

Subject:	Homelessness Policy Petition Recommendations		
Date of Meeting:	16th November 2016		
Report of:	Director of Economy, Environment and Culture		
Contact Officer:	Name:	Sylvia Peckham	Tel: 293318
	Email:	Sylvia.peckham@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 Following a petition submitted to full Council by Daniel Harris, the Council and Housing and New Homes Committee were requested to consider a range of recommendations regarding emergency accommodation.
- 1.2 Those recommendations have been considered and the findings set out below.

2. RECOMMENDATIONS:

- 2.1 That Housing and New Homes Committee agree that inspection outcomes and satisfaction surveys are reported to Committee twice a year.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 In March 2016 Council recommended that Housing & New Homes Committee consider a range of options which was reported at Housing & New Homes Committee in June 2016 regarding emergency accommodation. In addition Housing and New Homes Committee made some amendments to request further recommendation and in September further amendments were suggested Following due consideration of those recommendations this report sets out the findings as follows :-

- a) *An increase in the frequency of inspections of emergency accommodation and report on the outcome of these inspections at regular intervals to Housing & New Homes Committee*

Inspections take place at monthly intervals. For the larger blocks of emergency accommodation which have in excess of 50 units, these inspections take 2 days for each block. Every room is inspected as well as the common ways. Due to the number of units this is resource intensive and can be quite invasive for the residents.

In addition to the council's inspections the proprietors are required to check on each room on a weekly basis. There are also various support agencies regularly visiting the premises.

Based on the current inspection programme; increasing the frequency of inspections over current provisions is unlikely to provide any added value and would be invasive for residents.

However, to provide greater transparency it is recommended that the outcome of the inspections which forms part of the contract monitoring is reported in October and April.

- b) *That satisfaction surveys are undertaken with residents moving into emergency accommodation and the results reported back.*

The council is keen to understand the customer experience for those requiring emergency accommodation and does carry out feedback surveys to help monitor the service provision against the contract. However, as residents requiring emergency accommodation are dealing with a great deal of urgent issues and are very focused on resolving their immediate housing situation; we have found previous feedback surveys have resulted in very low returns;. Therefore we will offer satisfaction feedback at various stages of a household's stay at emergency accommodation and feedback forms will also be made available at the accommodation. The results will be collated and reported to Housing & New Homes Committee on a biannual basis alongside the inspection reports.

- c) *As a matter of priority the identification of sites exploration of options for the development of council-owned low cost emergency accommodation, either through a council-owned company or directly owned by the council. That this exploration focuses on non-traditional, quick to build, construction such as the Y cube and containers for these sites.*

The Council has a strong track record of improving housing supply in the City making best use of assets and investment opportunities to deliver more affordable homes.

As reported to March 2016 Housing & New Homes and Policy, Resources & Growth committees, we are reviewing options for the Council to intervene in the local housing market as a potential purchaser (or lessee) of housing being brought forward on development sites in the City to meet housing needs, including delivery of homes let at LHA rates to households to whom the Council owes a statutory duty to accommodate.

In addition to the potential for wholly owned Special Purpose Vehicle for these purposes the Council has also been investigating options to work with a Registered Provider partner to deliver new homes, potentially through Joint Venture companies.

Housing & New Homes Committee and Policy, Resources & Growth approved recommendations to procure specialist legal advice in order to evaluate and progress the proposals for the delivery of alternative models for the supply of affordable housing. This will be reported back to Committee for review / agreement.

Housing & New Homes Committee (September 2015) agreed a pilot to review system and modular build options. System and modular build methods and prototypes which have potential to offer lower capital and development costs have been developed recently. A pilot has been agreed to test these construction methods for small, challenging sites on which initial assessment indicates that traditional forms of construction would not achieve viable development of affordable new homes. This pilot is currently underway and the outcome will be reported back to a future Housing & New Homes Committee.

- d) *A review of the no visitor rule and consider the outcome at a future meeting; with a brief to devise workable systems that enable residents to have visitors.*

Emergency accommodation is accessed by a wide variety of households who are in priority need. This means there can be a broad mix of household types at any one time within the accommodation blocks; many of whom will have dependent children; or a pregnant member of the household or they have a mental or physical health issue such that they are considered less able to manage than the average person.

Some households may be fleeing domestic abuse or substance misuse problems; been subject to or at risk of sexual exploitation and /or other exploitation.

The council has reviewed the no visitor rule; including consultation with providers.

The outcome of the review is that prior to providers introducing the no visitor rule, providers found it difficult to keep residents safe as there were regular attempts by unwelcome “visitors” to gain access to the building and individual resident’s rooms. These “unwelcome” visitors included people who maybe exploiting some of the very vulnerable residents; including perpetrators of domestic abuse; drug dealers, loan sharks and people trying to sexually exploit residents.

