



Agenda

Environment and Housing Management Committee


Wednesday, 17 June 2015 at 7.00 pm
Council Chamber - Town Hall

Membership (Quorum – 10)

Cllrs Hossack (Chair), Poppy (Vice-Chair), Mrs Coe, Mrs Davies, Mrs Henwood, Mrs Hubbard, Ms Rowlands, Sleep and Mrs Squirrell

Agenda Item	Item	Wards(s) Affected	Page No
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3.	Verbal update from the Chair		
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Head of Paid Service

Town Hall
Brentwood, Essex
09.06.2015

Information for Members

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

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A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

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Point of Order/ Personal explanation/ Point of Information

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Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

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A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate, If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

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Minutes

Housing and Health Committee Wednesday, 11th March, 2015

Attendance

Cllr Carter (Chair)	Cllr Parker
Cllr Mrs Davies (Vice-Chair)	Cllr Tee
Cllr Mrs Hones	
Cllr Mrs Hubbard	
Cllr McCheyne	

Apologies

Substitute Present

Cllr Morrissey (substituting for Cllr Le-Surf, who arrived at the latter part of the meeting)
Cllr Reed (substituting for Cllr Mrs Henwood)
Cllr Lloyd (substituting for Cllr Baker)

Also Present

Maureen Montgomery	Co-Optee (Tenants Talkback Representative)
Linda Skinner	Co-Optee (Tenants Talkback Representative)

Officers Present

Helen Gregory	Interim Head of Housing
Claire Hayden	Governance and Member Support Officer
Chris Potter	Monitoring Officer & Head of Support Services
Angela Williams	Principal Officer (Housing Needs)

492. Apologies for Absence

Apologies for absences were received by Cllr Mrs Henwood, Cllr Reed was in attendance as substitute. Cllr Le-Surf, Cllr Morrissey was in attendance as substitute and Cllr Baker, Cllr Lloyd was in attendance as substitute.

493. Minutes of the previous meeting

The Minutes of the Housing and Health Committee held on 7th January 2015 were approved and signed by the Chair as a correct record.

Cllr Mrs Hones asked if the decision under Min 372 referring to the Resource Room at Hutton Community Centre was still relevant, in view of the recent outcome of the Asset and Enterprise Committee on 18th February and Audit and Scrutiny Committee 16th March.

Cllr McCheyne asked for an update on the Garage sites. Planning permission will be submitted at the end of March. Full update will be given at the next Affordable Workshop meeting.

494. Housing Performance Report

The report updated Members on performance and progress of the 'Getting our House in Order' modernisation programme.

Performance continues to improve overall; which is reflected in the results of the KPIs. The only exception is the number of homeless households living in temporary accommodation KPI; which continues to increase, reflecting the national trend.

Members thanked officers of Appendix A - People living in temporary accommodation, which they found very informative.

A motion was MOVED by Cllr Carter and SECONDED by Cllr Mrs Davies to receive the recommendations set out in the report.

RESOLVED UNANIMIOUSLY to:-

- 1. The Committee is asked to monitor the performance information submitted within the report and the direction of travel of the 'getting our house in order' modernisation programme.**
- 2. The Committee is asked to approve £3,000 to be reserved from the Homeless Prevention grant for the use of an external mediation service to help prevent family evictions and reduce homelessness.**

REASONS FOR DECISION

To keep members informed of the key performance levels within the Housing service to enable Members to monitor our performance.

The service improvements proposed in the 'Getting our house in order initiative' will improve service and value for money for residents and stakeholders.

495. Preparing for Universal Credit

The Welfare Reform Act 2012 has introduced the biggest overhaul to the benefit system in 60 years; with a number of changes introduced to the benefit system to make it easier for claimants to move back into or change employment. The notable changes are the introduction of the spare room subsidy charge and the emulation of all benefits into a single benefit called Universal Credit.

There is a need to gear up for the roll out of Universal Credit. There will be a fundamental change in the way that tenants receive benefits and we need to have robust systems to ensure that we intervene early and provide support to people. The first tranche of the roll out is February/March 2015 for new single person claimants. The big shift is benefits being paid direct and monthly to claimants; as opposed to the rent being paid to the Landlord. There are approximately 60% of our tenants in receipt of full or partial housing benefit.

The need for tenants to budget and ensure that their rent is paid is essential. The new processes will hopefully help to mitigate the possibility of an increase in arrears by early intervention.

Housing Officers have undertaken a review of processes and systems and set up an Income Management Project Team with colleagues from different departments in the Council. A new streamlined process that provides for earlier intervention and personal contact with tenants who fall into arrears has been devised.

A new Income Management policy has also been written to reflect new approach to income collection and tenancy sustainment.

An amendment to the Induction in the Income Management Policy (Appendix A) by the Monitoring Officer to state:-

This policy explains Brentwood Borough Council's usual approach to collecting rent and charges from its housing stock and reflects national best practice. Each case will be dealt on its merits.

A motion was **MOVED** by Cllr Carter and **SECONDED** by Cllr Mrs Davies to receive the recommendations set out in the report.

During the debate, an additional recommendation was **MOVED** by Cllr Lloyd and **SECONDED** by Cllr Mrs Hubbard, which was accepted by the Chair.

RESOLVED UNANIMOUSLY to:-

- 1. Committee is asked to recognise the staff driven improvements to the way we manage income management.**
- 2. Committee is asked to approve the new Income Management Policy.**
- 3. That delegated authority is granted to the Head of Housing Service to depart from the policy in consultation with the Chair of the Committee.**

REASONS FOR DECISION

The Committee is asked to note the work of the project team and their commitment to maximising income and improved tenancy sustainment.

The Committee is asked to approve a new Income Management Policy in line with best practice and to assist in our preparations for universal credit and minimise the risk to our income stream.

This income project forms part of Housing's 'Getting our House in Order' Modernisation Programme.

496. Urgent Business

There were no items of Urgent Business.

Minutes

Environment Committee Wednesday, 18th March, 2015

Attendance

Cllr Sapwell (Vice-Chair)	Cllr Mynott
Cllr Cloke	Cllr Newberry
Cllr Faragher	Cllr Ms Sanders
Cllr Keeble	
Cllr Mrs Murphy	

Substitute Present

Cllr Hossack (substituting form Cllr Russell)

Also Present

Cllr Baker

Officers Present

Graham Farrant	Chief Executive
Claire Hayden	Member and Governance Support
Roy Ormsby	Head of Street Scene
Stuart Anderson	Service Co-ordinator – Parks, Countryside, Cemeteries and Open Spaces

497. Apologies for Absence

Apologies were received by Cllr Russell, Cllr Hossack was in attendance as substitute.

498. Minutes of the previous meeting

The minutes of the Environment Committee meeting held on 20th January 2015 were approved and signed by the Chair as a correct record.

499. Verbal update by the Chair

Thames Chase

A meeting has taken place with Thames chase regarding the way forward. This was helpful and it has been agreed that we will jointly put together an action plan, which will look at funding opportunities to deliver the plans that are being presented on the agenda. As a way forward, the developing HLF Landscape Partnership bid could help take some of these actions forward as part of a bigger programme of works across Thames Chase. It is also worth considering whether the Trust could support Brentwood with a specific external funding bid focussed on a particular park or priority area.

Textiles

The bags will start to be delivered by the end of the month and the service will commence towards the end of April. Promotional material has been issued.

500. West Horndon Parish Council

The Council has received a request from West Horndon Parish Council for an increase in their grant. This has been requested as a contribution from the Council to manage their park, on land leased to the Parish Council from the Borough Council.

The park was established in 2003, and a lease was signed on 24th July 2003 by the then West Horndon Park Association Ltd (WHPA). This was for use as a Doorstep Green initiative, which was under the auspice of the then Countryside Agency for the benefit of the residents of West Horndon.

Doorstep Greens are locally-owned and run public spaces across England, and were first created by the Countryside Agency (CA) in a project started in 2001. The Agency set out to find green spaces which could be organised into relatively small parks and then create a local charitable trust to own, fundraise for, and run each space in perpetuity.

Unfortunately, like many of these projects, the management has now changed, and the West Horndon Park Association Ltd has now ceased. The 80 year lease has been reassigned to the Parish Council, who are now responsible for the maintenance of the park.

On the establishment of the lease to WHPA, the Council agreed to provide £2,300 towards the cost of maintenance, commencing in April 2004, with the final payment in April 2008. This funding was to contribute to the initial start-up cost of the park, and to assist WHPA in developing a sound financial plan for the future.

The funding for the park has been held in an account by the Council, which currently has a balance of £14,099. The Council has also been contributing to this account, and in 2013/14 provided £3,300 to the maintenance of the park. Through this account the Council were paying the invoices for maintenance, which is mainly provided by the Council. This situation means that the Council are funding the maintenance, administering the fund, and repaying itself for the work on the approval of the Parish Council.

A Ward Member spoke on behalf of the Parish Council in support of the increase in funding.

A motion was MOVED by Cllr Lloyd and SECONDED by Cllr Sapwell to receive the recommendation set out within the report. Subject to an amendment to 2.2. to state maintain, not cease.

RESOLVED:

- 1. Members agree not to provide additional funding to West Horndon Parish Council for the maintenance of their park.**
- 2. Members agree to provide the £3,300 payment towards the maintenance of the park for 2015/16, but cease all funding from 2016/17.**
- 3. Members agree to grant the remaining funding for the park, currently £14,099 to West Horndon Parish Council towards future maintenance of the park.**

REASON FOR DECISION

To ensure that grant support for Parish Councils is consistent, and that the maintenance of land not owned, or leased, by the Borough Council does not receive financial support.

501. Parks Management

The Council is facing an unprecedented set of challenges. The cuts in funding and the need to reduce expenditure increases the need to review the way in which we deliver our services, and how these can be done more efficiently, but still meet customer expectations.

The parks and open spaces within Brentwood are without doubt some of the most highly regarded assets operated by the Council and to ensure they are not only safe to use but also well maintained it is important that there is a focused forward thinking plan in place to direct resources and highlight areas for improvements within them.

The provision of management plans with structured programmes for improvements for the formal open spaces will help Officers to focus and direct resources where they are needed, manage resident expectation with regard to future provision and improvements and also ensure that value for money is obtained with the works undertaken.

Members praised Mr Anderson for his work on the Park Management Plans.

A motion was MOVED by Cllr Lloyd and SECONDED by Cllr Sapwell to receive the recommendations set out in the report.

RESOLVED UNANIMOUSLY to:

- 1. That Members approve the management plans, including works programmes, for King George's Playing Fields, Hutton Recreation Ground, Warley Playing Fields and Bishops Hall Park.**
- 2. That Members delegate authority to the Head of Street Scene, Chair of Committee and in consultation with Ward Members to instigate new working practices and efficiency savings in the provision of services for football and bowls in the borough.**

REASON FOR DECISION

So that a robust and forward planning strategy can be put in place for the management of the parks and open spaces ensuring they are fit for purpose and safe for users.

