

# Minutes

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## Environment and Housing Management Committee Wednesday, 9th December, 2015

### Attendance

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

### Also Present

Cllr Barrett  
Cllr Murphy  
Cllr Pound  
Cllr Russell  
Cllr Ms Sanders  
Cllr Tee  
Cllr Wiles

Mrs M Montgomery – Tenants Talkback Representative

### Officers Present

David Carter	- Senior EHO (Team Leader)
Helen Gregory	- Interim Head of Housing
Neil Haycock	- Environmental Health Officer
Paulette McAllister	- Design & Conservation Officer
Roy Ormsby	- Head of Street Scene
Jean Sharp	- Governance and Member Support Officer
Angela Williams	- Principal Officer (Housing Needs)

### 262. Apologies for Absence

No apologies for absence were received.

### 263. Minutes of the Previous Meeting

The minutes of the 23 September 2015 Environment and Housing Management Committee meeting were approved and signed as a true record, subject to the inclusion of Cllr Ms Rowlands' name as having been present.

**264. Verbal update - Streetcare**

The Chair and Head of Streetscene gave a verbal update regarding the issuing of grit supplies, litter recycling roadshows and the role of the recently appointed street inspector. The Chair also advised that planning permission had been granted for development of two of the Council's garage sites where 7 residential units were to be built.

**265. Pilot Scheme for Refuse/Recycle bins in West Horndon**

Members were reminded that at the Environment and Housing Committee on 23 September 2015 it was agreed to implement a pilot scheme for the introduction of refuse/recycle bins at a cost of £5,000.

Since that Committee meeting there had been positive discussions with West Horndon Parish Council who had agreed to pilot the scheme. However, it was agreed with them that the scheme should be extended to include the whole of the village.

As the scheme was now to include 650 homes and each would be issued with two bins - a 240ltr bin for dry recycling waste, and 180ltr bin for residual waste - the cost of implementation would be increased from the initial £5,000 to approximately £20,000.

**Cllr Hossack MOVED and Cllr Poppy SECONDED the recommendation in the report and, following a full discussion, a vote was taken on a show of hands and it was**

**RESOLVED UNANIMOUSLY**

**That Members agree to the trial of bins to 650 homes in West Horndon at a cost of £20,000, which will be funded from the capital programme.**

**Reason for Recommendation**

To ensure that the pilot is delivered to a larger number of households, and provide better data for Members to make an informed decision on any further schemes.

**266. Fee and Charges - Streetscene**

Members were reminded that fees and charges made by the Council for various services were reviewed on an annual basis by the relevant Committees relating to the services provided.

Recommended amendments to the fees and charges were incorporated into the budget setting process to take effect from the following financial year.

An increase of 2.5% was proposed to cemetery services, details of which were appended to the report before Members.

**Cllr Hossack MOVED and Cllr Poppy SECONDED the recommendation in the report and following consideration of the proposed increase and a vote taken on a show of hands it was**

**RESOLVED UNANIMOUSLY**

**To approve an increase of 2.5% in fees for cemetery services.**

**Reasons for Recommendation**

The recommendation was to increase all charges by 2.5%, which would make a small contribution to the subsidised services provided by the Council.

**267. Verbal Update - Housing, Presentation & Update on Garage Sites**

Officers gave presentations regarding:

- Progress on future Council Garage Site development feasibility
- Key performance indicators
- Customer satisfaction indicators

**268. Rent Setting 2016/2017**

The report before Members sought the approval of the Environment and Housing Management Committee on the proposed new rent levels for 2016/17.

The recommendations would be considered by the Policy, Finance and Resources Committee at its 16 February 2016 meeting when the final recommendation would be made as part of the budget process followed by the final decision being made at the Ordinary Council meeting on 2 March 2016.

The method of setting rents had changed in the Government's summer budget 2015: as part of the new Welfare Reform and Work Bill 2015/16, it was announced that rents in the social housing sector were to be reduced by 1% a year for the next four years.

The total rent reduction to the Housing Revenue Account (HRA) over the four year period would be £2,380,927.00. This was a significant reduction to income and would require the Council to make savings to HRA.

