



Bristol City Council

Minutes of People Scrutiny Commission

Thursday 18th February 2016 @ 2pm

Scrutiny Members Present:-

Cllr Alexander(Chair), Cllr Watson, Cllr Morgan, Cllr Phipps, Jenny Smith, Cllr Joffe, Cllr Kirk.

Other Members:

Assistant Mayor Massey, Cllr Fodor, Cllr Negus, Cllr Denyar

Also in Attendance:

Mayor, George Ferguson; Dr Martin Jones Bristol CCG Chair;
Judith Brown - Expert Witness, John Swainston – Education Co-optee, Roger White – Education Co-optee; Tony Jones - Bristol CCG,

Officers in Attendance:-

John Readman – Strategic Director People; Nick Hooper – Service Director Strategic Housing; Paul Jacobs – Service Director Education & Skills; Joanna Roberts – Service Manager Strategy Commissioning. Tom Gilchrist – Service Manager Private Housing; Paul Sylvester – Service Manager; Annette Jones – Service Manager;

1. Apologies for Absence

Apologies were received from Cllr Glazzard

2. Public Forum

None

3. Declaration of Interest

Cllr Morgan declared membership on the Health & Wellbeing Board.

4. Minutes

Resolved:

That the Minutes of the meeting of the commission held on the 7th December 2015 be agreed as a correct record and signed by the Chair.

5. Action Sheet

The Action Sheet was noted.

6. Chair's Business –

- 111 Service – The Chair requested that members considered that in light of recent media reports on the performance of the 111 Service whether a partner meeting should be arranged. Members to feed back to Lucy Fleming.
- The recommendation arising from the sub group work on Mental Health to be circulated for Email sign off.
- The April meeting date for the review for the new hospital unit for South Gloucestershire to be emailed by Lucy Fleming.

7. Tackling Empty Homes and improving Privately Rented Housing

The Members of the People Commission were joined by the members of the Neighbourhood Scrutiny Commission to receive the report from Nick Hooper and Tom Gilchrist.

The Private Rented Sector.

The private rented sector in Bristol has grown significantly reflecting the growth in Bristol's popularity. With the rented sector meeting the needs of students and the younger more transient work force that is emerging.

The Private Housing team work to encourage Landlords to manage properties in an appropriate manner.

- Working with Landlords to raise standards following contact from tenants
- Promoting the West of England Rental Standards and endorsing the ACORN's Ethical Letting Charter
- Using available Legislation covering Houses in Multiple Occupation and extending the discretionary licensing scheme in Bristol

The first discretionary licensing scheme covering the Stapleton Road and Easton area were introduced in 2013. Resulting in improving conditions and management practices in the private rented sector in that area.

At the Cabinet meeting in February 2016 Cabinet agreed to extend additional & selective licensing to the wards of Eastville and St George West. The consultation process received comments from approximately 2248 individuals and organisations. The new scheme is to commence on the 1st July 2016 for a five year period.

In order for other areas to come into scope further detailed analysis would need to be done along with a minimum ten week consultation. The team has determined that approximately 15-25% of housing in most wards is privately rented. There are a number of wards that have up to 60% of stock available for private rental equating to approximately 30% of the properties across the city falling into the rental market.

The work programme for the team working in the Stapleton Road area included the requirement to visit all 1200 identified rental units to determine the true picture on the quality of these rental properties. The early results show vast improvement to living conditions for over 700 households who were found to be living in properties that failed to meet minimum housing standards.

The launch of the West of England Rental Standard Scheme in January 2016, sets the minimum standard that organisations and through them their members are required to maintain. The Standard will include a Code of Practice that landlords and agents must comply with including minimum property conditions and management practices.

Acorn Ethical Lettings Charter is expected to join the WoE Rental Standard in spring of 2016. Acorn aspires to encourage agents and landlords to sign up to a voluntary charter that outlines the requirement for properties to be of a decent standard; are managed satisfactorily; and that tenants are charged a fair rent for the accommodation.

The council has successfully bid to DCLG for 'Rogue Landlord' funding to pay for action to target poor landlords in Bristol. The project will target rogue landlords who let properties situated above cafes, restaurants and takeaway businesses that are often let without regard to the required decent homes standards.

The following comments were noted from the discussion that followed;-

- a. Members enquired whether the service had been able to determine future impact on the rental markets for tenants following the change to stamp duty payable on buy-to-let properties and second homes together with the additional tax payable on rental income.
- b. The service noted a rise in a number of properties being purchased to pre-empt the changes and believe that any tax increase will be passed on in rent to tenants.
- c. The funding awarded to support the work in respect of rogue landlords will focus on residential premises above shops that fail to meet the necessary housing standards.