Ensure that management plans are in place to allow robust and realistic budget setting to take place to ensure resources are allocated when and where they are needed.

To allow for opportunities to be identified to generate additional income or to rationalise the use of the Councils parks estate and the manner in which it is used to ensure maximum income is obtained whilst utilising the available resources i.e. sports turf provision.

502. Recycling Contract

The current recycling contract with Basildon is due to end in May 2015, and currently provides the Council with an income of approximately £250,000 per annum.

Over the past six months there has been a joint procurement undertaken with Basildon, Rochford and Uttlesford Councils, which offered the best opportunity to secure maximum value, due to the increased tonnage. The Council is now at the final stage of this procurement, which will extend over the next four years, and it is apparent that the market for the sale of the dry recycle is very depressed.

The final stage of the procurement process is for Member approval, and shows that as opposed to the income the Council currently receives, there will now be a payment to the contractor. The Council also tips their recycle at the Basildon depot, who will charge a nominal fee of £5.00 per tonne as a gate fee.

The new contract will mean a net increase of over £85.00 per tonne for the Council, and will mean a net loss of approximately £540,000. This will mean a pressure on the 2015/16 budget of £300,000.

Members requested to have a strong vision going forward to encourage ideas cross party to fund the extra financial pressure.

After a decision, a motion was **MOVED** by Cllr Lloyd and **SECONDED** by Cllr Sapwell to receive the recommendation set out in the report.

RESOLVED UNANIMOUSLY to:

- 1. That Members approve the introduction of the new recycling contract, which will commence in May 2015.**

REASON FOR DECISION

This has been through a robust procurement process, and the price outlined in the report is the best price achieved.

503. Urgent Business

There were no items of Urgent Business.

Cllr Lloyd thanks everyone for their support in his role at Chair of Environment Committee and wish them all the best for the future.

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17th June 2015

Environment and Housing Management Committee

Co-option of Tenants Representatives

Report of: *Helen Gregory, Acting Head of Housing Services*

Wards Affected: *All wards*

This report is: *Public*

1. Executive Summary

- 1.1 The report sets out proposals to co-opt representatives of Tenants Talkback into the Environment & Housing Management Committee for housing related items, in accordance with the Council constitution and with the previously approved Tenant Participation Compact.

2. Recommendations

- 2.1 **Tenant Talkback be invited to send two representatives to each meeting of the Environment and Housing Management Committee where housing items are to be discussed.**
- 2.2 **The representatives of Tenants Talkback be co-opted onto the committee for the duration of the consideration of these items, and have the right to speak, but not vote.**
- 2.3 **The Acting Head of Housing Services be requested to arrange appropriate training of the representatives.**

3. Introduction and Background

- 3.1 Members will be aware that Tenant Talkback is the group of Council tenants and leaseholders who meet regularly with housing staff and councillors to discuss various subjects that affect them. Each residents association representing Council tenants or leaseholders is invited to send two representatives along to the Tenants Talkback Group.
- 3.2 The role of tenant participation in general, and Tenant Talkback's place in it, has been greatly developed over the last few years. The former Housing and Health Committee on 9th July 2014 (Minute 65) resolved that a revised Tenant Participation Compact and Constitution for Tenant

Talkback be approved to promote and develop ongoing tenant involvement and participation.

- 3.3 The Compact includes the following paragraph:

Two representatives from the Talkback Group are invited to attend the Environment and Housing Management Committee in a non voting role. They are able to speak on housing related items at the Chair's discretion.

- 3.4 In the previous operation of the Housing and Health Committee this arrangement operated on an informal basis.

- 3.5 The Council's updated Constitution was adopted at the Annual Council meeting on 15th May 2013 (Minute 11 refers) and further changes have been made subsequently.

4. Context

- 4.1 Following the adoption of the Council's new constitution, the previous informal operation of Tenant Talkback's right to speak at committee needs to be formalised.

- 4.2 The new constitution has anticipated such an arrangement in Part 4.1 of the Constitution (Council Procedure Rules) paragraph 25, which reads:

25. Co-option

Generally a committee, or a sub-committee may co-opt two persons onto the committee. Any persons so co-opted may speak but not vote.

- 4.3 In order to maintain the commitment of the Tenant Participation Compact, it is recommended that Tenant Talkback be invited to send two representatives to each meeting of the Environment and Housing Management Committee which housing related items are to be discussed. The representatives will be able to speak but not vote. It is recommended that their right to speak be on similar basis of other members of the committee.

- 4.4 It is important that Talkback Representatives receive a similar level of training to other committee members to ensure they are confident in the process of the operation of the committee.

- 4.5 It is anticipated that generally Tenant Talkback will send the same individuals to each meeting, which will be helpful to ensure consistency of understanding of the Committee process. However, it is also acknowledged that substitute representatives may also need to be sent.

- 4.6 Consequently, it is recommended that the Acting Head of Housing Services arrange appropriate training for a number of Tenant Talkback representatives to ensure both the regular delegates and any substitutes have had the benefit of appropriate training.

5. Reference to the Corporate Plan

- 5.1 This supports the Council's priorities for Housing Health and Wellbeing and A Prosperous Borough, and is consistent with the priorities of Housing Health and Wellbeing to provide effective representation of local people's views.

6. Implications

Financial Implications

Name & Title: Chris Leslie, Finance Director

Tel & Email: 01277 312542/ christopher.leslie@brentwood.gov.uk

- 6.1 There are no financial implications of the recommendations.

Legal Implications

Name & Title: Chris Potter, Monitoring Officer and Head of Support Services

Tel & Email: 01277 312860/christopher.potter@brentwood.gov.uk

- 6.2 The legal implications are as set out in the body of the report.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 6.3 Equality and diversity implications: The recommendations support effective representation of local people's views, which in turn supports equality of housing opportunities and life chances.

7. Background Papers

None

8. Appendices to this report

None

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17th June 2015

Environment and Housing Management Committee

Performance Report

Report of: *Helen Gregory, Acting Head of Housing*

Wards Affected: *All wards*

This report is: *Public*

1. Executive Summary

1.1 This is the regular performance report to update Members on performance.

1.2 This report records Q4 2014/15 performance information. We are pleased to report overall performance has steadily improved throughout the year, with both the rent collection KPI's achieving top quartile performance.

2. Recommendation(s)

2.1 That the performance achieved in Quarter 4 for 2014/15 be noted.

3. Introduction and Background

3.1 Members are aware that the Housing Department has prioritised performance improvement since July 2014; notably with the introduction of the KPI workshops held with Staff and Managers from October 2014.

4. Issue, Options and Analysis of Options

Performance

4.1 The table below outlines performance information up to end of Q4 (31 March 2015)

Key Performance Indicator	Quarter Target	Q1	Q2	Q3	Q4	Commentary
Average re let times for LA Housing	23 days	32.67 days	28 days	26.89 Days	24.30 Days	This KPI has improved significantly; almost achieving top quartile performance in Q4.
% rent Collection (annual target)	99.70%	98.42%	98.39%	100.20%	100%	This KPI has achieved top quartile performance for Q4.
% rent arrears of current tenants as a proportion of the rent roll	1.95%	1.63%	1.65%	1.68%	1.89%	This KPI continues to achieve top quartile performance.
No. of households living in temporary accommodation	29	45	42	52	49	We continue to see an increase in the numbers of homeless people; with demand greater than supply. This increase is reflected nationally.

- Overall the performance achieved for Q4 has improved significantly, with the average re-let time reducing from 32.67 in Q1 to 24.30 at the end of Q4 – a reduction of 8.37 days over 2014/15. This is a direct result of the improved focus of Staff in the KPI workshops.
- This improvement equates to an approximate **£14,457.45** reduction in rent loss (based on 147 properties available to let during the year at an average weekly rent of £86.06).
- To have maintained top quartile performance in both Rent Collection KPI's has required hard work of the Staff; particularly difficult in times of austerity. Performance in this area will become more difficult with the onset of universal credit.
- The number of households living in temporary accommodation KPI (Appendix B).

- As previously reported, whilst there is limited control over the numbers in temporary accommodation, and as this is a reactive service based on demand, work is ongoing to both limit the numbers moving into temporary accommodation and the length of time homeless households have to remain in temporary accommodation.
- The number of households in bed and breakfast is 9. We have adopted a flexible approach in the use of void council stock when it is required. However this does have to be a balanced approach so as not to cause a detrimental effect on homeless households being offered permanent accommodation.

4.2 Repairs Performance KPI's are listed in the table below:

Key Performance Indicator	Target Quarter	Q1	Q2	Q3	Q4
Customer Satisfaction	95%	Wates	92%	97%	97.1%
		Oakray	97%	97%	98%
Urgent Repairs completed on (3 day) target	99%	Wates	84.35%	98.65%	98.78%
		Oakray	94.7%	96.08%	99%
Appointments kept	100%	Wates	98%	98.97%	98.80%
		Oakray	98%	100%	99.4%
Gas Servicing	100%	Oakray	99.5%	99.54%	100%

- Customer satisfaction performance for both Wates and Oakray exceeds the 95% target.
- Wates has narrowly missed the 99% target for Q4; but has maintained performance in completing urgent repairs in Q4 at 98.78%. Oakray has met the 99% target in Q4 for the first time.
- Appointments kept – target 100%. Wates achieved 98.80% in Q4 and Oakray achieved 99.4% very narrowly missing the target. Although target not achieved, overall this is good performance.
- Gas servicing - 100%. This is an excellent achievement and a direct result of the housing team working with Oakray to review/improve our procedure/processes/communication.

5. Complaints Performance information

5.1 Please see (Appendix A) for complaint performance information. The housing team has prioritised dealing with complaints; an overhaul of the complaints process has taken place over the past 6 months. This has led to improvements both in quality of the response, and learning from complaints is discussed at team meetings to help us improve the service.

5.2 Performance of complaints for Q4 is summarized as follows:

- A total of 6 stage 1 complaints were received during Quarter 4
- A total of 5 were upheld; with 1 complaint partially upheld
- 5 complaints were answered within the 21 day target and 1 complaint answered in 22 days (1 day over target)
- None of the complaints in Q4 were escalated to stage 2; which is positive.

6. Reasons for Recommendation

6.1 To keep members informed of the key performance levels within the Housing service to enable Members to monitor our performance.

7. Consultation

7.1 Regular consultation with Tenants Talkback (resident scrutiny group) takes place monthly regarding service improvements and performance.

8. References to Corporate Plan

8.1 Improving service delivery will meet the Council's commitment to service improvements and increased customer satisfaction. We will promote efficient payment methods via a direct debit marketing campaign.