The Housing service, at the same time as the proposed rent reduction was taking place, was undergoing a transformation programme. As part of this transformation programme there was a need to improve the method of identifying and prioritising planned maintenance capital works to the Council's

properties. To facilitate this, a full stock condition survey needed to be undertaken and Members considered this matter later in the meeting.

**Cllr Hossack MOVED and Cllr Poppy SECONDED the recommendations in the report and following a full discussion a vote was taken on a show of hands and it was**

**RESOLVED UNANIMOUSLY that:**

- 1. Members agree to decrease rent by 1% from April 2016 and for the next 4 years.**
- 2. Members agree to stop non priority planned maintenance and capital programme works for 2016/17. This will reduce the Capital programme by £1 million in the first year (1 of 4 years) and enable the additional £1 million (rent reduction) to be spread over the following 3 years.**
- 3. Members agree to freeze the proposed Services Charges at 2015/16 levels as outlined within the report (point 4.8) which will then be incorporated within the 2016/17 Budget.**
- 4. Members agree to applying the formula rent to all new tenancies from April 2016/17.**
- 5. Members agree to monitor the new Pay to Stay policy and the charging of affordable rents to households with more than £30,000 annual income from April 2017.**

### **Reasons for Recommendation**

The recommendation would be to follow the guideline 1% decrease for the next four years as this is set by government; to carry out a stock condition survey in 2016; to suggest that for 2016/17 only Capital Works already identified as a priority would be completed. There will be no change to the reactive repairs service this will be unaffected by the rent reduction in 2016. Taking this action now will ensure the HRA budget for 2016/17 is balanced.

The following assumptions had been taken into account when considering the Rent Setting for 2016/17:

- The financial viability of the HRA business plan
- Delivering a repairs capital programme of £2m for 2016/17
- Budget provision for repayment of HRA self financing loans
- Development fund for new homes £500k
- No allowance had been made for growth bids
- Affordability for tenants – officers were mindful of the forthcoming roll out of universal credit and changes to Welfare benefits.

*(Cllr Ms Rowlands declared a pecuniary interest under the Council's Code of Conduct and left the Chamber.*

*Cllr Mrs Squirrell declared a pecuniary interest under the Council's Code of Conduct and took no further part in the discussion or vote).*

## **269. Rent Policy (Affordable Homes)**

Brentwood Borough Council did not currently have a formal rent policy which outlined affordable rent setting and variation mechanisms.

The draft Rents Policy November 2015 appended to the report outlined a viable rent setting and variation mechanism for affordable rent properties.

To allow for continued capital receipt funded acquisitions and procurement and investment in future home building, an economically viable rent setting policy was required.

The rent on each affordable rent property (acquisitions and new-builds) was due to be set according to a graduated mechanism to make affordable rents more affordable, as the private rented property market was expensive in Brentwood.

**Cllr Hossack MOVED and Cllr Mrs Henwood SECONDED the recommendation and following a full discussion it was**

**RESOLVED UNANIMOUSLY**

**that the Committee formally approves and recommends to the Policy, Finance and Resource Committee the appended Rent Policy (AH).**

### **Reasons for Recommendation**

The proposed policy would allow the Council to:

1. Maximise potential revenue of acquisitions funded through capital receipts, given that 'Right to Buy' acquisitions are an economy of diminishing returns.
2. Realise an agenda for new build and acquisitions which would otherwise be economically untenable.
3. Increase affordable housing supply within the Borough.
4. Broaden the housing range for residents.
5. Expand housing options for homeless households
6. Implement the Welfare Reform agenda (which Brentwood Council is committed to, particularly within existing written policy)
7. Encourage aspirational households to remain in/enter work whilst not being economically prevented from obtaining larger accommodation.
8. Enable the current provision of social rents to continue as a form of cross-subsidisation within the Housing Revenue Account.
9. Support families into accommodation which will be affordable where the needs are not met by existing stock.
10. Structure the Council's approach to housing, in particular as relevant to the Local Development Plan.