- d. Members were informed that it is not possible for the council to hold a comprehensive list of all rental properties. Mandatory licensing of larger Houses in Multiple Occupation (HMOs) had resulted in 1500 such properties being identified to the council. The council is reliant on tenants making contact to identify properties that fall within the rental market.
- e. Members were informed that the service maintained a social media presence that allowed for sharing of information. Encouraging tenants to report concerns and for the service in turn to promote successful prosecutions. The service did not engage in the practice of naming and shaming landlords, other than post-prosecution, as it would be counterproductive.
- f. Members were keen to encourage the service to extend the powers under the additional license citywide but were informed that an authority could not declare an area larger than 20% as in need of additional licensing without first applying to the Secretary of State. Members to be advised when they can feed into future designation decision making process.
- g. Organisations signed up to the WoE rental standard accreditation badge are responsible for investigating tenant complaints to ensure that its members, be it landlords or agents meet the agreed standards set out in the Code of Practice.
- h. The accreditation badge can be adopted by Universities to improve standards for students by their service providers.
- i. Members were concerned that the Spring 2016 issue of the Private Landlord newsletter made no mention of the rental charter. Members were reassured that the WoE rental standards would be promoted and had a communication plan. Those to be initially targeted within the property market are organisations and agencies in the rental property market. When these bodies are accredited it follows that their client base will then follow.

Empty Properties

The report details the successful development of the targeted work completed, by the Empty Property Unit, to reduce the number of empty properties within the local authority area. Bristol compares well with other housing authorities in England out-performing all core cities with the numbers of empty properties below 1000 from a high of 2500 in 2008/09. The service has a targeted approach to the work involved in bring properties back into use. Although there is a high threshold before a Compulsory Purchase Order can be instigated the service pursues this at the rate of 5-10 per year.

The range of tools used in Bristol:

- No-Use-Empty Brand and communication plan
- Information and advice on renting

- Procurement for homelessness initiatives
- Leasing schemes
- Low cost loans
- Empty Dwelling Management Orders (EDMO)
- Compulsory Purchase Orders (CPO)
- Nuisance and enforced sale action throughout time

Three Stage escalating process:

- Stage 1 – properties vacant for up to 2 years are identified and contact made with owners to communicate available options on renovating and/or letting or selling.
- Stage 2 – properties vacant for 2-5 years. Following contact and advice and assistance failure to act consideration is given to EDMOs or CPO action.
- Stage 3 – properties vacant for 6 years or more fall into the CPO programme.

The following comments were noted from the discussion that followed.

- a. Members were informed that the legislation giving rise to the issue EDMO's that allows a local authority to apply for direct management of a property was cumbersome and ultimately resulted in any rental income from tenants over and above the initial cost to bring the property back into use be paid back to the owner. EDMO is only used in limited instances and where properties are in a decent condition.
- b. Members were assured that the service welcomed intelligence on empty properties and information could be directly shared with Tom Gilchrist by email and/or 0117 35 25010.
- c. The service projects that bringing empty homes back into use will attract approximately £1.1m from the government New Homes Bonus fund, for the current year. There will be future changes to the scheme that the government is currently consulting on that will be reported on when the changes are known.

Resolved:

- i. **That the report be noted.**

8. Update on Emergency Accommodation for People made Homeless

The Commission received a report from Paul Sylvester and Nick Hooper.

The service continues to manage the increasing numbers of people presenting as homeless and those in need of emergency accommodation as well as the rise in the numbers sleeping rough in Bristol. Reflective of the national upward trend.

Temporary accommodation (TA) is deemed to be accommodation provided under the homelessness legislation that is not settled accommodation i.e. social housing or private rented (12 month) tenancy. TA includes emergency accommodation paid for on a nightly basis. There are rough sleepers who fall outside the homelessness duty.

The data shows that as of 30th September 2015 there were approximately 524 households living in temporary accommodation where the Council have accepted a homelessness duty and in some cases where this is still being assessed. The majority of these households include children.

National data reveals that Bristol and Brighton have the fastest increase in private rent up by 8% in 2015. In some case evidence was available to show that landlords had moved tenants out to let to new tenants on higher rents. This is making it difficult for households living in temporary accommodation being able to afford the cost of rents in the private sector rental market.

The current forecast is that the council's gross spend on providing TA for the current financial year will be approximately £4.4million. The net spend for the authority is 50%, being the sum not covered by housing benefit and not covered by HB government subsidy.

The council provides homelessness pathway accommodation for single people with support needs with over 1000 units to support this need.

The service's new case management system allows for better management and tracking of households in TA. From 1st April 2016 a charge is to be introduced to households for utilities costs and encourage good budgeting practices.

The service manages in-house TA for families with a total of 35 units, the vast majority self-contained. There are a further 77 housing association properties available that are let on short term contracts for TA accommodation.