9. Implications

Financial Implications

Name & Title: Chris Leslie Head of Finance (Section 151)
Tel & Email: 01277 312712 / christopher.leslie@brentwood.gov.uk

9.1 None.

Legal Implications

Name & Title: Chris Potter, Monitoring Officer and Head of Support Services:

Tel & Email: 01277 312860 / christopher.potter@brentwood.gov.uk

9.2 None.

10. Appendices to this report

Appendix A - Complaints Performance table

Appendix B - Snapshot of numbers in temporary accommodation

Report Author Contact Details:

Name: Helen Gregory, Acting Head of Housing

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E mail: helen.gregory@brentwood.gov.uk

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Complaint Performance Information

Appendix A

Quarter 1

Service Area	Stage (s)	Complaint Type	Outcome
Temporary Accommodation	1	Temporary accommodation storage	Not Upheld
	2		None
	3		None
Estate Management	1	Garage cleared in error	Upheld
	2		None
	3		None
Estate Management	1	Service failures following fire	Upheld
	2		Upheld
	3		Upheld
Sheltered housing/repairs	1	Emergency access and re-decoration	Partially upheld
	2		Not Upheld
	3		Upheld
Total stage 1 complaints		Total stage 2 complaints	Total stage 3 complaints
4		2	2

Quarter 2

Service Area	Stage (s)	Complaint Type	Outcome
Allocations	1	Staff attitude and poor customer service	Partially upheld
	2		None
	3		None
Estate Management	1	Rent payment missing	Upheld
	2		None
	3		None
Total stage 1 complaints		Total stage 2 complaints	Total stage 3 complaints
2		0	0

Quarter 3

Service Area	Stage (s)	Complaint Type	Outcome
Repairs	1	Completed repairs have non resolved issues	Partially upheld
	2		None
	3		None
Total stage 1 complaints		Total stage 2 complaints	Total stage 3 complaints
1		0	0

Quarter 4

Service Area	Stage (s)	Complaint Type	Outcome
Repairs	1	Ongoing repairs have non resolved issues	Partially upheld
	2		
	3		
Allocations	1	Complaint relating to Government legislation	Not Upheld
	2		
	3		
Total stage 1 complaints		Total stage 2 complaints	Total stage 3 complaints
2		0	0

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Appendix B

Snapshot of numbers in temporary accommodation as at

30th April 2015

Type of temporary accommodation

Bed & Breakfast	Shared	Studio	1 bedroom	2 bedroom	3 bedroom	Total
10	7	6	8	18	2	51

Reason for homelessness

Family eviction	Relationship breakdown	Loss of private rented accommodation	Property sold	Fleeing Domestic violence	Leaving care	LA/RSL Rep	Total
10	4	25	1	5	3	3	51

Household makeup

16/17 year old	Single female	Single male	Single female with children and/ or pregnancy	Single male with children and/or pregnancy	Couple with children and/or pregnancy	Other	Total
0	5	9	25	2	9	1	51

Priority Need type

Mental health	Physical health	Children and/or pregnancy	Fleeing domestic violence	Leaving Care	Total
9	0	34	5	3	51

Length of time in temporary accommodation

0 - 6 weeks	6wk – 3 months	3 – 6 months	6 months +	Families in B & B longer than 6 weeks
19	7	10	15	0

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17th June 2015

Environment and Housing Management Committee

Getting our House in Order

Report of: *Helen Gregory, Acting Head of Housing*

Wards Affected: *All wards*

This report is: *Public*

1. Executive Summary

1.1 The Housing & Health Committee on the 7th January 2015 approved the implementation of a modernisation programme of the Housing department. The programme is scheduled to take place over the next 12/18 months. The modernisation programme named the 'Getting our house in order' will be extensive and involve an improvement plan for each service area. Staff attended briefings in December 2014 to discuss the programme.

1.2 The Housing department has prioritised performance improvement since July 2014; notably with the introduction of the KPI workshops held with Staff and Managers. This is beginning to produce improvements in performance.

2. Recommendation(s)

2.1 **That the establishment of a restructured post of Housing Manager (Estates and Repairs) on a grade J (£43,553 - £47,600) be agreed and that the recruitment process be undertaken.**

2.2 **That the direction of travel of the 'Getting our House in Order' modernisation programme be noted.**

3. Introduction and Background

3.1 We commenced the 'Getting our House in Order' modernisation programme in September 2014 (Q3). The scope of the modernisation programme covers all service areas within the Housing Department. All areas require a review to improve standards, develop procedures and processes to ensure they are compliant with best practice. To

review the time-table of the Getting our House in Order modernisation programme please see Appendix A.

4. Issue, Options and Analysis of Options

- 4.1 As outlined in the time-table in Appendix A. The income management and Repairs service has been prioritised to be reviewed at the beginning of the modernisation programme. The new income management policy was approved by Housing Committee on the 11th March 2015. The new income management system went 'live' on the 6 April 2015.
- 4.2 As part of the changes outlined in the Welfare Reform Act 2012 - the onset of universal credit is programmed to be rolled out during 2016/2017. Rent collection will become increasingly more difficult to collect as tenants will be paid housing benefit direct four weeks in arrears; rather than to the Landlord. This has been identified as a significant risk to the income stream to the HRA with approximately 60% of our tenants are in receipt of partial or full housing benefit.
- 4.3 As part of the service improvements and to help to mitigate the risk of direct payments of housing benefit to tenants. We propose to set up a new Pre-tenancy service. Officers will start to work on pre-tenancy service beginning 22nd June 2015. A pre-tenancy service works with applicants before they become tenants to help to plan to budget for their new home, and will help to identify vulnerable tenants who may require extra support.
- 4.4 In addition to the income management review; we are also continuing to review our Repairs back office function. At present we do not have property lettings Standard.
- 4.5 We will be consulting with Tenants talkback group on the 1 July 2015 regarding the setting up new property letting standard. The creation of a letting standard will help to improve our lettings service and reduce our void costs.
- 4.6 We also plan to introduce a pre-termination visit to all tenants who submit a request to terminate their tenancy. The tenant is required to give 4 weeks notice. The Housing Officer will arrange to visit the property and conduct an inspection.

- 4.7 As part of the inspection, advice will be given on the condition the property is required to be handed back to council in; as outlined in the terms and conditions of tenancy. Advice will be given on any damage found and how the tenant can put it right with the 4 weeks time-frame; and any details of any re-charge that may apply if any damage remained outstanding.
- 4.8 Staffing - we are pleased to inform Committee that since our last report on the 11th March 2015, Nicola Hitchen has successfully been appointed Estate Team Leader on an internal secondment for approximate 3 to 4 months while we recruit a new Estates Manager.
- 4.9 A continuous part of the modernisation programme is to identify efficiency savings both cashable and non-cashable. We propose to combine the posts of Repairs Manager and Estate Manager to a single new Housing Manager (Estates & Repairs) post. Both posts are currently vacant.
- 4.10 The estates manager post is budgeted at Grade H (£35,391- £39,588) the property manager is budgeted at Grade J (£43,553 - £47,600). We plan to grade the post on a Grade J; which will release a saving to the HRA of £35,391.

5. Reasons for Recommendation

- 5.1 The service improvements proposed in the 'Getting our House in Order initiative' will improve service and value for money for residents and stakeholders.

6. Consultation

- 6.2 We will consult with Midland HR for legal advice on the correct consultation required with Staff and Trade Unions to ensure we are compliant with good practice.

7. References to Corporate Plan

- 7.1 Improving service delivery will meet the Council's commitment to service improvements and increased customer satisfaction.

8. Implications

Financial Implications

Name & Title: Chris Leslie, Finance Director

Tel & Email 01277 312542 / christopher.leslie@brentwood.gov.uk

- 8.1 The creation of a new Housing Manager Post which will generate a saving of £35,391 to the HRA through restructuring; which supports the Council's corporate objective to provide value for money and identify areas where efficiency savings can be made.

Legal Implications

Name & Title: Chris Potter, Monitoring Officer and Head of Support Services

Tel & Email: 01277 312860 / christopher.potter@brentwood.gov.uk

- 8.2 None.

- 9. Background Papers** (include their location and identify whether any are exempt or protected by copyright)

None

- 10. Appendices to this report**

Appendix A – timetable of Getting our House in Order modernisation programme.

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Appendix A

Timetable Getting Our House in Order

Service Area	Review commencement	Review completion date
Performance KPIs workshops	Q3 (September 14)	Ongoing
Income management	Q3 (September 14)	Phase 1 - April 2015
Repairs Service	Q4 (Feb 2014)	Phase 1 – July 2014
Estate Management	Planned Q3 Oct 2015	Estate inspections complete February 2015
Caretaking	Planned October 2015	
Service Charges/Leasehold management	Planned September 2015	
ASB review	Planned August 2015	
Resident involvement	Commenced April 2015	Ongoing
Allocations	Commenced July 2014	Complete Dec 2015
Housing advice & homelessness	Planned September 2015	
Development – affordable housing strategy	Commenced September 2014	Ongoing
Housing admin	Planned January 2016	
IT		Q3 Sept 2014 Ongoing enhancements

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17th June 2015

Environment and Housing Management Committee

Private Sector Housing Renewal Policy Update

Report of: *David Carter, Environmental Health Manager*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 The Council agreed and adopted the Private Sector Renewal Policy at the meeting of Environment, Health and Housing Board on 8th June 2011.
- 1.2 The report contained various measures to deal with Private Sector Housing, including various Grants and Loans in Chapter 6 of the Policy.
- 1.3 This report seeks authority to consult on the revision of the current scheme of Grants and Loans offered under the Policy to better target resources.

2. Recommendation(s)

- 2.1 **That officers report back to the next Environment and Housing Management Committee on 9th September 2015 following consultation with relevant stakeholders for a decision to adopt the proposed Policy.**

3. Introduction and Background

- 3.1 The Private Sector Renewal Policy was revised and adopted in 2011 to reflect housing priorities and target financial assistance to residents in private sector housing in the Borough. A proposed revised version is at Appendix A.
- 3.2 The Council's provision of discretionary financial assistance for housing renewal has been in the form of repayable loans and other methods of encouraging the renovation of housing in appropriate circumstances.