## **270. Fees and charges - Housing**

The report before Members sought the approval on the proposed new fees & charges for 2016/17. Fees and charges made by the Council for various services were reviewed on an annual basis to ensure they reflected the current cost of the service provision. Recommended amendments to the fees and charges were then incorporated into the budget setting process to take effect from the following financial year.

At the Environment and Housing Management Committee held on 23 September 2015, as part of the Housing transformation programme, a new recharge policy was approved to enable the Council to recharge tenants.

Appended to the report was a list of the proposed individual charges which had been calculated with the following price mechanism:

- 2016/17 – cost price less 30%
- 2017/18 – cost price less 25%
- 2018/19 – cost price less 20%

Subsequently it was proposed the percentage deducted would increase by 5% until the full cost price was recovered.

Members noted that the Tenants Talkback group were supportive of the new policy.

**Cllr Hossack MOVED and Cllr Sleep SECONDED the recommendation in the report and following a full discussion and a vote taken on a show of hands it was**

**RESOLVED UNANIMOUSLY that**

**Members agree to the new recharging policy to tenants as outlined in Appendix A to the report.**

### **Reasons for Recommendation**

The introduction of these charges should encourage a reduction in costs that Council currently incurred and promoted responsibility, particularly with missed appointments for gas servicing.

The aim of the introduction of this policy was to deter unnecessary spend so that the Council's money could be invested into its housing priorities.

The policy would be reviewed in a year's time to establish if a reduction on costs had been achieved.

The Committee was requested to approve a new fees and charges policy in line with best practice and to assist in the Council's Modernisation Programme and efforts to help keep rents and service charges low.

## **271. Stock Condition Survey**

As part of the Housing transformation programme Officers had identified that Brentwood Borough Council currently held limited stock condition data on its HRA assets.

It was proving problematic to appropriately identify properties that failed the Decent Homes standard and which required capital investment, which meant the Council was not delivering value for money. It was essential that the Council had robust property intelligence on all its properties to ensure that informed investment decisions were selecting properties for capital works or planned maintenance.

The best approach was considered to be the employment of an external provider to undertake a 100% stock condition survey and produce a report including a future programme of capital works and stock options.

Production of robust condition survey data would enable officers to quantify the Council's current and future liability with confidence and ensure there were no significant unidentified maintenance liabilities leading to urgent reactive replacements at increased cost.

Increasing the bank of real data made cost and condition data increasingly accurate. This would give greater confidence in the accuracy of the Council's Decent Homes statistical return.

The cost of the survey, with all associated works, was estimated to be c.£200K.

**Cllr Hossack MOVED and Cllr Poppy SECONDED the recommendations in the report with the addition of some wording and following a full discussion and vote taken on a show of hands it was**

**RESOLVED UNANIMOUSLY that:**

**1. The Committee approves the appointment of an external specialist company to complete a full stock condition survey of the housing assets, anticipated to cost in the region of £200,000, a £10,000 discretion to be allowed.**

**2. The Committee approves Officers arranging to tender the works using the Council procurement process and that delegated authority be awarded to the Head of Housing in Consultation with the Head of Paid Service and Section 151 Officer to award the contract – in line with the timetable set in point 4.16 of the report.**

## **Reasons for Recommendation**

To enable BBC to maintain its responsibilities and fulfil its obligations as a landlord.

Until a full survey of all stock was available, asset management decisions were based on current officer knowledge or reaction to component failure.

It was important that investment decisions were informed by a sound understanding of the condition of the Council's properties. Whilst staff had an awareness of condition, an externally validated assessment was seen as essential.

It was vital that the Council had up to date information about condition of the HRA stock in order to support its investment decisions each year. The risks in not having this information included the failure to provide adequate resources to tackle repairs and maintenance that subsequently led to the need for replacement at a much higher cost.

For short to medium term financial planning purposes a full stock condition survey (100%) was considered necessary. This would provide a sound baseline position and a high level of confidence in the future allocation of investment across the stock.

The result of the survey would be used to inform the HRA Business Plan and to formulate a more accurate Capital Programme.

