to use of both blocks as temporary accommodation, pending future development.

3. Context and background information

- 3.1 **Oakley House** is located on the junction of Leicester Street and Edward Street, Brighton. This is a General Needs residential council block. The building comprises of six individual homes, all are occupied by tenants.
- 5 one-bedroom flats
 - 1 two-bedroom flat.
- 3.2 Oakley House also has a commercial tenant on the ground floor, occupying under a Tenancy at Will; the commercial tenant has a lease until May 2025.
- 3.3 **Broadfields** is a Seniors Housing scheme, letting of these homes ceased in 2018 following a survey of the building that raised questions about its long-term use.
- 3.4 The scheme comprises of 14 individual homes, nine are occupied by tenants:
- 9 self-contained studio flats
 - 2 one-bedroom flats
 - 2 two-bedroom maisonettes
 - 1 one-bedroom bungalow.
- 3.5 **Oakley House** is included as part of the proposal for the wider development of the site. This is to provide a new social housing scheme, maximising the provision of affordable housing.
- 3.6 It is anticipated that the Oakley House site could deliver circa 23 new homes based on a unit mix of 7 x 1-bed, 14 x 2-bed and 2 x 3-bed homes. If the planning application is approved, it will result in the demolition of Oakley House. It is anticipated that new homes will be delivered in summer 2027.
- 3.7 **Broadfields** is being proposed for decant as it has structural problems due to water penetration limiting its medium to long term use as social housing. The Energy Performance Certificate (EPC) ratings for Broadfield ranges between the low ratings of D down to G, evidencing the known problems with thermal insulation. These are made worse by the use of older electrical storage heaters as the main heating sources in the flats.
- 3.8 A survey was commissioned by the Council by Design South-East (D:SE) in March 2019 and referred to within the Housing Committee Report, Seniors Housing Review, November 2019. This concluded that Broadfields was poorly designed for older people, especially in terms of accessibility and the high proportion of studio flats. The Design South-East, Seniors Housing Scheme Overviews, included the following information in relation to Broadfields:
- The majority of flats are studios or small one beds, providing relatively undersized accommodation.
 - There are no lifts, meaning upper floor units have stepped access and are not suitable for people with mobility issues.
 - Some of the construction is poor quality, with single leaf brick providing low insulation values.

- 3.9 Letting ceased at Broadfields due to concerns with its suitability for use as Seniors Housing and uncertainty over its long-term future following the structural survey. Currently five properties are vacant.
- 3.10 Broadfields will need maintenance work before it can be occupied as temporary accommodation. Undertaking this work will make it fit for occupation for a period of around five years, in this time future planning for use of the site will be considered.

Support Offer to tenants

- 3.11 Once approval has been gained from committee to commence with the decants, a package of tailored support will be offered to tenants to facilitate a move. This will continue into resettlement.
- 3.12 A single point of contact (SPOC) from Housing Services will be assigned to each tenant. The SPOC will identify and request additional support as required by the tenant during the decant process. This may include help with:
- Understanding legal rights.
 - Assisting with bidding for properties on Homemove.
 - Filling out forms.
 - Providing translators and/ or interpreters.
 - Help with removals and relocating.
 - Ensuring mobility and adaptation needs are met.
 - Disconnection and reconnection of appliances.
 - Redirection of post.
- 3.13 Detailed individual needs and preferences of the residents will be carefully considered and assessed. The SPOC will remain in communication with them throughout. Extra support may include help with packing and unpacking, registering with a new GP and viewing properties.
- 3.14 Tenants will be assigned Band A on Homemove to help facilitate a transfer. In accordance with the Allocations Policy, they will be given a bidding window of three months to find a suitable property; bids will be monitored, and assistance to bid will be offered.
- 3.15 If bidding is not successful or for any other special reason, in consultation with the tenant, a direct offer of a secure tenancy will be made.
- 3.16 All tenants will retain their security of tenure when they move.

Compensation and Costs

- 3.17 There are two types of payments that tenants may be entitled to: Home Loss Payments and Disturbance Allowance.
- 3.18 Whether these payments are statutory or discretionary depends on the length of time at the property.

- 3.19 **A Home Loss Payment** is a payment made to compensate tenants for having to permanently move out of their home. This mandatory payment is fixed by Section 30 of the Land Compensation Act 1973 and reviewed annually.
- 3.20 If the tenant has been in residence for 12 months or more, this payment is statutory.
- 3.21 **Disturbance Allowances** cover 'reasonable expenses' involved in moving. These payments are only statutory if the tenant has been in residence less than 12 months and does not qualify for a Home Loss payment.
- 3.22 When the tenant has been in residence for more than 12 months, Disturbance Allowances can be paid in addition to a Home Loss Payment, this is discretionary. It is to cover expenses including removals, carpet fittings, curtains, disconnection, and reconnection of appliances.

