



MINUTES OF THE HOUSING SCRUTINY COMMITTEE
Thursday 29 November 2018 at 6.00 pm

PRESENT: Councillor Long (Chair), Councillors Colwill, Aden, Ethapemi, Hassan, Kennelly, Stephens and Lonergan (co-opted member).

Also Present: Councillors McLennan (Deputy Leader) and Wilhelmina Mitchell Murray

1. Apologies for absence and clarification of alternate members

Apologies for absence were received from Councillor Maurice (substituted by Councillor Colwill), Johnson, Ms Karin Jaeger (co-opted member) and Councillor Eleanor Southwood (Lead Member for Housing).

2. Declarations of interests

None.

3. Minutes of the previous meeting

The minutes of the previous meeting held on 13 September 2018 were approved as an accurate record of the meeting.

4. Matters arising (if any)

The following matters were raised:

- i. Housing report on estate cleaning contract options originally planned for November Cabinet deferred to January 2019 to allow officers to undertake further work on the report.
- ii. Information across all housing related areas, including that on private sector tenants on Council's housing webpage currently being reviewed. Overall website structure review also scheduled for spring/summer 2019.

5. Deputations (if any)

None.

6. Petitions (if any)

None.

7. Progress on Housing Asset Management Strategy

Sean Gallagher (Head of Housing Property Needs, Brent Council) presented a report which updated the committee on progress and next steps towards developing the Council's Housing Asset Management Strategy and sought members' views on how it could be improved further. Members heard that an

essential part of the draft strategy was the stock condition survey which was completed in the period between May and October 2018, surveying 100% of all external and 20% of internal arrangements.

Responding to members' questions on projections of demands and forward planning, Hakeem Osinaike (Operational Director Housing, Brent Council) explained that the strategy was aimed at building long term commitment including future opportunities over a period of time ranging from 1 to 30 years. As such, the existing conditions could be mechanically assessed via a formula to plan ahead in terms of financial arrangements. However, he reminded members that the strategy was a live document, updated on an annual basis but also influenced by changes to local demographics, political context and overall shape of stock. Therefore, a combination of accurate data and continuous clear steer from the executive was seen as essential in informing key decisions, maintaining assets and adequately projecting needs.

Members sought clarification on any plans the Housing Management Team had to improve estates, create a better living environment for residents and adequately manage expectations in terms of waiting lists/bidding system. In response, Mr Osinaike explained that the focus of the strategy was property maintenance, rather than building homes. A separate programme existed for new homes and addressing issues of long waiting lists for social housing. Referencing figures in the report, a question also arose on the potential of the strategy to expand beyond maintenance. Officers reiterated that the figures provided were for illustrative purposes only and stressed that further work was required before the strategy could be refined and considered representative of local context.

Responding to further questions on future planning and return of investments, Hakeem Osinaike explained that the Council's existing stock was worth significantly more than what it was originally built for – a price which was likely to increase in value with each subsequent investment made by the Council. Reminding members of the Council's primary aim to provide quality affordable accommodation for its residents, he added that the right to buy scheme was also being reviewed, with the possibility of lifting some of the existing restrictions.

The committee enquired on the South Kilburn Regeneration Project and in particular the duration of the projection which they felt had taken too long. Acknowledging members concerns, officers provided assurances that the Council was committed to alleviating existing issues on estates and deliver value for money accommodation, in consultation with its residents. Elaborating on the delay in the South Kilburn project, it was explained that this was a result of decision made to limit unnecessary relocation of residents and cause minimal disruption, while the new accommodation was being built.

Discussion moved on towards specific details of the strategy with the following points being raised:

- Due regard taken of implications of climate change and rise of temperatures and how this was factored in building of homes, with financial resources and assumptions factored in the design specifications. .
- Overall commitment by central government towards limiting number of non-electric cars and installing more electric car charging points. However, within

the context of Brent, a policy would need to be developed in order to understand the market and potential demand for it.

