

BIRMINGHAM CITY COUNCIL

HOMES O&S COMMITTEE – PUBLIC MEETING

1400 hours on Thursday 21 September 2023, Committee Room 6, Council House

Minutes

Present:

Councillor Mohammed Idrees (Chair)

Councillors: Ziaul Islam, Lauren Rainbow, Rinkal Shergill, Penny Wagg and Ken Wood

Also Present:

Councillor Jayne Francis, Cabinet Member for Housing and Homelessness

Janie Berry, City Solicitor and Monitoring Officer

Guy Chaundy, Assistant Director, Housing Strategy and Enabling

Wayne Davies, Director, Asset Management

Stephen Gabriel, Director, Housing Management

Fiona Greenway, Interim Director of Finance (S151 Officer)

Paul Langford, Interim Strategic Director, City Housing

Naomi Morris, Housing Modernisation and Partnership Manager

Stephen Philpott, Director, Housing Solutions and Support Service

Mohammed Sajid, Interim Head of Financial Strategy

Fiona Bottrill, Senior Overview and Scrutiny Manager

Jayne Bowles, Scrutiny Officer

1. NOTICE OF RECORDING/WEBCAST

The Chair advised that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2. APOLOGIES

Apologies were received from Councillors Saqib Khan and Ron Storer.

3. DECLARATIONS OF INTERESTS

Members were reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting and the following interests were declared:

Cllr Mohammed Idrees – owner of a property which is privately let.

Cllr Ziaul Islam – owner of a property which is privately let.

Cllr Rinkal Shergill – owner of a property which is privately let.

Cllr Ken Wood – owner of a property which is privately let.

4. MINUTES

(See document No. 1)

RESOLVED:

That the minutes of the meeting held on 20 July 2023 were agreed.

5. ACTION TRACKER

(See document No. 2)

RESOLVED:

That the action tracker was noted.

6. FINANCIAL CHALLENGES – SCRUTINY CONTRIBUTION TO THE BUDGET SAVINGS AND RECOVERY PLAN

(See document No. 3)

Councillor Jayne Francis, Cabinet Member for Housing and Homelessness, Janie Berry, City Solicitor and Monitoring Officer, Fiona Greenway, Interim Director of Finance (S151 Officer), Mohammed Sajid, Interim Head of Financial Strategy, Paul Langford, Interim Strategic Director, City Housing, Guy Chaundy, Assistant Director, Housing Strategy and Enabling, Wayne Davies, Director, Asset Management, Stephen Gabriel, Director, Housing Management, and Stephen Philpott, Director, Housing Solutions and Support Service, were in attendance for this item.

The Chair informed the Committee that given the announcement by the Chief Finance Officer on 5th September to issue a Section 114 notice and the announcement from the Secretary of State on proposed intervention, it was important that the Committee understood this and its implications before considering other items on the agenda.

The Chair referred to the in-year savings for 2023/24 included in the report and reminded Members the Committee would focus on the services and issues within its Terms of Reference.

Fiona Greenway outlined the key points in relation to the issuing of the Section 114 notice on 5th September and that members of the Council would be considering the report at a meeting of Full Council on 25th September.

During the discussion, and in response to Members' questions, the main points included:

- An update was requested regarding the second Section 114 notice and Section 5 notice which had been issued that day. The Committee was informed that the Council Business Management Committee needs to make a decision on Job Evaluation to stem the accruing Equal Pay Liability and the Section 5 notice had been issued due to omission of that decision, resulting in an unlawful spend position and the issuing of the second Section 114 notice.
- The Council has 21 days to convene an Extraordinary Council Meeting to consider the second Section 114 notice and Section 5 notice and until that time there is a prohibition on the decision on Job Evaluation.
- The Committee was informed that the Equal Pay liability accrual will impact on service delivery.
- With regard to Housing, most of the finance sits within the Housing Revenue Account (HRA), however the Section 114 notice applies to all Council finances, not just the General Fund, and spend controls are therefore also applicable to the HRA.
- Spend controls have been in place within the Directorate for some time and they have been reviewed and strengthened.
- On the Housing General Fund, particularly in the homelessness and housing need area, they are having to contribute towards the General Fund position, working with the Cabinet Member to identify potential in-year savings as well as savings that can be built in for 2024/25 and future years.
- To give some context, the percentages being looked at within the service are around 28% of the controllable budget. These are significant levels of savings that will need to be brought forward and will not be without risk and impact.
- In response to a request for a figure to be put on the 28%, Members were told that the controllable budget in the Housing General Fund is around £25m and the savings currently identified as high risk are £5½m.
- The Committee was told that the target for reducing/eradicating B&B was fundamentally flawed and not achievable. Those savings will not be achieved due to increasing demand and there are justifiable reasons why the pressure has continued to grow.
- It was noted that there are now 45% more assessments as homeless than there were 3 years ago when the modelling was done.
- There will be a need to ensure the accommodation used is the most cost effective, that people move through the system and homelessness is prevented where possible.
- There is a newly agreed plan to seek to achieve no one in B&B accommodation for more than six weeks by July next year, which will reduce costs somewhat, but there is still a cost burden on the authority.
- Prevention levels have more than doubled in the last six months due to the hard work of the team and there has been a reduction in families in B&B, but there are concerns around mitigating the impacts of savings and this will become more challenging.
- It was acknowledged that the 28% savings will still need to be found but that won't come from the bottom line about how many people are in B&B; it will have to come out of wider operational savings.

- In addition to savings, they are also looking at better management of debt and, on a positive note, extra investment through the HRA to improve homes means that Shelforce are able to do more work, which in turn generates a surplus that can feed back into the General Fund.
- It is also hoped that the Government will release additional in-year winter pressures money as has happened in recent years.
- The Housing Revenue Business Plan and associated Asset Strategy are being progressed for October Cabinet and they link back to the necessary expenditure the Council has to commit to improve homes and get them regulatorily compliant.
- Councillor Francis wanted to state publicly her thanks to the Strategic Director, Assistant Directors and the team who are working hard in challenging circumstances to deliver the best possible housing service and protect vulnerable citizens.
- With regard to Temporary Accommodation, this is a national problem and Birmingham's performance compared with other core cities is not out of line. However, Birmingham is a bit of an outlier in terms of the use of B&B and that is where the focus is and numbers are reducing.
- The Temporary Accommodation Strategy approved at Cabinet looked at different types of accommodation that could be used and the associated cost benefits and identified that in terms of value the programme of purchasing properties is better than investing in other people's properties.
- With regard to the Repairs and Maintenance Contract, the existing procurement process has been paused. This is seen as a positive step at this time as it gives the Council an opportunity to reconsider the strategy and review the risk balance.
- There is now a better understanding of the investment needed and a plan of what the extension period will look like, and the Council has entered into an intense period of negotiation with the incumbent contractors.
- It was noted there has been some improvement in terms of contractor performance, with routine voids down to 27 days.
- It was queried whether the Homes for Ukraine programme and the plan to purchase properties from the private sector would be impacted due to the current situation.
- The Committee was informed that the acquisitions programme commenced 18 months ago has received Government investment following successful bids – Local Authority Housing Fund 1 and 2 and Supported Housing Improvement Programme – which has enabled the Council to purchase homes.
- The Chair took the opportunity to remind Members that there would be an update on the recommendations from the Exempt Accommodation Inquiry at the Committee's October meeting.

RESOLVED:

That the report and verbal update were noted.

7. REGULATORY COMPLIANCE

(See document No. 4)

Councillor Jayne Francis, Cabinet Member for Housing and Homelessness, Paul Langford, Interim Strategic Director, City Housing, Guy Chaundy, Assistant Director, Housing Strategy and Enabling, Wayne Davies, Director, Asset Management, Stephen Gabriel, Director, Housing Management, Stephen Philpott, Director, Housing Solutions and Support Service, and Naomi Morris, Housing Modernisation and Partnership Manager, were in attendance for this item.