4. Analysis and consideration of alternative options

- 4.1 Once a decision has been made to commence with the decants, we will start work to support the residents with the move. This will be carried out sensitively, we are acutely aware this concerns as group of residents who will be losing their home and establishing a new one. We want to make this transition as smooth as possible.
- 4.2 An alternative option would be to do nothing until the sites are closer to redevelopment. Doing nothing would also leave the residents with an extended period of knowing they were not living in a secure home and risk reducing the options for a new home this would give them. It is also important to note, the construction and other issues identified with Broadfields which impact it's fitness for Seniors Housing.
- 4.3 Failure to act would be financially impactful for the HRA as rental income would be continuing to be lost where homes are empty.
- 4.4 We are confident from experience of decanting other schemes and knowledge of the numbers of homes that become empty, that all moves will have taken place by the end of August 2024 (depending on availability of alternative accommodation and other factors). Helping people to move within this time scale will reduce the risk of leaving a small number of people in a block for an extended period of time.

5. Community engagement and consultation

- 5.1 Decommissioning can be disruptive and stressful for residents. The Housing Management service has good experience of working with residents through a process of decommissioning. We aim to ensure that moves are carried out sensitively, appropriately, and efficiently with the minimum upset and difficulty to the tenants.

- 5.2 Prior to committee, meetings have taken place with both groups of residents and this paper will have been shared with them once published.
- 5.3 Resident and Housing staff meetings took place on 29 February. These were initial meetings to advise residents of the recommendations. It was explained to the residents:
- What the proposal is and why it is being recommended.
 - What this will mean for them.
 - How we will keep communicating throughout the process.
 - Legal entitlement to retain security of tenure.
 - Statutory and discretionary financial compensation.
 - Allocation of a SPOC.
 - Next steps.
- 5.4 Although several residents were sad to see the schemes closing, they were understanding, and several expressed an interest in alternative locations. Both groups expressed concerns about the uncertainty and practicalities around moving.
- 5.5 The next meetings with residents are scheduled for the 14 March 2024. If the proposal is approved this will be followed by regular individual meetings. Residents have been advised that we will also welcome the attendance at these meetings of a third party if they want to have someone else with them.
- 5.6 Allocation of SPOC will enable staff to understand where residents may want to live and how best we can support them.

6. Conclusion.

- 6.1 The reasons for the proposal to decant these two residential blocks are distinct, however neither has a medium to long term future, creating uncertainty for its residents. We wish to proceed working with the residents to enable them to secure and move into settled accommodation.
- 6.2 Pending development, each block will be used for temporary accommodation, creating a budget saving for Housing General Fund and income stream for the Housing Revenue Account.
- 6.3 The empty homes will be brought up to standard for use in the short to medium term as temporary accommodation before they are re-let.

7. Financial implications

- 7.1 Included within the 2024/25 GF budget proposals is a saving of £0.070m linked to the decant of 20 properties in the HRA for use as Temporary Accommodation. This is a part year saving assuming that the properties are available six months into the financial year.
- 7.2 The first consideration for the HRA upon decanting the properties is a one-off cost which could rise to £0.151m in a worst case scenario, based on the cost of Home Loss Payment and Disturbance Allowances outlined in the

main report. This would be broken down by a maximum home loss payment of £0.121m and maximum disturbance allowance of £0.030m.

- 7.3 In addition to this there is an implication on the rental income generated, as tenants will move to empty homes, not having an adverse impact on the current rental income for 2024/25.
- 7.4 However, there is additional income stream to the HRA, for letting the properties as Temporary Accommodation. This, after considering management, maintenance and void costs is estimated to be £0.157m for a full year, as this will be delivered part way through the financial year it would be prudent to expect there to be net income of £0.079m assuming they would be occupied for 6 months (in line with the timings for the proposed GF savings).
- 7.5 There are currently 5 empty properties at Broadfields which is costing the HRA in Void rent loss and council tax payments. By occupying these properties, it is estimated to save £0.017m for six months.
- 7.6 The net cost to the HRA after the decant costs, additional rental income and rent loss saving is £0.055m. This would need to be managed as part of the overall TBM procedure for the HRA. If it was deemed it could not be managed within current resources, then it would need to be funded from HRA reserves.
- 7.7 The report states that work is required to bring Broadfields to a standard to be let as Temporary Accommodation over the next five years an investment of £0.150m is required, this can be managed within the HRA capital programme for 2024/25 and reported as part of the TBM report to Strategy, Finance & City Regeneration Committee.

Name of finance officer consulted: Craig Garoghan **Date consulted:** 22/02/2024.

8. Legal implications

- 8.1 The decision to decommission Broadfields and Oakley House is within the council's wide Housing Act powers to manage its housing stock. Such a decision will impact tenants. In formulating proposals to manage the decant, regard must be had to their Human Rights Act rights, especially Articles 8 (Right to respect for family and private life) and Article 1 of the First Protocol (Protection of Property). The proposals and Decant Policy appear to adequately address those rights.
- 8.2 The law relating to Home Loss and Disturbance Allowances is as set out in the report. Additionally, the council has powers under section 26 of the Housing Act 1985 to pay removal expenses where one of its tenants moves to another house.

Name of lawyer consulted: Liz Woodley **Date consulted** 28/02/24:

9. Equalities implications

- 9.1 Equalities Impact Assessments have been carried out for the decant of both schemes and will help inform the approach to individual residents. Due to the relatively small number of residents this involves, the EIAs are not included with this report as they include identifying information.

10. Public health implications:

- 10.1 Decommissioning and replacing these blocks with better quality, affordable housing will help keep people well and more independent in their own homes for longer.