- Bike storage, particularly in old buildings, not included in strategy yet but would be considered
- Wider digital provision being explored, including extra broadband provision.
- Use of green products was being considered. However, understanding of existing stock as well as the longevity of the products themselves and relevant consultation were required prior to implementation. Furthermore, a balance had to be stricken between affordability and amount of returns within the context of the council strategy, alongside an appropriate timetable.
- Redundant garages had been surveyed with more details expected to emerge as part of ongoing consultation

Finally, in terms of future steps, the committee heard that these included a data validation to ensure robustness, a fire risk report expected by January 2019 and a preparation of a first draft of the strategy. Completion of the latter was planned for February 2019, following which it would be referred for consideration to Cabinet by April – May 2019.

RESOLVED:

- i. That an additional housing scrutiny meeting be convened to discuss the first draft of the asset management strategy report in early 2019 (date to be confirmed).
- ii. That Housing Management Team provides committee members with a progress update on South Kilburn Regeneration Project.

8. Fire Safety of Low-Rise Domestic Properties

Sean Gallagher (Head of Housing Management, Brent Council) presented the committee with a progress update on the fire safety recommendations in low rise properties provided by the Scrutiny Committee Task Group and confirmed that each recommendation set out in the report had been addressed, with progress made on some.

In the discussion which followed, the Chair stated that the original report request had in fact referred to fire safety across all properties and tenures. As such the level of detail required was not fully evidenced in the report, which focused solely on low-rise Council domestic properties. The Chair also noted her disappointment with the provided response to Recommendation 11 on improved communication on Fire Safety, stating that communication channels such as the Brent Magazine and social media could be better utilised, at a nil cost to the Council and registered providers. In assuring members that a full fire safety review of low rise domestic properties would be completed, Mr Osinaike drew members' attention to existing legislation and reminded them of the level of responsibility underpinning any fire safety advice issued by the Council. He stated that the Council was committed to learning from past experience such as Grenfell Tower and would consider adopting relevant good practices going forward.

Focusing specifically on the condition of the existing council stock in terms of fire safety, the committee heard that a programme was in place, with a fire risk assessment already completed in all high rise, specific low rise and in a limited

number of converted properties. Despite the intrusive nature of the programme and the subsequent cost implications, it was stated that alongside further maintenance work, the expectation was for all council properties to be fitted with fire doors by March 2020, starting with converted properties.

A question arose on the cost implications and eligibility arrangements for fire doors on private properties. In response, officers explained that for those type of properties the responsibility sat with the landlords themselves, with the Council only responsible for those private properties which fell under the licensing scheme, including all Houses of Multiple Occupancy. A process was also in place to force private landlords to carry out necessary fire safety measures or allow Council to do them on their behalf at a cost. Similarly, the committee heard that with leaseholders' properties, the full cost of the fire door installation would fall on the leaseholders themselves. The committee was informed however that a payment plan was available for those on lower incomes to ensure safety measures were not compromised, whilst also avoiding going into arrears. Finally, in terms of registered providers (RPs) it was stated that they were responsible for their own fire safety measures. While acknowledging members concerns on the potential repercussions of this, officers state that it was difficult to justify investing in resources into something that the Council had no powers to enforce.

In the subsequent discussion, members raised questions on some of the recommendations set out in the report as follows:

- **Recommendation 1:** Publication of fire risk assessments for all properties on an ongoing basis –officers advised that tenants and landlords could login and check the reports online for their specific properties. However, for data security the documents would not be fully available to the public. Copies of the FRAs would also be available via the Members Enquiries system for elected members. It was stated that the Council was also pursuing the idea for requiring FRA consultants to employ builders to provide estimates on the cost of works during inspections. A report was due in January with any actions required to be built into respective remedial programmes
- **Recommendation 2:** Amnesty from prosecution for landlords with unlicensed properties in wards where landlords licensing scheme is in force - it was stated that the initiative was widely publicised and number of people who had signed up to it had surpassed original estimates. Further details on the breakdown of uptake figures would also be provided following the committee meeting.
- **Recommendation 7:** - referencing the report, a query was raised on the high number of fire risk identified. In response it was stated that these were classed as FRA1 and considered low risk. A fires risk log had been maintained since 2016 and the Housing Management Team was actively engaged with building surveyors on all aspects of fire safety. Officers advised that FRAs were carried out routinely, every three years on both high and low rise properties, with another round due in 2019. It was stated that the Council had adopted a case by case approach and emphasised that fire safety was largely dependent on the specific configuration of the building, adding that compartmentalisation was seen a particular issues for high rise blocks.