- 3.3 It is important that this policy is regularly reviewed to ensure that, with more limited financial resources being available, the Council's funds are targeted to those most in need. Some of the funding has previously been targeted to assist the improvement of private rented accommodation, as well as promoting energy efficiency measures.
- 3.4 Financial housing assistance is currently provided through mandatory Disabled Facilities Grants for adaptations to promote independent living.
- 3.5 Discretionary loans are also provided, including:
- Discretionary Disabled Facilities Loan
 - Empty Property Loans
 - Energy Efficiency Grants/Loans
 - Warm Front Top-up Grant
 - Provision of Heating Grants/Loans
 - Renewable Energy Installation Loans
 - Emergency Repair Assistance
 - Decent Homes Loans
- 3.6 The demand for certain types of loans in this Borough has been low. A significant reason for this is the introduction by the Government of several schemes such as the Green Deal and Energy Company Obligation (ECO) funding, which provide assistance with insulation and other measures to improve energy efficiency.
- 3.7 The Council has had a budget of £50,000 to allocate to discretionary grants and loans – in 2014/15 a total of less than £12k was spent from the budget, which has been subsequently been rebased to £30k.

4. Issue, Options and Analysis of Options

- 4.1 The options available are to:
1. Continue to offer the same range and types of financial assistance, subject to availability of funding and qualifying criteria being met.
 2. Revise the scheme of discretionary financial assistance where other means of funding are available and target resources to those most in need of assistance.

- 4.2 It is considered that, pending a full review of the Council's Housing Strategy, option 2 is preferred.
- 4.3 It is proposed that in order to reduce the complicated range of assistance, and in order to target Council funding in the most effective way to assist those most in need, that the current means of assistance are reduced to two.
- 4.4 The two remaining forms of discretionary financial assistance would be discretionary disabled facilities loan and emergency home repair loans.

Discretionary Disabled Facilities Loan (DDFL)

- 4.5 In addition to the Mandatory Grant, the Council will consider awarding Discretionary Loans for other related works, or to 'top up' the Mandatory Grant to meet some additional costs. ECC will, through its Housing Options Panel, consider paying for essential works costing in excess of the maximum grant of £30,000. However, in cases where there is still a shortfall, BBC will consider offering a loan which will be repayable on the sale or disposal of the property. The offer of a DDFL will remain open for a maximum period of four months, or longer at the discretion of the Council. The offer of this loan has, so far, not been necessary but it is felt that it should be retained in case of hardship.

Emergency Home Repair Loans

- 4.6 This loan would merge and replace the existing emergency home repair assistance and decent home loans.
- 4.7 Owner-occupiers who are elderly and on low income, or those in receipt of means-tested benefits will be entitled to apply for a loan not exceeding £5,000 to carry out either:
- a) emergency repairs to keep the property wind and weatherproof or otherwise safe to be occupied, or
 - b) works to bring the property up to the Decent Homes Standard,
- 4.8 The loan will be repayable if the property changes ownership within 3 years and will be placed on the Local Land Charges Register. The offer of this grant will remain open for a maximum period of five months, or longer at the discretion of the Council.

For the purposes of this funding 'elderly' will be those over 65 and 'low income' will be those in receipt of a relevant means-tested benefit. 'Decent Homes Standard' refers to the definition contained in the DCLG publication '*A Decent Home: Definition and guidance for implementation*'

5. Reasons for Recommendation

- 5.1 To better target Council financial resources to provide housing assistance to those most in need.

6. Consultation

- 6.1 It is proposed to commence consultation with relevant stakeholders, including Papworth Trust Home Improvement Agency, private landlords, Age Concern, disability support groups and housing associations and report back any concerns raised through consultation.

7. References to Corporate Plan

Housing, Health & Wellbeing

- 7.1 We will develop different ways of working, both in the way we deliver services and with the voluntary sector, to make sure that the more vulnerable residents in Brentwood are protected, and help goes to those most in need of it.

8. Implications

Financial Implications

Name & Title: Chris Leslie, Finance Director (Section 151)

Tel & Email: 01277 312542 / christopher.leslie@brentwood.gov.uk

- 8.1 There are no financial implications to the proposed stakeholder consultation but robust policies supports the strong management of resources.

Legal Implications

Name & Title: Christopher Potter, Monitoring Officer and Head of Support Services

Tel & Email: 01277 312860 / christopher.potter@brentwood.gov.uk

- 8.2 None directly arising from this report.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

8.3 None.

9. Background Papers (include their location and identify whether any are exempt or protected by copyright)

Private Sector Housing Renewal Policy 2011
Department for Communities and Local Government – A Decent Home:
Definition and guidance for implementation June 2006 - Update

10. Appendices to this report

Appendix A – Revised Private Sector Renewal Policy 2015

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Private Sector Housing Renewal Policy 2011 (Revised 2015)

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Private Sector Housing Renewal Policy 2011

Chapter one – Introduction and Local Strategic Context

Introduction:

The Council, as the strategic housing authority has the responsibility for considering the standard of housing in all tenures and developing a strategy for dealing with the issues that arise. The Council adopted the previous Private Sector Renewal Strategy in 2006. It was revised in 2007.

The previous policy outlined the Council's approach to tackling the Private Sector Housing issues and took account of the legislative and regulative framework that existed at that time.

There have been changes in both the tone and direction of the overall framework of Private Sector regulation since the 2006 document which need to be incorporated into this revised policy. These are:

- Changes to the Government's Housing Priorities and Direction following the 2010 General Election;

- Creation of the New Homes Bonus;

- Energy Efficiency in the Private Rented Sector;

- Changes in available finance following the CSR and Local Government Settlement announced in December 2010.

This Policy should be reviewed annually within the Department for any necessary legal or financial changes and any such changes reported to Members. In addition, it should be revised and rewritten at no more than 5 year intervals.

Local Strategic Context:

Brentwood has issued a Housing Strategy Statement (April 2010 – March 2011) which sets out the Council's aspirations and base methods of working in respect (amongst other areas) of the Private Sector with a view to making the best use of existing homes. The ways in which best use can be made of homes is expanded below in Chapters four and five.

The emerging Sustainable Community Strategy has the vision *to improve the quality of life for all Brentwood Borough by working in partnership*. Within this strategy are aims to *improve the Borough's Surroundings and to keep the Borough safe and healthy*. These aims are supported by this Private Sector Renewal Policy where they connect with the Private Sector.

The Council's Corporate Plan prioritises ensuring value for money in the services we provide; providing good quality housing; and tackling anti-social behaviour and crime. This policy seeks to play its part in setting conditions within which these priorities can be met in the Private Sector housing arena.

Pending a rewrite of its Housing Strategy, the Council issued a Housing Strategy Statement covering the period April 2010 – March 2012. Within this were listed key priorities for this interim period:

- To refresh our strategic approach to meeting the housing needs of the Borough;
- To enable the delivery of new market and affordable housing;
- To make best use of existing homes, both those in Council and private ownership;
- To respond to the needs of all residents across all housing tenures, including reducing levels of homelessness, and supporting independent living for vulnerable and marginalised people;
- To contribute to building inclusive communities and reducing inequalities.

Working within these priorities, the Statement included the following:

- Working with landlords, we will seek to ensure that all tenanted dwellings in the Private Rented Sector are in a good state of repair and are suitable and safe for their occupants.
- We have devised and will continue to host our annual Private Sector Landlords Forum, when staff from the Environmental Health, Housing and Housing Benefits services give information to landlords on any changes in legislation, best practice in letting, Planning and Housing Benefit changes through presentations, discussions and question and answer sessions.
- We will continue our current grants and financial assistance to enable the homes of the most vulnerable people in the Private Sector to achieve the Decent Homes Standard, and continue to operate our policy to bring empty homes back into use.
- We will continue, through our membership of the Herts and Essex Energy Partnership (HEEP), to offer energy efficiency and renewable measures for privately owned, leasehold or rented homes. Measures will include insulation, heating improvements and renewable technologies.
- We will support independent living for vulnerable and marginalised people by continuing our partnership with Brentwood Staying Put to

assist elderly and disabled applicants to obtain appropriate funding for repairs or works.

- We will work as part of the refreshed Local Strategic Partnership to ensure appropriate housing solutions contribute to the delivery of action plans, where appropriate.

Chapter two – National Priorities for Private Sector Renewal

*We want everyone to have a decent home at a price they can afford whether they own or rent it.*¹

Housing Act 2004

The Housing Act 2004, which came into effect in April 2006, introduced measures of reform that help the most vulnerable whilst also creating a “fairer housing market for those who own, rent or let residential property”. It also assisted in meeting the then Government’s 2010 “Decent Homes” target of 70% of vulnerable households living in Decent Homes by 2010. This target was rescinded, but BBC reached this target and beyond.

A number of discretionary duties and mandatory powers were introduced and below is a summary of the main provisions of the Act:

- The introduction of the Housing Health and Safety Rating System that replaced the Housing Fitness Standard as a measure of whether a dwelling should be lived in. (Category 1 and category 2 Hazards, see below).
- Mandatory Licensing of large, high-risk Houses in Multiple Occupation and discretionary powers to license some smaller Houses in Multiple Occupation.
- The power for local authorities to selectively license private landlords.
- The introduction of Empty Dwelling Management Orders (EDMOs) to assist to bring empty homes back into use. (See below and Chapter five)
- Changes to the Right to Buy Scheme, extending the qualifying period from 2 to 5 years and extending the pay back period.
- The introduction of the Tenancy Deposit Protection Scheme.
- The creation of Residential Property Tribunals (RPTs) with the power to impose Rent Repayment Orders where a landlord has received housing Benefit for tenants living in a property which should reasonably be licensed but is not.

¹ Quote from the Communities and Local Govt website

- The introduction of Energy Performance Certificates to assist with the selling process for residential properties. (See below and chapter XXX)
- The requirement to update statutory overcrowding conditions.
- Extension of Disabled Facilities Grants (DFGs) to people occupying caravans (mobile homes) as their only or main residence. (See Chapter 6)

Category 1 and Category 2 Hazards

The Housing Act 2004 introduced a different method of determining whether living accommodation is suitable for the occupants. Instead of being based on a series of criteria which the dwelling had to be free from – dampness, instability, serious disrepair - and access to adequate lighting, heating and ventilation, wholesome water supply, satisfactory facilities for cooking of food, hot and cold water, a WC, bathroom, and drainage, the new method is risk-based and considers the harm that living conditions may cause to occupants.

Based on the seriousness of the risk to health and the likelihood of that risk being realised, the Council has either a duty or a power to require the owner to rectify any of a list of 29 Hazards. Where the dwelling exhibits one or more Category 1 Hazards, the Council is required to take the “appropriate enforcement action” in respect of the hazard(s). Where the dwelling exhibits one or more Category 2 Hazards, the Council has a power to take particular kinds of enforcement action.

Where such hazards exist, this Housing Renewal Policy will seek to assist those vulnerable and low income persons who have a responsibility to keep housing suitable for occupation to shoulder that responsibility (see Chapter 6).

Energy Efficiency

The Government has, rightly, made the eradication of fuel poverty and the provision of warm homes a priority in recent years. The present government has, whilst changing the means of so doing, continued to give energy efficiency prominence in its policies.