Reduced frequency of unscheduled maintenance visits would enable commitment to this area to be reduced.

### **272. Renewal of Communal Gas Central Heating, Hot and Boosted Cold Water Systems to Drake House**

Members were advised that the communal gas central heating, hot and boosted cold water systems at Drake House were considered to be beyond economic repair.

System components were obsolete, did not meet current regulations and were failing with increased regularity. It was proving problematic to maintain adequate system functionality within reasonable cost levels.

A report on the system failures and the best approach for renewal had been commissioned and produced. This suggested that the systems were replaced in their entirety with modern components meeting all current regulations.

The cost of renewal of the systems, with all associated works, was estimated to be c.£470K.



**Cllr Hossack MOVED and Cllr Ms Rowlands SECONDED the recommendations in the report and following a full discussion a vote was taken on a show of hands and it was**

**RESOLVED UNANIMOUSLY that**

- 1. Committee approved Option 4: to replace all communal systems.**
- 2. Council Officers be requested to arrange to tender the works using the Council procurement process (timetable outlined in point 4.13) and delegated authority be awarded to the to the Head of Housing in consultation with the Head of Paid Service and Section 151 Officer to award the contract.**

#### **Reasons for Recommendation**

To enable BBC to maintain its responsibilities and fulfil its obligations as a landlord.

It adopted a “spend to save” approach which saw high initial investment with significant long term gains due to reduced fuel use as a consequence of system run time and reduced frequency of unscheduled maintenance visits.

The approach allowed the residents to manage and review their individual energy and water consumption. At the moment, the residents paid a heating charge which was divided over all flats irrespective of how much energy they used. Going forward residents would only pay for the energy they used and would be able to have full control of the heating in their properties. Water meters would also be fitted to each property which would reduce residents’ costs as they would only pay for the water that they consumed.

#### **273. Termination of Meeting**

In accordance with the Council’s Procedure Rules, the meeting not having been concluded by two hours after its start, the Chair interrupted the meeting and took a vote as to whether to continue the meeting for 30 minutes and this was accordingly **RESOLVED UNANIMOUSLY**.

#### **274. Fees and Charges - Private Sector**

The Council had a number of fees and charges relating to the services it provided. These charges were reviewed on an annual basis by the relevant Committee and were incorporated into the budget setting process to take effect from the following financial year. Whilst some of the fees and charges were statutory, and therefore determined through legislation, the Council must also review its charges for discretionary services to ensure they reflected the current costs of service provision.

The individual charges that were being proposed were set out in Appendix A to the report before Members. These related to charges for licences issued for houses in multiple occupation where there was a mandatory licence

requirement, i.e. where there was a three or more storey property occupied by five or more people in two or more households. Charges were also made for inspecting properties for immigration and landlords were charged where a formal notice under the Housing Acts had been issued.

**Cllr Hossack MOVED and Cllr Sleep SECONDED the recommendation and following a full discussion and a vote taken on a show of hands it was**

**RESOLVED UNANIMOUSLY**

**That Members agree the proposed Fees and Charges, as outlined within Appendix A to the report to be incorporated within the 2016/17 Budget.**

#### **Reasons for Recommendation**

To revise the charges for 2016/17 following the review of all discretionary fees and charges to inform the 2016/17 budget setting process.

*(Cllrs Poppy and Ms Rowlands each declared a pecuniary interest under the Council's Code of Conduct in this agenda item and the following two items and left the Chamber).*

#### **275. Private Sector Housing Renewal Policy Update**

Members were reminded that the Council's Private Sector Renewal Policy was agreed and adopted at the meeting of Environment, Health and Housing Board on 8 June 2011.

At the meeting of the Environment and Housing Management Committee on 17 June 2015 Members agreed to consult on the proposal to consolidate the existing range of discretionary housing loans into two loans, Discretionary Disabled Facilities Loans and Emergency Home Repair Loans.

The consultation had been running on the Council website from 8 July 2015 and stakeholders including voluntary groups and Papworth Home Improvement Agency were invited to respond.

The consultation response was in support of the proposal to revise the range of discretionary housing loans.