There is a procurement and service redesign project underway that aims to reduce costs and demand, throughout the authority (not just Housing Advice) and by South Gloucestershire, that use the same providers for emergency accommodation.

The following was noted from the discussion that followed;

- a. Members requested further breakdown of the statistics for children in households living in TA. **Action Paul Sylvester to report back.**
- b. Members discussed the use of alternative accommodation such as vacant NHS properties and empty city office blocks, for rough sleepers similar to action taken by Manchester. Smaller empty BCC properties are being source for longer term use by former rough sleepers.
- c. Members were informed that the service had a duty to children coming from the care system.

- d. The Preventing Homelessness Board oversees the service provision with the support of a working group and had taken steps with a sub-group to look at the health issues arising from this group of service users.

Resolved:

That the report be noted.

9. Future Scrutiny of the Learning City Board

The Commission received a report from Paul Jacobs on the Learning City Board and future reporting mechanism to Scrutiny members. The proposal was for an annual report on key decisions taken by the Mayor at the Board to be taken to scrutiny.

The Board established in early 2015 to create strong governance for learning across the City establishing four Challenge Groups to address specific themes:

- Learning in Education
- Learning for and in Work
- Learning for Everyone
- Learning for Life

The following was noted from the discussion that followed.

- a. Members enquired as to whether there should be a Learning for Health theme to connect with the work being done by the Health and Well Being Board.
- b. Members considered that an annual report to scrutiny would be effective and work on similar lines of the reporting mechanism for the work of the Health and Well Being Board. **Action: Scrutiny to add to the future work programme.**
- c. Members discussed a conference and/or scrutiny day on themed on the principles of the Learning City, viewing it as an opportunity for Members and partners to meet and input into the principles. **Action: Scrutiny officer to note the request for future work programme.**

Resolved:

- i. **That the presentation and report be noted.**
- ii. **That the report would become a part of the scrutiny work programme.**

10. Health & Wellbeing Board Work Programme

The Commission received a report from Dr Martin Jones and Mayor, George Ferguson to inform the scrutiny commission about the work of the Health and Wellbeing Board for 2015/16 and planning for 2016/17.

The key functions of the Board as directed by the Social Care Act 2012:

- Produce and up-date the Joint Strategic Needs Assessment
- Produce and implement a Joint Health and Wellbeing Strategy
- To promote integration
- To produce and up-date a Pharmaceutical Needs Assessment

However, in Bristol we have extended the remit of the Board, by changing the constitution, to enable the Mayor to take Key Decisions at the Board, rather than at Cabinet.

The Key Decisions taken since June 2015 by the Mayor;

- Phase 3 of Extra Care Housing
- Care Homes Re-commissioning
- Children's Community Health Services Re-commissioning
- Sexual Health Services Re-commissioning

Looking Forward 2016/2017

The Board looking to review membership during April 2016 to consider the approaches received from a number of organisations.

The following was noted from the discussion.

- a. Members shared that the Board would benefit from participation from Avon & Somerset Constabulary. The Board would input into the victim support work undertaken by the constabulary and could aid the areas of mental health and alcohol mis-use that drives many areas of crime & disorder. Members suggested that consideration should be given to representatives from Young & Older people organisations.
- b. Members were informed that the Board worked jointly with Safer Bristol Board on matters arising from alcohol misuse and social nuisance. Pursuing solutions such as minimum pricing for sale of alcohol and ways to manage the consequence of young people drinking before going out in the evening.
- c. The Board had considered the benefit of social prescribing to support prevention and wellbeing. Focusing on self-care and self-management to support the consequence of limited budgets within social care. Consideration given to replacing prescribing traditional medication with prescribing exercise classes and other social intervention activities. Such change requires a redistribution of budgets and a communication strategy to support the move to social prescribing.
- d. Members were concerned that the issues of social inequality and isolation being experienced by certain sections of the community may be overlooked. The Board continued to investigate and support health and wellbeing in areas

of deprivation. The leading issue being the quality of life as opposed to the length of life.

- e. The Board acknowledged that with numerous health providers, service users were often impacted by the many request to share information at each interaction between providers. The single assessment point of contact would go some way to satisfy service users and improve outcomes.

Resolved

- i. **That the report was noted with a further update would be brought back in the next municipal year.**

11. Meeting the needs of Pushed Out Learners – Alternative Learning Provision (ALP)

The Commission received a report and presentation from Paul Jacobs and Joanna Roberts and Annette Jones.