The “Green Deal”²

One of the main components in the **Energy Bill 2010-11** is the framework for a “Green Deal”. The aim of the Green Deal is to encourage energy efficiency improvements in properties, to be paid for by savings from energy bills.

The Green Deal would enable customers [of energy suppliers] to receive money upfront to make the energy efficiency improvements to their properties. The repayments would then attach to the energy bill at a property, rather than

² House of Commons Library. Standard Note SN/SC/5763

to an individual. The “core principle” of the Green Deal is the “golden rule”; that the instalment payment for the energy saving measures, including the cost of finance, labour and products, should not exceed the projected associated cost savings on the average bill for the duration of the green finance arrangement. The arrangement could be for as long as 25 years.

Underpinning the Green Deal would be an “Energy Company Obligation” (ECO). This would focus the obligation on those properties and households which could not make energy savings without extra financial support, such as those with hard-to-treat homes, the vulnerable and the fuel poor. (The Government estimates that this sector accounts for about a quarter of all carbon emissions).

It is expected that the Green Deal and the ECO will come into force in early 2013.

As a part of this Housing Renewal Policy, assistance will be offered to vulnerable persons and elderly persons on a low income to improve the energy efficiency of their home (to a minimum level) and provide suitable fixed heating. (see Chapter six)

Energy Performance Certificates, which are provided for new occupants of all homes – both owner occupiers and tenants – are likely to encourage the improvement of energy efficiency. Such improvements are to be supported and occupants wishing to carry out such works will, whilst it is still operating, be directed in the first instance to the HEEP scheme. Once that scheme ceases (2011/12), assistance will be offered in house.

Housing & Health

There have been two major reports linking Housing and Health,

1. from the Warwick Law School and the Building Research Establishment;³
2. from the Chartered Institute of Environmental Health ⁴

The former concluded that poor housing in England is costing the NHS in excess of £600 million a year. It also showed that low cost interventions give particularly good value in terms of health and well-being benefits. For example, minor works carried out through the Home Improvement Agency, and Handyperson Schemes to deal with hazards such as Falling on Level Surfaces, Falling on Stairs and Entry by Intruders can give a payback period (the time for the cost of works to balance with the cost saving to the NHS) of one or two years. Work carried out by the Audit Commission states that

³ Linking Housing Conditions and Health: A Report of a Pilot Study into the Health Benefits of Housing Interventions – February 2010)

⁴ Local Authority Private Sector Housing Services – Delivering Housing, Health and Social Care Priorities, Helping Vulnerable People and Local Communities – January 2011

“Every £1 spend on providing housing support for vulnerable people can save nearly £2 in reduced costs of health services, tenancy failure, crime and residential care.⁵

The latter pointed out that the Private Rented Sector is growing and that 30% of the dwellings in this sector have serious health and safety hazards. It also reiterated the words from the Empty Homes Agency – *“Homes that stand empty are a wasted resource and have a detrimental effect on neighbourhoods”*.

Empty Properties

Nationally, there are more than 300,000 long-term empty dwellings which could be brought back into residential use. Government has long encouraged local authorities to use the tools which have been made available reduce the numbers of this type of property which attract squatters, anti-social behaviour and bring misery for neighbours. Instead, local authorities should treat such empty property as an asset to be brought back into use for those families that need somewhere to live.

It is the government’s aim to develop options to bring more empty homes back into use, working with the local authorities and housing associations and some of the property owners, neighbours and others affected.⁶

⁵ Audit Commission (2009) *Building Better Lives: Getting the best from strategic housing*.

⁶ Quote from Communities Minister Andrew Stunell.

Chapter three – Local Housing Conditions

There are 27,965 Private Sector dwellings in the area which accommodate 27,051 households. Of these, 26% are Non-Decent (7,247). There are 3,234 vulnerable households living in Brentwood, of which 826 live in Non-Decent accommodation.⁷ Given that the Council is committed to “prioritising services and targeting resources to communities and individuals in the greatest need, and supporting residents who are the most vulnerable in society”; and that the Corporate Plan seeks to provide “good quality housing”, financial help to assist such persons in ensuring their homes are not adversely affecting their health is something the Council should do, within reasonable resource limits.

In 2008 in Brentwood, there were more than 13,200 people over the age of 65. This represents 18.3% of the population as a whole.⁸ This has a bearing on the numbers of people eligible to apply for Disabled Facilities Grants (DFG) as around 90% of grants are given to the over 65s. In 2010/11, 43 grants were approved with a total spend of greater than £230,000. DFGs are mandatory grants and, if an application is made by an eligible person, must be approved, to a maximum in any one instance of £30,000.

80% of the housing stock is owner occupied, with around 9% in the Private Rented Sector. The majority of the housing has been built since 1945, and much of the older housing has been improved and renovated. In 2010 (1st quarter) the average price of a house in Brentwood was £350,930. This is the highest average in Essex (£243,993) and much higher than the average for England (£224,064)⁹

Council Tax Benefit (CTB) and Housing Benefit (HB) are common measures of low income and a lack of accessible savings. In Brentwood, of the 27,051 households in the Private Sector, there are 1,551 in the Private Rented Sector who are in receipt of Housing Benefit and/or Council Tax Benefit. This would indicate that at least this number of tenants are on a low income and may well be unable to afford to heat their homes properly, even if the insulation of those homes is to a decent standard. There are a further 2,116 owner occupier households who receive CTB. These persons will be unlikely to maintain their homes without help from relatives, friends, the community or the Council.¹⁰

House Condition Survey Results

The recent Private Sector Housing Stock Modelling carried out by the Building Research Establishment (BRE) for Brentwood BC in 2011 states that all of the house condition and energy efficiency indicators suggest the Private Sector Housing stock in Brentwood to be better than the national average. (Stock

⁷ Brentwood Borough Council: BRE Housing Stock Models and options for further developing private sector housing information. February 2011.

⁸ ONS, 2008

⁹ Brentwood District Profile. August 2010

¹⁰ BBC Benefits (first quarter 2011)

Modelling provides data for basic legislative, government and local reporting on Private Sector Housing information. It does this by using complex statistical techniques to extrapolate data from the English House Condition Survey (EHCS) down to small local area level based on correlations with census and other data. It has not considered any data about specific housing conditions and has not involved the inspection of any dwellings. It is a purely statistical report and cannot be related to any specific addresses).

- The percentage of non-decent homes at 26% is 8% lower than the average for England in 2008;
- The model estimate for dwellings which fail thermal comfort, 11%, is 2% lower than the national average in 2008;
- For Housing Health and Safety Rating System Category 1 hazards the model estimate 17%, is 7% lower than the national average;
- Excess cold, which is the most common Category 1 hazard, at 8% is 2% lower than the national average;¹¹
- The one indicator provided solely of socio-economic conditions, vulnerable households, shows these conditions to be considerably better than the national average (12% compared to 19%);
- The percentage of vulnerable households in non-decent homes, 3%, is considerably lower than the national average in 2008 of 7%;
- The modelled estimate for former CLG PSA7 indicator, vulnerable households in decent homes, for Brentwood is 74%. This is 13% better than the national average in 2008.
- The model estimate for fuel poverty is 9% which is 6% lower than the national average in 2008 of 15%.

See Table 1 below

¹¹ i.e. shows that housing locally does not suffer from excess cold as much as other parts of the country.

Table1: Modelled Data, Private Sector

Ward				Dwellings					Households			Vulnerable households
	Dwellings (private)	Households (private)	Non Decent	Inadequate Thermal Comfort	Housing Health and Safety Rating System	Disrepair	Non Modern	Excess Cold	Fuel Poverty	Vulnerable Households	Vulnerable Non Decent	Vulnerable Decent (PSA7)
Brentwood North	2,441	2,367	623 (26%)	276 (11%)	358 (15%)	73 (3%)	36 (1%)	133 (5%)	165 (7%)	367 (16%)	91 (4%)	276 (75%)
Brentwood South	2,124	2,038	527 (25%)	260 (12%)	338 (16%)	76 (4%)	34 (2%)	122 (6%)	155 (8%)	309 (15%)	75 (4%)	234 (76%)
Brentwood West	2,594	2,475	533 (21%)	221 (9%)	370 (14%)	52 (2%)	31 (1%)	101 (4%)	150 (6%)	272 (11%)	55 (2%)	217 (80%)
Brizes and Doddinghurst	2,121	2,060	664 (31%)	323 (15%)	443 (21%)	59 (3%)	32 (2%)	302 (14%)	202 (10%)	250 (12%)	77 (4%)	173 (69%)
Herongate	1,512	1,461	463 (31%)	193 (13%)	307 (20%)	45 (3%)	21 (1%)	158 (10%)	170 (12%)	164 (11%)	48 (3%)	116 (71%)
Hutton Central	1,417	1,365	274 (19%)	111 (8%)	173 (12%)	25 (2%)	11 (1%)	52 (4%)	107 (8%)	122 (9%)	24 (2%)	98 (81%)
Hutton East	1,328	1,286	319 (24%)	147 (11%)	200 (15%)	32 (2%)	12 (1%)	61 (5%)	100 (8%)	184 (14%)	43 (3%)	141 (76%)
Hutton North	1,491	1,450	320 (21%)	146 (10%)	173 (12%)	29 (2%)	17 (1%)	55 (4%)	119 (8%)	217 (15%)	47 (3%)	170 (78%)
Hutton South	1,631	1,573	304 (19%)	127 (8%)	203 (12%)	20 (1%)	12 (1%)	65 (4%)	104 (7%)	98 (6%)	18 (1%)	80 (82%)
Ingatestone	2,356	2,293	761 (32%)	331 (14%)	508 (22%)	85 (4%)	43 (2%)	289 (12%)	260 (11%)	270 (12%)	85 (4%)	185 (68%)
Pilgrims Hatch	2,040	1,991	555 (27%)	240 (12%)	325 (16%)	60 (3%)	25 (1%)	113 (6%)	184 (9%)	336 (17%)	87 (4%)	249 (74%)
Shenfield	2,197	2,127	555 (25%)	252 (11%)	300 (14%)	56 (3%)	32 (1%)	135 (6%)	179 (8%)	119 (6%)	31 (1%)	88 (74%)
South Weald	779	740	248 (32%)	103 (13%)	176 (23%)	23 (3%)	12 (2%)	73 (9%)	65 (9%)	84 (11%)	25 (3%)	59 (70%)
Tipps Cross	1,403	1,374	471 (34%)	208 (15%)	324 (23%)	38 (3%)	20 (1%)	227 (16%)	163 (12%)	145 (11%)	48 (3%)	97 (67%)
Warley	2,533	2,451	631 (25%)	272 (11%)	429 (17%)	65 (3%)	31 (1%)	214 (8%)	184 (8%)	299 (12%)	76 (3%)	223 (75%)
Brentwood	27,965	27,051	7,247 (26%)	3,210 (11%)	4,626 (17%)	740 (3%)	370 (1%)	2,101 (8%)	2,307 (9%)	3,234 (12%)	828 (3%)	2,406 (74%)
England 2007			(36%)	(16%)	(23%)	(7%)	(3%)	(11%)	(13%)	(20%)	(8%)	(61%)
England 2008			(34%)	(13%)	(24%)	(7%)	(3%)	(10%)	(15%)	(19%)	(7%)	(61%)

Within these general figures however, there are variations which indicate where any available monies should be spent first. The wards of Brentwood North and Brentwood South, Brizes and Doddinghurst, Ingatestone and Pilgrims Hatch all have 4% of their vulnerable households living in Private Sector housing stock which is non-decent. Ingatestone, Tipps Cross and South Weald have a large proportion (23 and 22 %) of their Private Sector stock exhibiting Category 1 hazards. (see Table 1)

In order to firm-up these figures, and put addresses to the identified problems, it would be necessary to carry out a much wider Private Sector Housing Survey in these parts of the Borough at an estimated cost of £40 - £50,000. Resources being so limited, a more practical way of targeting help to those who need it most would be to advertise/promote the availability of financial assistance in these areas. This would not preclude the giving of assistance in other areas in individual cases.