**Cllr Hossack MOVED and Cllr Sleep SECONDED the recommendation and following a discussion a vote was taken on a show of hands and it was**

**RESOLVED UNANIMOUSLY**

**That Members agree to adopt the proposed revised Private Sector Renewal Policy at Appendix A to the report.**

## **Reasons for Recommendation**

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

*(Cllrs Poppy and Ms Rowlands had each declared a pecuniary interest in relation to the previous item, the current item and the following item and remained outside the Chamber).*

### **276. Civil Penalty Scheme for non-compliance with The Smoke and Carbon Monoxide Alarm (England) Regulations 2015**

Members were advised that new legislation had been introduced to ensure smoke and carbon monoxide alarms were in working order in privately rented accommodation.

The legislation allowed discretion for Local Authorities to set a Civil Penalty in the form of Fixed Penalty for non-compliance with the requirements which could be up to £5000.

The report before Members sought authority to set the level of the Civil Penalty.

**Cllr Hossack MOVED and Cllr Mrs Davies SECONDED the amended recommendation and following a full discussion it was**

**RESOLVED UNANIMOUSLY that:**

- 1. The Committee delegates authority for the administration and enforcement of The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 to the Head of Borough Health Safety and Localism and Officers nominated by him.**
- 2. The Committee agrees the Civil Penalty for failure to comply with requirements of these Regulations will result in the maximum Civil Penalty of £5000 being levied for the first and each subsequent offence for a property within the ownership of the same landlord.**
- 3. The Committee agrees to the promotion of the Regulations and Civil Penalty Scheme via the medium of landlords forums, community safety newsletters, press releases and other applicable communication channels .**

## **Reasons for Recommendation**

It was acknowledged that the private rented sector played an important and valuable role in the provision of housing to Brentwood residents. Whilst landlords were supported in providing this service, the health and safety of tenants was paramount. A remedial notice was served where a breach of the legislation was discovered, giving the landlord 28 days in which to install a smoke or carbon monoxide alarm. This action was not onerous and there

were few excuses for non-compliance. Therefore a civil penalty for initial and subsequent non-compliance with the legislation would illustrate the seriousness with which the Council regards this matter.

*(Cllrs Poppy and Ms Rowlands had each declared a pecuniary interest in relation to the previous two items and the current item).*

## **277. Papworth Home Improvement Agency - Contract Renewal**

Members were reminded that Brentwood Borough Council worked in partnership with Papworth Trust to provide a Home Improvement Agency service, giving assistance to elderly and vulnerable residents in obtaining adaptations for disabilities, small repairs, access to funding for housing repairs and other services.

Essex County Council undertook a procurement exercise in 2010 to determine the contractors to provide Home Improvement Agency (HIA) functions throughout the county, funded through Supporting People at Essex.

The original contracts issued by Essex were for a three year period, which has subsequently been extended by them until November 2015. Papworth Trust were awarded the HIA contract for the area covering Brentwood, Basildon, Rochford and Castle Point districts.

Brentwood Borough Council entered into a service level agreement with Papworth Trust to provide local services to Brentwood residents, which was for the same time period as the initial contract with Essex.

Essex County Council was reviewing its existing contractual arrangements and had now further extended its contract with Papworth until March 2016 until it had made a decision.

Authority was therefore sought from this Committee to extend the existing SLA contract with Papworth until March 2016. Funding for this financial year had been budgeted for and there was financial provision for this further extension.

**Cllr Hossack MOVED and Cllr Sleep SECONDED the recommendation in the report and following a discussion, a vote was taken on a show of hands and it was**

**RESOLVED UNANIMOUSLY that:**

- 1. Members agree to extend the time period for the service level agreement with Papworth to March 2016.**
- 2. Officers are instructed to report back on the outcome of Essex County Council's procurement and the future provision of Home Improvement Agency services for the Borough.**

### **Reasons for Recommendation**

To ensure continuity of services provided by the HIA in line with the Essex agreements.

#### **278. Urgent Business**

There was no urgent business.

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The meeting ended at 9.30pm