Some residents who invited such visitors into the blocks were not easily able to refuse entry and could not be reasonably held responsible for the behaviour of these “visitors” as they were often at risk of exploitation from these visitors themselves. It was exceptionally difficult for the providers to know who should or shouldn’t be in the building and hence to manage it.

The list of anti-social behaviour the providers have reported they were dealing with due to visitors covered the following: noise, violence, theft, intimidation, drugs and neighbour complaints. NB this information is anecdotal as the providers did not collate formal statistics at the time.

However independently from each other the providers requested to introduce a no visitor rule to try and better manage the accommodation and ensure all residents were safe.

Providers report that since the no visitor rule, they are much better able to manage the accommodation and keep it a relatively safe and pleasant environment for residents. As most properties are located in residential areas, they are also better able to maintain a good relationship with the neighbours.

It should be noted that the no visitor rule does not apply to support agencies or where a resident makes a specific request e.g. for a supportive parent/relative to visit.

Following the recommendation of Housing & New Homes Committee we have explored the possibility of whether visitors could be permitted and how this could be managed. Providers have offered solutions as to how this could be facilitated as follows:

- The council to inform the provider if a particular visitor is authorised to attend and schedule in a time for the visit so the caretaker can permit entry and also ensure there are no issues. As this would be in addition to current requirements and as the visitor is not risk assessed it would require additional resources to manage the risk of potential abuse to residents and staff which is not covered under current contract. Assuming two additional staff for each building and to cover outside office hours and for holidays/ sickness this would cost in the region of £120k pa per building. (Assumes an average £30k with on-costs per employee including out of hours allowance x 4). There are 3 large emergency accommodation blocks that would equate to £360k pa additional funding and likely lesser amounts for the smaller blocks. The Housing general fund does not have a current budget to cover this additional work.

Alternative options currently available:

- residents can visit their guests at their guest's homes
- There is provision in the city for people to meet which would also have the benefit of reducing social isolation
- The voluntary sector may be able to provide a safe meeting place. We are currently approaching the third sector to see if this can be facilitated

e) *Adopting a policy of only using emergency accommodation which satisfies the Brighton & Hove Standard including guaranteed hot water.*

Emergency accommodation is procured through Framework agreements which have specified standards; including the provision of hot water.

The standards ensure a reasonable standard of accommodation but cannot achieve B&H decent homes standards set out for council properties due to their nature i.e. whilst a lot of emergency

accommodation is self-contained some of the B&B style blocks do not have separate kitchens.

NB There has been a specific issue at one block following the installation of showers in each unit to provide individual facilities. The water pumps were not powerful enough to pump the hot water quickly and so it was taking a long time for the hot water to arrive at some units. This is being rectified by the provider and managed under the contract.

- f) *To acknowledge the Emergency and Temporary Housing Residents Action Group (ETHRAG), and work in partnership with the group and landlords to improve housing standards and quality of life for residents in emergency accommodation.*

We are happy to work with residents in emergency and temporary accommodation to improve standards.

- g) *To immediately establish an emergency accommodation board comprised of representatives from the Emergency and Temporary Housing Residents Action Group (ETHRAG), service providers, residents, landlords and elected members and council officers. The board will meet regularly to review conditions, complaints, evictions and to develop a strategic plan for recommendation to the Housing & New Homes Committee.*

The council already has existing governance in place to manage the current contracts and consult with services users, providers and partners.

Emergency and temporary accommodation is procured through a stringent process for which detailed specifications set out the standards and obligations. Qualified providers are awarded contracts which are then managed by the Council. Where standards are not adhered to by the provider, which will be identified through the regular inspections in addition to that which is reported by residents and visiting support providers, action is pursued by the council through contract management. The council is accountable for its contract management through audit oversight.

In addition, the council has adopted strategies relating to temporary accommodation in particular the Homelessness Strategy which sits under the Citywide Housing Strategy; which are as a result of a public consultation process to ensure the council's strategies reflect local needs and priorities. These strategies are monitored through the council's existing governance structures and consultation structures including a diverse range of representative groups ranging from local providers, third sector groups, the Clinical commissioning group and the police. With regard to individual matters relating to homeless households; these matters are confidential and subject to the council's existing processes and governance including the council's complaints process and are subject to data protection.

Any additional/duplicate structures will have a financial implication for the council and there are no identified funds to cover this.

It is therefore not recommended to further investigate and cost additional governance structures, which would conflict with existing arrangements. However, the council will continue to improve outcomes for service users through existing strategies and consultation arrangements.

h) Separately the council has been asked to also consider the following:-

a) To ask providers to fit spyholes in doors to improve security.