The House Condition Survey has shown that to make all of the 7,247 non-decent homes in the area decent would cost more than £37M.

Table 2: Cost of Making Non Decent Homes Decent.

Criteria	Average Cost	Total Number in Brentwood	Total cost (£000)¹²
Non Decent Home	£5,155	7,247	£37,358
Dwelling which fails Thermal Comfort	£3,171	3,210	£10,179
Dwelling which fails Housing Health and Safety Rating System Cat 1 Hazards	£4,128	4,626	£19,099
Dwelling which fails Disrepair	£10,879	740	£8,052
Dwelling which fails Modernisation	£15,401	370	£5,707
Vulnerable Households in Non Decent Homes	£5,155	828	£4,269

Clearly, such expenditure is not the responsibility of the Council. However, where there are vulnerable persons living in non-decent conditions such as to pose a serious risk to their health, the Council will

¹² Figures don't add to £37,358,000 because some dwellings feature in more than one category.

seek to offer help in as many appropriate ways as possible. Advice, grants, loans and negotiations with Private Sector landlords are all ways in which the Council can help.

Chapter four – Energy Efficiency/Fuel Poverty

Fuel Poverty can be defined as occurring when a household has to spend more than 10% of its disposable income on total fuel bills – space and hot water heating, cooking, lighting, appliances and standing charges. It results in households experiencing to a lesser or greater degree either fuel debt (i.e. they cannot afford to pay their fuel bills), or an inadequately heated home.

If the home is inadequately heated, the householder may suffer from cold-related diseases. It has been estimated (by charities set up to cater for the aged) that 48,000 more people die in winter each year than in the summer. Most are elderly. The charity estimates that 77% of the elderly in the UK are “fuel poor”. When a property is inadequately heated it can lead to condensation and damp conditions, which increase the rate of asthma and respiratory diseases. It is estimated that increased cold-related and respiratory diseases, associated with fuel poverty, cost the NHS £1Bn per annum. Fuel poverty can also lead to the deterioration of the property itself and associated increased maintenance/repair costs and reduced asset value. There are also other interrelated problems caused such as under use of available floor space.

Previous Governments have sought to try and eliminate fuel poverty, especially from vulnerable households. Grants and advice/information have had some success in this regard since the introduction of the Home Energy Conservation Act 1995, and the efforts of local authorities and central government. However, with the recent increase in fuel prices, much of this work has been undone and the numbers in fuel poverty have started to rise again.

Although the previous Private Sector Housing Renewal Policy included the awarding of grants in respect of energy efficiency, since 2009 a partnership with 15 local authorities in Hertfordshire and Essex has been set-up to administer grants and loans for this purpose using a Government Grant. This scheme, the Herts and Essex Energy Partnership (HEEP), has overseen the payment of £164,311 in respect of 542 dwellings. There is a prospect of a further £95,330 being spent (268 dwellings) before the scheme finally winds-up sometime in 2011.

In addition, the Council has awarded 21 grants totalling £13,012 during the same period to applicants who do not satisfy the HEEP conditions but who are nevertheless on a low income or otherwise vulnerable.

Chapter five – Interventions which the local authority can take:

With regard to Private Sector Housing, the Council can have a positive effect on the quality and quantity of the housing stock. By applying the Housing Health and Safety Rating System, dwellings can be upgraded by ensuring that they do not exhibit any of the 29 Hazards and so ensuring that they are safe and healthy places to live. By seeking to bring empty property back into use, the Council will increase the numbers of dwellings forming the stock.

Housing Health and Safety Rating System.

Environmental Health annually receives nearly 100 complaints (requests for service) concerning the condition of dwellings. Some of these are from the occupiers (mainly tenants), whilst others are from neighbours of poor quality property or from the owner occupiers of such. The numbers of complaints vary from year to year (see Table 3), but are a substantial part of the annual workload. In each instance, visits will be made and appropriate action taken.

Table 3: Numbers of Complaints received by Environmental Health.

Year	Number of Complaints
2005/6	60
2006/7	75
2007/8	93
2008/9	99
2009/10	87
2010/11	84

The Council's Enforcement Strategy will ensure that, as far as possible, unsatisfactory rented accommodation will be remedied, with landlords being either encouraged or forced to bring it up to standard. Owner occupied property will be treated sympathetically, with advice being offered, together with financial assistance if appropriate. However, should the property be adversely affecting another, or be having an adverse effect on health, there are statutory measures which can be brought about.

Empty Dwellings.

There are 226 dwellings which have been empty for more than 6 months.¹³ Whilst this is a small number, less than 1% of the Private Sector Housing Stock, it is evident that such properties "can attract anti social behaviour and bring misery for neighbours"¹⁴ Should the Council wish to expend resources

¹³ 31 March 2011

¹⁴ Communities Minister Andrew Stonell 10 January 2011.

to reduce this number of “wasted homes”, there are a number of tools which it could use to bring it about.

- Empty Dwelling Management Orders (EDMOs);
- Compulsory Purchase;
- Enforced Sales Procedure.

However, it should be borne in mind that all of these actions are the end result of concentrated effort and a great deal of expended time, and additional resources would be required to carry out such work.

EDMOs can be served on the owners of empty dwellings when certain conditions are satisfied. If a property has been empty for at least 6 months and there seems no prospect of it being re-occupied or sold, the local authority can apply to a Residential Property Tribunal (RPT) for an **Interim EDMO**. This lasts for up to 12 months, during which time the Council, whilst taking over the day-to-day management, must work with the landlord to agree a way of getting the property back into use. This can include the local authority letting the property *with the permission of the landlord*. If no agreement can be reached, the Council can make a **Final EDMO**, following which it has the right to possession of the property for a fixed period of time, which can be for up to 7 years. During this time, the Council must take whatever steps it considers appropriate to get the property occupied or to keep it occupied and ensure that it is properly managed. Any costs incurred in the execution of a Final EDMO – management costs, repair costs etc. – will be recovered from the rental income. Any surplus must be returned to the landlord, whilst any losses must be borne by the Council.

Compulsory Purchase powers under the Housing Act 1985 or the Town and Country Planning Act 1990 can be used by local authorities to acquire empty dwellings with a view to ensuring the development of the site or to ensure that they are occupied – either by adding them to their own stock or by selling them on the open market or to a preferred bidder (an RSL). Compulsory Purchase Action is a long and involved process, the eventual outcome of which is often subject to a Public Local Enquiry held at the local authority’s expense.

The **Enforced Sales Procedure** can be invoked by local authorities where a recoverable debt has been placed as a charge on the property by the local authority. Not all debts are able to be made a land charge, but those incurred by the carrying out of, for instance, works in default of statutory action, can be used. The procedure involves sending an invoice in respect of the debt to the owner concerned which, if not paid, can result in the local authority causing the property to be sold in order to recover the outstanding amount.¹⁵

¹⁵ Law of Property Act 1925

Houses in Multiple Occupation.

Brentwood is not a Borough which has a high level of Houses in Multiple Occupation (HMOs) or, indeed, an appreciable number of houses which lend themselves to such occupation. HMOs are often occupied by young single persons or couples who either cannot find or cannot afford to rent traditional houses or flats, or by vulnerable persons who have no permanent address. Occupation of such accommodation is often transient and the occupiers are more likely to move rather than complain about their living conditions. By definition, they are a part of the Private Rented Sector which itself contains much of the worst housing in the Borough.

The Housing Act 2004 brought in new definitions of what constitutes a HMO, and also gave local authorities a duty to license the larger HMOs (see Appendix 2) which were seen to pose the most risk to the occupiers, especially risk from fire. BBC has 19 licensed HMOs (2011), but an unknown number of HMOs which do not need to be licensed, but many of which still pose a risk to the occupants in terms of lack of means of escape or of poor facilities or living conditions. To discover these houses, it would be necessary to not only trawl Council Tax Records and the Electoral Register (provided such actions were not prohibited by the Data Protection Act 1998 and associated Orders), but also to visit probable buildings to ascertain their current status. Work on such non-licensable HMOs would require additional resources

The Management of Houses in Multiple Occupation Regulations 2006 (as amended) impose duties on the owner/manager of a HMO regarding safety (including fire safety), provision of facilities, gas and electrical installations, maintenance, living conditions, etc. A breach of these Regulations, which are enforced by local authorities, renders the owner/manager of a HMO liable to a fine not exceeding level 5 on the standard scale.

Home Improvement Agency.

The Council has had a relationship with a Home Improvement Agency (HIA) provider for more than 20 years. Anchor Trust has provided a holistic housing service aimed at assisting elderly and vulnerable people to solve their housing problems by:

- helping them obtain grants or to access other funding,
- helping them to understand and fill out complex forms,
- providing a gardening service,
- providing a handyman service.

From early July, the HIA provider will be *Papworth Trust Housing Solutions*. This charitable Trust has been successful in bidding to provide the HIA service in Thurrock; Castle Point; Rochford; Southend; Harlow; Uttlesford and Brentwood. The tender was let by Essex CC as a part of its Supporting People work.

Historically, BBC has paid £44,000 to assist with the running costs of the HIA. This sum has been [nearly] matched by monies from Supporting People. The new HIA will be funded in a similar manner, with both BBC and Essex CC paying a reduced amount. Any shortfall of running costs will be made up by Papworth charging an increased level of fees.

The details of the HIA, where it will be based and how it will promote itself in Brentwood are, as yet, unclear. However, it is expected that there will be a seamless transfer of work from Anchor to Papworth, and that there will be no loss of service to residents.