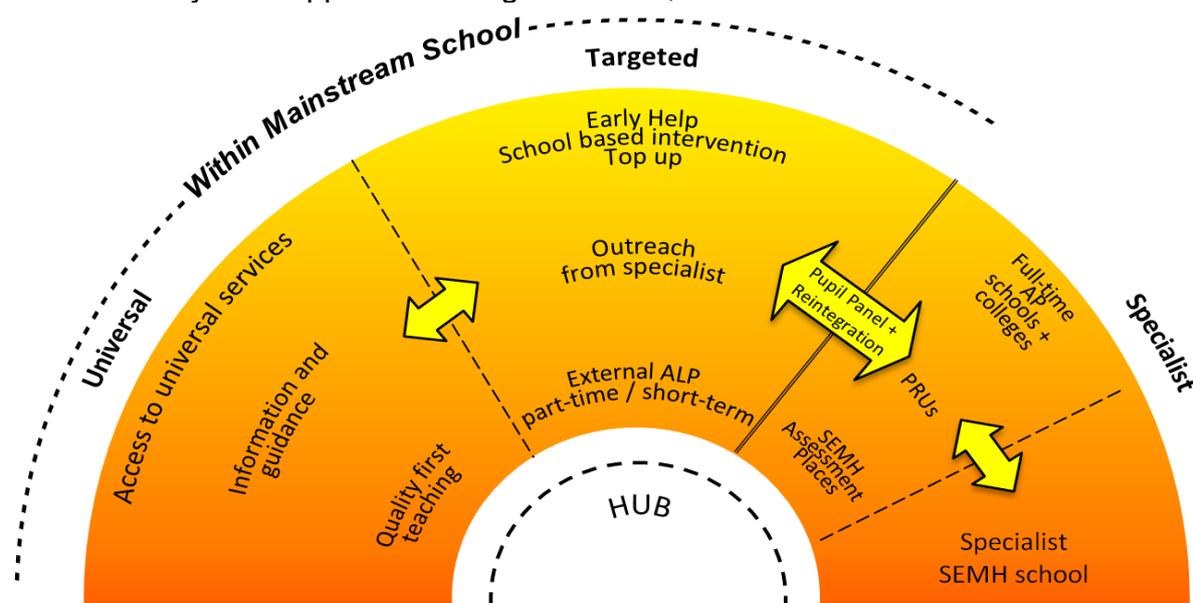
The phrase 'Pushed Out Learners' although provocative the intention is to encourage conversation on the subject about students whose behaviour often results in exclusion. These students are at the edge of education and often have additional social emotional or mental health difficulties (SEMH). The LA must provide suitable alternative education for these students.

The report concerns the re-commissioning of the service provision. The report outlines the approach that to be taken before market providers are sought.

The re-commissioning process aspires to divert funds to support programmes to prevent exclusion. The alternative learning provision (ALP) must be of good quality and measured, putting the student in the right setting that support their pathway for development.

The LA has a duty to track all students, not in education, employment or training and those subject to part-time education schemes. Managing student data aids understanding of where students are and allows attendance to be recorded. There remains a strong link between students caught up in child sexual exploitation and not in formal regularly education.

The Whole System Approach – diagram below;



The new system approach supports a unified pathway for students with SEMH, recognising the need for a personalised approach for each student. Work with schools to be undertaken to establish area-based pupil inclusion panels, administered by the LA and chaired by a head-teacher. An ALP hub to be developed to support and administer the panels to carry out commissioning and quality assurance for both the LA and Bristol schools.

The new approach covers the following;

- Partnership – taking collective responsibility for ‘pushed out’ learners
- Pathway – developing a unified SEMH pathway to help improve outcomes for students
- Process – improving the quality of provision through effective commissioning & support
- Provision – sufficient flexible and responsive local provision
- Participation – listening to pupils and parents and using their views to shape services

The following was noted from the discussion that followed.

- a. Members were informed that the Hospital Education service stood apart from the provision for pushed out learners. The report focused on the programme and service provision for those with behaviour issues.
- b. Further explanation provided on how a student would progress through the service as demonstrated by the windscreen diagram. The pupil inclusion panel would assume responsibility for students supported progression and return to formal education with the necessary support to ensure the proper application of available resource.

- c. The programme relies on good quality service providers managed by the ALP hub and on schools engaging in the process. Data sharing amongst school at pupil inclusion panels will allow support to the school and determine the best behaviour intervention. There are sometimes disagreement with parent/carers about the best education setting to support good outcome for a student.

- d. The service aspires to balance service provision in each of the three areas of Bristol to minimise the need for students to travel to another area for support.

- e. Funding from central government is reducing particularly for post 16 and early years learners with additional learning needs. Funding in many cases is retrospective and on a case by case basis. Work is being done nationally on the issue with the department of education and negotiations amongst schools about financing this provision is an ongoing process.

Resolved:

- i. **That the Commission noted the presentation.**

The meeting ended at 16:58

CHAIR