Naomi Morris introduced the report and in doing so the following key points were made:

- The report pack included the signed-off Action Plan which has gone to the Regulator in relation to the Regulatory Notice issued in May 2023 and a draft version of the Voluntary Undertaking currently being worked through with the Regulator.
- Regulatory Compliance is split into two pieces of work – the first is the response to the recommendations from the Housing Ombudsman Special Report and actions from the Regulatory Notice, and the second is preparation for the full implementation of the Social Housing Regulation Bill.
- As of April 2024, the Regulator of Social Housing will move from a reactive regime, where they respond to referrals, to a proactive regime where there will be an inspection schedule against the consumer standards.
- The proposed set of consumer standards is currently out for consultation.

The Committee received a presentation which included:

- Landlord Health and Safety Compliance;
- Repairs KPIs and Work in Progress;
- Decent Homes Update;
- Complaints Performance, Backlog and Summary;
- Tenant Engagement.

During the discussion, and in response to Members' questions, the following were among the main points raised:

- **Landlord Health and Safety Compliance** – the position with regard to high rise building management was queried and the Committee was informed that the original intention had been to have a role of Building Safety Officer. This has been reviewed and there are now three Building Safety Managers, currently being filled through interim resources. In addition, there will be 24 Building Safety Officers.
- **Repairs KPIs and Work in Progress** – it was requested that numbers are provided alongside percentages to be able to fully understand the position with regard to performance.
- **Decent Homes Stock Condition Surveys** – any homes which fit the criteria outlined in the presentation will be surveyed. For homes that are not surveyed, it was pointed out that this does not necessarily mean work will not be done, for example kitchens and bathrooms will be replaced where needed, with or without regulation. However, enough surveys need to be carried out to determine investment.

- **Tenant Engagement** – reference was made to the Meet the Ombudsman event and Councillor Francis informed the Committee that had been very productive and stressed the importance of listening to lived experiences.
- Improved engagement was discussed and whether any feedback was being given to tenants following the surveys that are being carried out. It was accepted there needs to be a Communications Plan sitting behind the Tenant Engagement Strategy to ensure tenants are informed of activities and outcomes. Officers confirmed they would be happy to bring the Strategy and Communications Plan back to Committee.
- **Anti-social behaviour (ASB)** – it was queried whether there were grounds for lifting responsibility for ASB away from Housing and making it more community based to co-ordinate with other Registered Social Landlords and the Police.
- The Committee was informed that there have been conversations with the Assistant Director of Community Safety and Resilience and there needs to be a wider cross-tenure discussion, recognising that a lot of housing is not social housing, there are also private rented and owner-occupied properties.

It was agreed that with regard to the detailed action plan, the Committee will have visibility of anything that goes to the Regulator and feedback from the Committee would be welcomed.

The Committee agreed to engage in quarterly meetings specifically on the subject of Landlord Compliance.

RESOLVED:

That:

- The Committee would engage in quarterly meetings specifically on the subject of Landlord Compliance.
- The report was noted.

8. WORK PROGRAMME

(See document No. 5)

The following items were confirmed for the October meeting:

- Standing item on 2023/24 Budget Savings
- Exempt Accommodation Tracking Report

The Committee considered and agreed the Outline Terms of Reference for the Task & Finish Inquiry on 'Improving Standards of Council Homes'.

RESOLVED:

- That the Outline Terms of Reference for the Task & Finish Inquiry on 'Improving Standards of Council Homes' were agreed.
- That the work programme was agreed.

9. DATE OF THE NEXT MEETING

RESOLVED:

That the Committee noted the date of the next meeting on Thursday 19 October at 1400 hours in Committee Room 6.

10. REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)

None.

11. OTHER URGENT BUSINESS

None.

12. AUTHORITY TO CHAIR AND OFFICERS

RESOLVED:

That in an urgent situation between meetings, the Chair jointly with the relevant Chief Officer, has authority to act on behalf of the Committee.

The meeting ended at 1554 hours.