Advice:

Residents of the Borough will often rely on advice from Environmental Health in respect of their housing problems. Apart from signposting to other Departments of the Council, Essex CC, the HIA, DWP, HEEP, or other Agencies, advice on what works should be undertaken to remedy defects or combat poor housing conditions is freely given. Environmental Health will work with communities, self-help groups and other interested bodies in order to improve housing conditions.

Grants / loans:

The Council has long been the provider of financial assistance to home owners. Grants to repair or improve living accommodation have been given for more than 50 years with thousands of dwellings being brought up to a decent standard. More recently, since the last Private Sector Renewal policy was implemented in 2006, BBC has assisted 389 people to improve, adapt and repair their homes and has, in the process paid grants and loans totalling £1,236,924.

Table 4: Grant monies expended since 2006

Year	DFG		Renovation		Home Repair Assistance		Affordable Warmth	
	Amount £	Num	Amount £	Num	Amount £	Num	Amount £	Num
2006	107,831	31	34,935	4	48,000	23	34,666	34
2007	182,745	35	0	0	47,683	21	61,060	29
2008	205,344	45	0	0	41,304	23	61,207	30
2009	106,420	23	13,719	2	42,538	23	12,815	16
2010	196,245	35	18,765	2	21,450	12	197	1
TOTAL	798,585	169	67,419	8	200,975	102	169,945	110

With more limited financial resources being available for distribution, the Council will in the future have to be more discerning in who is awarded grant aid. Indeed, much of the activity in this area will have to be carried out on a loan basis, rather than giving grants. Such loans would be repaid when the property was sold, with the monies being recycled into the budget for discretionary grants and loans.

Chapter 6 outlines the proposed way that financial assistance will be given in the future.

Chapter six – Grants & Loans. (See Appendix 3)

Subject to qualifying conditions, and subject to available financial resources, the Council will provide assistance through its Housing Renewal Policy in one of or a combination of the following ways:

- Disabled Facilities Grants;
 - Mandatory Grant
 - Discretionary Grant
- Emergency Home Repair Loans

Mandatory Disabled Facilities Grants

Mandatory grants for people with a disability to make adaptations to their home (including caravans and houseboats) to enable them to:

- move freely into and around the dwelling and enjoy the use of the dwelling and the facilities and amenities within it. i.e. reasonable access to the home and the living room, bedroom, bathroom or shower room in which there are suitable facilities for washing and/or showering;
- make a dwelling or building safe for a disabled occupant;
- provide a room or provide access to a room used or usable for sleeping;
- provide suitable toilet and washing, bathing or showering facilities;
- facilitate the preparation and cooking of food;
- adapt heating, lighting and power installations for the benefit of a disabled person;
- access the garden in a safe manner.

The grant is subject to the government's prescribed "Test of Financial Resources" (Means Test) which is used to calculate the applicant's contribution (if any). The maximum grant cannot exceed £30,000.

The Council has to consult with Essex County Council Adult Health & Community Services, (Occupational Therapists) as to what works are necessary and appropriate and then has to decide whether the works recommended are reasonable and practicable.

All DFGs in excess of £5,000 will be subject to a condition that, should the property be sold, or the ownership change, within 10 years of the works being completed, the grant paid above £5,000 will be repaid to the local authority, subject to a maximum repayment of £10,000.¹⁶

¹⁶ The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant Conditions relating to approval or payment of Grant) General Consent 2008.

Discretionary Disabled Facilities Loan

In addition to the Mandatory Grant, the Council will consider awarding Discretionary Loans for other related works, or to "top up" the Mandatory Grant to meet [some] additional costs. ECC will, through its Housing Options Panel, consider paying for essential works costing in excess of the maximum grant of £30,000. However, in cases where there is still a shortfall, BBC will consider offering a loan which will be repayable on the sale or disposal of the property. The offer of a DDFL will remain open for a maximum period of 4 months, or longer at the discretion of the awarding authority.

Emergency Home Repair Loans

Dwellings occupied by owner occupiers who are elderly and/or on low income which are in need of either emergency repairs to keep them wind and weatherproof or otherwise safe to be occupied, or need work to bring the property up to the Decent Homes Standard, will be entitled to a grant not exceeding £5,000 to enable those repairs to be carried out. The grant will be repayable if the property changes ownership within 3 years and will be placed on the Local Land Charges Register. The offer of this grant will remain open for a maximum period of five months, or longer at the discretion of the Council.

Revised 2 June 2015

DECENT HOMES STANDARD

The basic principles of the Decent Homes Standard are:

We will develop different ways of working, both in the way we deliver services and with the voluntary sector, to make sure that the more vulnerable residents in Brentwood are

- protected, and help goes to those most in need of it. **Houses must meet the current statutory minimum standard for housing**
i.e. Homes must be free from Category One Hazards as defined in Part 1 of the Housing Act 2004.
- **Houses must be in a reasonable state of repair**
Homes which fail to meet this standard are those where either:
 - one or more of the key building components are old and, because of their condition, need replacing or major repair; or
 - two or more of the other building components are old and, because of their condition, need replacing– or major repair
- **Houses must have reasonably modern facilities and services**
Homes which fail to meet this standard are those which don't have three or more of the following:
 - reasonably modern kitchen (20 years old or less)
 - a kitchen with adequate space and layout
 - a reasonably modern bathroom (30 years old or less)
 - an appropriately located bathroom and WC
 - adequate insulation against external noise (where external noise is a problem)
 - adequate size and layout of common areas for blocks of flats
- **Houses must provide a reasonable degree of thermal comfort**
This means that homes must have both effective insulation and efficient heating

LICENSABLE HOUSES IN MULTIPLE OCCUPATION

In general terms, HMOs¹⁷ which satisfy all of the following conditions **must** be licensed by the local authority.¹⁸

- The building containing the HMO is of 3 or more storeys;
- The HMO is occupied by more than 4 persons;
- The HMO is occupied by 2 or more households as their only or main residence.¹⁹ This includes occupation :
 - By asylum seekers, migrant and seasonal workers;
 - As a refuge by persons escaping domestic violence; or
 - By students in higher or further education.

¹⁷ As defined by sections 254 – 259 of the Housing Act 2004.

¹⁸ It is an offence for the owner/manager of a licensable HMO not to license it.

¹⁹ A household is either a single person or members of the same family who are living together. This includes people who are married or living together as married (including those in same-sex relationships). It also includes specific relatives who are living together: parents, grandparents, children (and step children), grandchildren, brothers, sisters, uncles, aunts, nephews, nieces or cousins. Foster children are also treated as part of their parents' household.

GRANTS/LOANS PRIORITY LIST

Type of Grant/Loan	Priority	Maximum Grant/Loan (£)	Comments
Mandatory Disabled Facilities Grant	High	30,000	Dependent on numbers of referrals from ECC
Discretionary Disabled Facilities Grant	High	No limit	Very rarely has to be used.
Emergency Home Repair Loan	High	5,000	Owner occupiers who are elderly and/or on low income

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17th June 2015

Environment & Housing Management Committee

Right to Buy Capital Receipts Commitments & Garage Site Redevelopment Proposals

Report of: *Helen Gregory, Head of Housing Services*

Wards Affected: *All wards*

This report is: *Public*

1. Executive Summary

1.1 In connection with the Garage Site Redevelopment Proposals the Housing & Health Committee of the 5th November 2014 (Minute 250) it was approved:

- *Seek outline planning approval for development of three homes at Magdalen Gardens CM13 1RL*
- *Seek outline planning approval for development of six homes of Fawters Close CM13 2SY*
- *Seek outline planning approval for development of three homes at Fielding Way CM13 1JN*
- *Incur fees up to £120,000 funded from this year's HRA capital budget to prepare outline planning application for three sites.*
- *Incur additional fees up to £90,000 to develop detailed designs and tender documentation if outline planning is granted.*
- *To undertake procurement to appoint a suitable developer/partner to deliver each scheme.*

1.2 It was envisaged that the development of the garage sites would be start on site in June 2015 and that the available Right to Buy Capital Receipts would enable one scheme to be progressed with additional funding from the HRA Investment Fund and prudential borrowing.

- 1.3 Progress with the developments has not been as quick as originally assumed as a consequence of the surveys required to accompany the planning applications and the actual planning approval process.
- 1.4 There is a requirement that the Right to Buy Capital Receipts are expended by certain dates and as a consequence of the delay the first date of September for all the investment to be made is likely to be missed.
- 1.5 This report sets the current position with the development of the garage sites provides recommendations as to the actions taken to address these issues.

2. Recommendation(s)

- 2.1 That a development manager be engaged to produce a detailed business case of Options 1 and 2 in paragraph 3.4 of this report to inform the procurement options.**
- 2.2 That delegated authority be granted to the Head of Paid Service to consider the procurement options produced and to commence the procurement process in consultation with the Chair of the Committee for a developer or registered provider to construct the schemes at Magadalen Gardens, Fawtens Close and Fielding Way.**
- 2.3 That the Head of Paid Service be delegated authority to acquire such residential units that meet current General Needs requirements to ensure that that Right to Buy Capital Receipts are fully expended by March 2016 subject to consultation taking place with the Leader of the Council and the Section 151 Officer before the exercise of such authority.**

3. Introduction and Background

- 3.1 Applications for planning permission for all three sites were submitted and April and it is envisaged that the applications will be submitted to the Planning Committee in July.

3.2 The outline programme which was included in the previous report was as follows;

TABLE 1

	Procurement and Development Programme		Current Position
1	Outline design development	Sept/Oct 14	March 2015
2	Housing Committee – Consideration of scheme options	Nov 14	Completed
3	Outline Planning Application submitted	Dec 14	Submission – April 2015
4	Development of Design Specification	Nov/Jan 15	To be completed following grant of planning permission
5	Preparation of tender documents	Dec 14	To be completed following grant of planning permission
6	Judicial Review	Dec14/Feb 14	Follows grant of planning permission
7	Procure Constructor	Jan/Feb 15	Dependent upon procurement method adopted
8	Constructor Mobilisation	Mar/May 15	Dependent upon procurement method adopted
9	Start on site	June 15	Dependent upon procurement method adopted

3.3 It was envisaged that the construction works would be undertaken following granting of planning permission, further development of the design and a tender exercise involving contractors selected from the South Eastern Corsortia's Approved Framework List.