- **Recommendation 8:** Provision of storage for bulky items for all property types and sizes – a query was raised on bike storage provision and whether that was incorporated in the fire safety programme. Officers advised that although a programme of bike sheds was in place, issues existed in terms of street and converted properties due to lack of available space. In terms of funding for this officers expressed willingness to explore possibility of utilising CIL money and liaise with colleagues from environment.

RESOLVED:

- i. That the contents of the Fire Safety of Low rise Domestic Properties report be noted

9. Housing Revenue Account Overview

At the invitation of the Chair, Minesh Patel (Head of Finance, Brent Council) introduced the report which provided members with an overview of the housing revenue account (HRA) budget, focusing on specific aspects of the HRA such as ring-fenced funding, self-financing arrangements and impact on HRA as a result of the lifting of the borrowing cap.

(7.40pm – Cllr Kennelly left the meeting)

The meeting began with the committee questioning aspects of the HRA finances and funding. Members were advised that the approximate total overspend inclusive of admin charges and overheads used from the HRA was close to £2m, which covered some of the housing corporate elements. In terms of debt, he advised that the Council's actual debt was £142m, and following changes to legislation, each council was now responsible for managing its own debt based on a starting deposition. A query was also made on funding of the anti-social behaviour (ASB) team on which Mr Osinaike explained that, as part of council reorganisation and due to recognizing the borough wide scope of anti-social behaviour, it was decided to merge existing ASB teams into one and combine funding from HRA and General Fund.

Discussions moved on with the committee spotlighting on the lifting of the borrowing cap – a decision which was made in October 2018. It was noted that the extent to which the borrowing cap could be increased and the type of units to which it applied by were subject to appraisal of each scheme and assessment of repayment viability, with any properties built with HRA money kept within the scheme. Officers added that whilst considered a welcome change and a positive move in the right direction, guidance from central government had been limited with a lot of details around borrowing conditions yet to be clarified.

The committee also focused on the Right to Buy (RTB) scheme with members seeking further clarification on the impact of RTB receipts on HRA loan repayments as well as on the possibility of stopping RTB receipts to Registered Providers (RPs). In terms of loan repayments, the committee was informed that once a property was sold the Council could retain a proportion (up to 30%) of the sale value and use it to pay back some of its debt, with the other 70% having to be re-borrowed. Officers continued by saying that although with the lifting of the borrowing cap, it was expected local authorities would be able to borrow more, this

was not a universal solution and due regard should also be paid on individual circumstances including availability and cost of land.

The committee was further informed that a decision on whether or not to stop RTB receipts to RPs had not yet been made as the Council needed to consider the implications of the lifting of the borrowing cap in line with existing interest rate and amount of acquired debt. Officers added that giving a proportion of RTB receipts to RPs was being made on a case by case basis but always on the condition of 100% nominations. This in turn enabled the Council to determine who lived in those properties even if they were under its ownership. Members were informed that a designated team within the Council was in the process of reviewing the existing agreements to ensure compliance and maximisation of nomination opportunities.

Finally, referencing information in the report on net investment returns a question was raised on the possibility carrying further work towards highlighting the amount of savings that could be delivered as a result of lifting the borrowing cap. Welcoming the suggestion, officers advised that this was ultimately a political decision but they would be willing to investigate and report back at a later date.