Some accommodation does have spyholes but they are not currently retro fitted to double glazed doors which would necessitate the replacement of the whole door.

With regards to wooden doors this would approx. cost £15.48 +vat to supply and fit spyholes. Therefore the cost for larger providers (90 units) would be £1671.84. We are currently working with our providers to fit spyholes as part of the void process where feasible.

This is not a requirement of the current contract and will be reviewed as part of any future re-procurement process.

b) To ask providers how much it would cost to provide Wi fi within the blocks.

The average installation cost for wifi is estimated at £700 to £1080 with monthly costs of between £350 to £500. This would equate to around £10 per month per resident.

However, the Council provides free wi fi access in all its buildings including libraries and in addition there are many other venues in the city and on buses which provide free wi fi.

For residents wishing to access the internet in their accommodation there are two options:

- i) They could use the mobile data component as part of a phone contract which is typically around £8 pcm (Virgin) for a rolling 30 day contract giving 1GB of data. This is a sim only contract but users would need to have a smartphone already. This would be cheaper than the provider installing wifi for their use.
- ii) Residents could buy a broadband “dongle” for use with a laptop and costs around £10 pcm but the dongle costs about £25 up front cost. This is not a requirement of the current contract and could be reviewed as part of any future re-procurement process but may increase the cost for residents who may or may not require the provision.

l) Further amendments made by Housing & new Homes Committee in September:

- a) *The Emergency and Temporary Housing Residents Action Group (ETHRAG) to consider with members and supporters and put forward comments. Officers await comments.*

- b) *Details to be provided of sites under consideration for the provision of low cost emergency accommodation.*

The Housing Delivery Options report being considered elsewhere on the agenda requests permission to take forward options for a wholly owned housing company. This will enable the council to meet a range of statutory duties including those to households who require temporary and / or emergency accommodation.

Specific developments involving any council land or assets would be subject to a business case and approval through both the cross party Estate Regeneration Board and Housing & New Homes Committee.

- c) *Development of proposals for joint working between ETHRAG, service providers, landlords, council officers and members to meet together to drive up standards, increase satisfaction and develop recommendations to Housing and New Homes Committee.*

With regard to driving up standards this has been covered under para 3.1 (g). In terms of increasing satisfaction, Councillors Moonan and Hill are arranging joint surgeries for occupiers to raise any issues of concern which can be relayed to officers. This will supplement the customer satisfaction surveys and feedback that will be undertaken and reported back to H&NHs Committee on a twice yearly basis. In addition Councillors Moonan and Hill will be attending the Ethrag meeting to act as a conduit between officers and occupiers and help develop recommendations.

- d) *A report on recognition of ETHRAG with suggestions for partnership working with this group to be presented to the next Housing and New Homes Committee.*
We have requested the community development team consider what assistance they can offer to Ethrag to become a recognised representative group that can feed back to Housing being the commissioner as part of a user group.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Not applicable

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 None.

6. CONCLUSION

- 6.1 Due consideration has been given to the Council recommendations as amended by Housing & New Homes Committee as requested. The report is to note the findings and to agree the recommendations as set out in 2.1.

7. FINANCIAL & OTHER IMPLICATIONS:

- 7.1 The current housing general fund budget monitoring 2016/17 shows a forecast overspend of £0.152m (at month 2) and Housing is trying to find ways to mitigate this. Therefore it will be necessary to minimise costs when implementing any of these recommendations in order to manage within the current housing general fund budgets for 2016/17 and beyond.

Finance Officer Consulted: Monica Brooks

Date: 22/08/16

Legal Implications:

- 7.2 As noted in the report, there are legal and practical difficulties associated with implementing the proposed measures. New tenancy/licence conditions requiring residents to give access on a more frequent basis for inspection purposes may fall foul of Office of Fair Trading guidance on “Unfair Terms in Tenancy Agreements” which states, “We would object to a provision giving the landlord an excessive right to enter the rented property.” There are significant penalties under the Data Protection Act for the inappropriate sharing of personal data, which would be necessary for any group reviewing complaints and evictions. Under the council’s constitution, the setting up of any permanent task groups, consultation forums and commissions is the responsibility of the Policy, Resources and Growth Committee. That Committee’s authority may be necessary if an emergency accommodation board is established, but that will be dependent on the Terms of Reference of the Board.

Lawyer Consulted: Liz Woodley

Date: 24/08/16

Equalities Implications:

- 7.3 None

Sustainability Implications:

- 7.4 None

Any Other Significant Implications:

- 7.5 None

SUPPORTING DOCUMENTATION

None