3.4 The current programme is set out below, the actual length of programme is dependent upon the option selected.

TABLE 2

Procurement of Development Programme		
Option 1 - Direct	Comments 1	Weeks
- 4 – 6 weeks (could be advanced at same time as Full Tender for Development Manager) Development Manager	Assume employment of consultant to co-ordinate project	Full Tender Exercise – 10 weeks
- Design Development	Development of scheme to a position where tender for works can be sought	4 – 6 weeks (could be advanced at same time as Full Tender for Development Manager)
- Procurement of Contractor	Tender period to let building contract	Full Tender exercise – 10 weeks
- Construction Works	Assumed Construction Period	26 weeks
- Total Weeks		46 weeks
Option 2 – Framework Partner (or RP)	Comments 1	Weeks
Appointment of Development Manager (RP) & Contractor already on Partner Framework Agreement		6 - 8 weeks
- Design Development		4 – 6 weeks (could be advanced at same time as Full Tender for Development Manager)
- Procurement of Contractor	If on framework no need to tender just to negotiate	4 – 6 weeks
- Construction Works		26 weeks
- Total Weeks		36 – 40 weeks

4. Issue Options and Analysis of Options

4.1 The development of the garage sites is progressing albeit not as expected as reported to the Committee in November 2014.

4.2 The immediate risk is that the Right to Buy Capital Receipts that have accumulated will not all be expended by required dates, see table below which illustrates the aggregated receipts, the gross expenditure required to be committed/spent and the Councils contribution.

TABLE 3

Right to Buy Capital Receipts			
Date to be Spent	Gross Project Cost	RTB Capital Contribution	Council Contribution
Sep-15	168,347.77	50,504.33	117,843.44
Dec-15	940,485.57	282,145.67	658,339.90
Mar-16	446,052.23	133,815.67	312,236.56
	1,554,885.57	466,465.67	1,088,419.90
Jun-16	240,756.93	72,227.08	168,529.85
Sep-16	0.00	0.00	0.00
Dec-16	1,303,344.03	391,003.21	912,340.82
Mar-17	609,602.77	182,880.83	426,721.94
	2,153,703.73	646,111.12	1,507,592.61
Jun-17	527,622.40	158,286.72	369,335.68
Sep-17	327,158.53	98,147.56	229,010.97
Dec-17	359,139.37	107,741.81	251,397.56
Mar-18	840,733.77	252,220.13	588,513.64
	2,054,654.07	616,396.22	1,438,257.85
Cumulative Total	3,708,589.30	1,112,576.79	2,596,012.51

- 4.3 In the event that the Receipts are not spent then all or unexpended balance of the specific identified sums as detailed above have to be paid to DCLG with interest at 4% above Base Rate from receipt. As an example in the event the RTB Capital Contribution as identified in Table 3 above is not spent then the £50,504.33 identified to be spent by 15 September 2015 will have to be paid to DCLG together with interest (3 Ys at 4.5%, compounded) of circa £7,500.
- 4.4 The options available to the council regarding the RTB Capital Contributions for the current year include progressing with the small site schemes and or using the Contributions to help fund the acquisition of residential units openly available on the market or affordable units available through s106 requirements to let at affordable rents i.e. rents up to 80% or market rents.
- 4.5 The RTB Capital Contributions have to be used to increase the supply of new affordable homes for rent.
- 4.6 Although some of the RTB Capital Contribution that is required to be spent by 15 September has been expended on the small site schemes circa £50,000 (gross) has been spent it is unlikely that the full Gross Project Cost is likely to be achieved.
- 4.7 In view of this and the requirement to spend a further £941,000 by 15 December 2015 it is recommended that a programme of acquiring completed or close to being completed residential units is instigated as soon as possible.
- 4.7 In order to acquire suitable opportunities a process/ procedure will have to be approved to ensure that the Council is competitive in an extremely dynamic market where the current Committee cycle and procedures would not enable satisfactory outcome.
- 4.8 If this recommendation is approved appropriate delegation will have to be provided to both the Leader and Head of Paid Services/s 151 Officer to agree the purchase of suitable properties which comply with the current housing needs policy. The current approval process is not adequate to meet with the demands of securing property in the open market. If properties are acquired then it should be reported at the next Policy, Finance and Resource Committee.

5. Reasons for Recommendation

- 5.1 Members are asked to approve the recommendations to ensure that the development of the garage sites is achieved and that the Right to Buy Capital Receipts are expended fully.

6. Consultation

- 6.1 No formal consultation has been undertaken to date. Ward Councillors have been advised of the outline proposals and comments sought. If approval is given to develop the designs, officers will consult with current garage users and local residents whose homes bound the sites.
- 6.2 The planning process requires consultation with affected parties. It is intended that we will consult in advance of this to ensure affected residents are aware of and can discuss the proposals with officers before formal notices are served.

7. Reference to Corporate Plan

The provision of new homes will help to address the Council's aims to meet housing demand in the borough.

8. Financial Implications

Name & Title: Chris Leslie, Finance Director.

Tel & Email 01277 312542 / christoper.leslie@brentwood.gov.uk

- 8.1 Retained Right to Buy receipts have to be spent in three years or repaid to Central Government. However the Council has no control over when the receipts are received and they may not match the natural spending profile of building projects.
- 8.2 Based on the current projection the level of expenditure required will not be achieved and receipts will have to be repaid. To avoid repayment it is necessary to acquire existing property through delegated authority in order to incur the expenditure within the time scales.
- 8.3 Estimated expenditure of £300k is likely to be required on purchasing existing property and there is sufficient budget to continue developing the proposed sites

Legal Implications

Name & Title: Chris Potter, Monitoring Officer and Head of Support Services

Tel & Email: 01277 312860 / christopher.potter@brentwood.gov.uk

The Committee can delegate to the Head of Paid Service authority under section 101 of the Local Government Act 1972 in order to safeguard against the risk of repayment to the Government identified above.

10. Background Papers

Housing and Health Committee – Garage Site Redevelopment 10th September 2014

Housing & Health Committee – Garage Site Redevelopment Proposals 5th November 2014

11. Appendices to this report

None.

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17th June 2015

Environment & Housing Management Committee

Street Inspector

Report of: Roy Ormsby – Head of Street Scene

Wards Affected: All wards

This report is: Public

1. Executive Summary

- 1.1 At Ordinary Council on 10th June 2015 a revised budget was approved, which included the addition of a Street Inspector for the Borough. The additional funding shows a clear intention to make the street scene across the Borough a priority for the Administration.
- 1.2 The Street Inspector will work with Members, and have a clear remit to use the resources of the Neighbourhood Action Team, and when appropriate the Highway rangers. This will provide the resources to identify issues and ensure that they are addressed.
- 1.3 The Inspector will play a community engagement role for the Council, and work with residents and businesses to identify ways of improving the public realm. This will mean liaising with key partners, and working with them to identify ways of enhancing the environment.
- 1.4 The Inspector will play a proactive role in keeping our streets clean and well maintained, and will liaise with Officers across the Council to improve the public realm around the Borough.

2. Recommendation(s)

- 2.1 That Members agree to the appointment of a Street Inspector for the Borough.**

3. Introduction and Background

- 3.1 There is a clear commitment from the Administration to enhance the cleanliness of the Borough. This will be delivered through the appointment of the Street Inspector, who will have a clear remit to direct

resources from the Neighbourhood Action Team to deliver priorities across the Borough.

- 3.2 The post holder will develop working relationships with key partners, and try to identify how public realm issues can be enhanced and delivered in partnership with others.
- 3.3 There is a need to work with local residents regarding two current challenges for the Council. This is the increase in flytipping, and the need to work with residents on the early presentation of household waste at the curbside.
- 3.4 There has been a substantial increase in flytipping across the Borough, but particularly in the rural areas. The Inspector will work with Officers from Street Scene and Environmental Health to take a more proactive role in reducing this problem. There will be a focus on enforcement, and taking a stance against those that are abusing our environment.
- 3.5 Litter on some of our streets is an issue, especially after bin collections. It has been identified that a number of residents present their waste the night before collection, which is leading to vermin splitting bags to access the contents, and meaning waste is being spread along our streets.
- 3.6 Although the report highlights two key issues there are others that need to be addressed. The public realm is the main focus of this role, which is the key issue that impacts on our residents and visitors to the area. The role will evolve over time, and priorities will change as challenges are addressed, and the focus move to other areas.
- 3.7 This will see a change in the role of the Neighbourhood Action Team, who will focus on the key issues of the Borough, which may see them move away from the programmed work they currently do. This will however, make better use of the resources available, and focus on Borough priorities that make a real difference to local people.
- 3.8 Although the Borough is generally clean and well presented, this is an important role to ensure this continues, and shows that the Council are taking a proactive role in keeping our streets clean, and are committed to continually improving our public realm.

4. Issue, Options and Analysis of Options

- 4.1 This will be a liaison role, which will communicate with a wide range of stakeholders, and will need to develop relationships with Officers from other organisations to improve our Borough. It provides an opportunity for the Council to take proactive role in improving the environment.

5. Reasons for Recommendation

- 5.1 To enable the Head of Street Scene to commence the recruitment process.

6. Consultation

- 6.1 This will be a continuous process through the post, providing feedback to residents and Members.

7. References to Corporate Plan

- 7.1 This will ensure the Council improve the environment, and engage with our residents.

8. Implications

Financial Implications

Name & Title: Chris Leslie, Finance Director (Section 151)

Tel & Email 01277 312542 / christopher.leslie@brentwood.gov.uk

- 8.1 The cost of the Street Inspector is included in the existing budget.

Legal Implications

Name & Title: Christopher Potter, Monitoring Officer and Head of Support Services

Tel & Email: 01277 312860 / christopher.potter@brentwood.gov.uk

- 8.2 None directly arising from this report.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 8.2 None

- 9. Background Papers** (include their location and identify whether any are exempt or protected by copyright)

9.1 None

10. Appendices to this report

None

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Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

Environment and Housing Management Committee

1. The functions within the remit of the Environment and Housing Management Committee (including the operational management of assets which for the sake of clarity also comprises maintenance) are set out below:

- 1) Waste management, refuse collection and recycling.
- 2) Environmental improvement schemes.
- 3) The quality of the public realm, including street services and grounds maintenance.
- 4) Highway matters that are the responsibility of the Borough Council (including highway closures under the Town Police Clauses Act 1847) and drainage.
- 5) Public conveniences.
- 6) Cemeteries and closed churchyards.
- 7) Unlawful incursions.
- 8) Affordable housing.
- 9) Housing strategy and investment programme where the Policy, Finance and Resources Committee does not decide to exercise such functions as the superior Committee.
- 10) The Housing Revenue Account Business Plan where the Policy, Finance and Resources Committee does not decide to exercise such functions as the superior Committee.
- 11) Housing standards, homelessness, homelessness prevention and advice.
- 12) Housing needs assessment.
- 13) Housing benefit - welfare aspects.
- 14) Private sector housing and administration of housing grants.
- 15) Tenancy Management and landlord functions.
- 16) To make recommendations to Finance and Resources on the setting of rents for Council homes.
- 17) Operational facilities management (including maintenance) of the Town Hall and the Depot.

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