RESOLVED:

- i. That the contents of the HRA Overview report be noted

10. Allocations Policy Consultation (verbal update)

Hakeem Osinaike (Operational Director, Housing) presented to the committee a verbal update on the allocations policy consultation, stating that the Council had received complaints from residents on having to relocate in order for the scheme to progress. The consultation was due to close in January 2019 and members were reassured that adequate actions had been taken to publicise it and ensure appropriate public engagement, including information on the website and sharing of views.

Responding to a question from the Chair regarding rehousing some of the residents, Mr Osinaike explained that discharge of duties within the private sector was not a straightforward process and there were various lengths of temporary accommodation tenancies to be considered. A further issue raised by the committee related to waiting lists for social housing and what criteria was applied. Officers advised that a common scenario was for residents to be offered a place even if they hadn't waited as long as someone else. This was a common issue across all regeneration areas but particularly pertinent for residents of the South Kilburn area.

In response to a question on whether the regeneration process could be better managed, officers explained that the SK regeneration had to be done on the basis of no double decanting, which resulted in a lengthier and more complicated process. However, they stressed that they were open to engage with residents and consider the view views/needs. A number of Tenants Associations forums also ran parallel with the consultation to ensure this was in place. It was noted that the Council had been very responsive and had listened to the needs of residents, particularly in informing them on decision making.

In terms of timescales, officers said that the consultation was due to end in February 2019, with a report to Cabinet in March 2019, with any new policy adopted likely to be implemented from April 2019 onwards.

RESOLVED:

- i. That the verbal update on Allocations Policy Consultation be noted

11. Private Housing - HMO and Selective Licensing Fee Structure (verbal update)

The Chair introduced an item which sought to inform the committee on a recently taken individual cabinet member decision on HMO¹ and selective licensing fee structure, in particular the anticipated impact on housing licensing applications.

Following several court rulings, Private Housing Services were now being asked to review the way selective licensing fees were collected and set up a two part payment - one at the point of the application and another upon confirmation of successful application. Hakeem Osinaike advised that within the context of Brent the required changes had been made and assured committee members that appropriate processes were in place to manage increased workload and mitigate any potential impact on income collection. Addressing members' concerns on unlicensed landlords in certain wards, officers stated that Housing Management was aware of the issues but noted that resolving these would be a resource heavy task, one on which no firm commitment could be made at this stage.

RESOLVED:

- i. That the verbal update on HMO and Selective Licensing fee structure be noted.

12. Service Provision on Housing Estates: Members' Scrutiny Task Group

The Committee heard a report on the service provision on housing estates carried out by the housing scrutiny task group, which sought members input on the enclosed scoping paper as well as approval of the terms of reference of the task group.

RESOLVED:

- i. That the terms of reference of the task group be approved, as set out in the report.

13. Housing Scrutiny Cafe

The Chair introduced the item which sought to update members on the recently held Housing Scrutiny Café.

¹ House in Multiple Occupation

Particular emphasis were placed on landlord licensing issues and inspections which were frequently raised by residents over the year. The committee heard that the licenses were valid for the duration of the licensing scheme, starting from when the application was first made. A backlog of applications from new five licensing areas was pending with assurance given from officers that this would be investigated and reported back to the committee at the next meeting.

Discussion continued with members emphasising the importance of proactive inspections. Hakeem Osinaike explained that number of inspections was related to cost but assured the committee there was willingness to do them, alongside unscheduled raids. Licensing application process included a set of questions landlords had to answer when submitting an application and if any of them were answered falsely, then the council had powers to prosecute. Overall effectiveness of this approach however was reliant to an extent on residents reporting issues to Council for further investigation.

RESOLVED:

- i. That the Housing Scrutiny Café report be noted
- ii. That information on backlog of licensing applications be shared with the committee.

14. Work Programme 2018/19

RESOLVED:

- i. That the contents of the Housing Scrutiny Work Programme 2018/19 be noted

15. Forward Plan

RESOLVED:

- i. That the contents of the latest Forward Plan be noted subject to clarification on contracts for lifts and Tenant Management Organisation reports from officers.

16. Any other urgent business

None.

The meeting closed at 8.40 pm

COUNCILLOR JANICE LONG
Chair