



# CABINET

<b>7.30 pm</b>	<b>Wednesday 15 June 2016</b>	<b>Council Chamber - Town Hall</b>
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Members 10: Quorum 6

Councillor Roger Ramsey (Leader of the Council), Chairman

**Cabinet Member responsibility:**

Councillor Damian White

Housing

Councillor Robert Benham

Children & Learning

Councillor Wendy Brice-Thompson

Adult Social Services and Health

Councillor Osman Dervish

Environment, Regulatory Services and  
Community Safety

Councillor Melvin Wallace

Culture and Community Engagement

Councillor Clarence Barrett

Financial Management

Councillor Ron Ower

Housing Company Development and  
OneSource Management

Councillor Joshua Chapman

Deputy Cabinet Member assisting Cabinet  
Member for Housing

Councillor Jason Frost

Deputy Cabinet Member assisting Cabinet  
Member for Environment, Regulatory  
Services & Community Safety

**Andrew Beesley  
Committee Administration Manager**

**For information about the meeting please contact:  
Grant Soderberg tel: 01708 433091  
e-mail: [grant.soderberg@onesource.co.uk](mailto:grant.soderberg@onesource.co.uk)**



**Webcast**

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which is not in camera range.**

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Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

## AGENDA

### 1 ANNOUNCEMENTS

On behalf of the Chairman, there will be an announcement about the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

### 2 APOLOGIES FOR ABSENCE

(if any) - receive

### 3 DISCLOSURES OF INTEREST

Members are invited to disclose any interests in any of the items on the agenda at this point of the meeting. Members may still disclose an interest in an item at any time prior to the consideration of the matter.

### 4 MINUTES (Pages 1 - 8)

To approve as a correct record the minutes of the meeting held on 13 April 2016, and to authorise the Chairman to sign them.

### 5 OVERVIEW & SCRUTINY BOARD - DEBT RECOVERY TOPIC GROUP REPORT (Pages 9 - 20)

### 6 LOCAL LONDON INTER-AUTHORITY AGREEMENT (Pages 21 - 50)

### 7 AMENDMENTS TO HOUSING ALLOCATIONS POLICY, REVIEW OF THE TENANCY STRATEGY AND POLICY & INTRODUCTION OF A PLACEMENTS POLICY (Pages 51 - 328)

### 8 REVIEW OF THE HOUSING REVENUE ACCOUNT (HRA) 30 YEAR BUSINESS PLAN (Pages 329 - 344)

### 9 ROMFORD HOUSING ZONE (Pages 345 - 358)

### 10 HOUSING SERVICES ASSET MANAGEMENT STRATEGY (Pages 359 - 406) *This item contains an EXEMPT appendix*

### 11 ROMFORD BRIDGE CLOSE- VISION AND WAY FORWARD (Pages 407 - 436) *This item contains an EXEMPT appendix*

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**MINUTES OF A CABINET MEETING**  
**Council Chamber - Town Hall**  
**Wednesday, 13 April 2016**  
**(7.30 - 8.15 pm)**

**Present:**

Councillor Roger Ramsey (Leader of the Council), Chairman

**Cabinet Member responsibility:**

Councillor Damian White

Housing

Councillor Robert Benham

Environment

Councillor Meg Davis

Children and Learning

Councillor Osman Dervish

Regulatory Services and Community Safety

Councillor Melvin Wallace

Culture and Community Engagement

Councillor Clarence Barrett

Financial Management

Apologies were received for the absence of Councillors Wendy Brice-Thompson and Ron Ower.

Councillors Ray Morgon, Michael Deon Burton, David Durant, Ray Best and Jody Ganly (for part of the meeting) also attended.

There was a member of the press present.

Unless otherwise indicated, all decisions were agreed unanimously with no Member voting against.

**47 DISCLOSURES OF INTEREST**

Councillor Clarence Barrett made a disclosure of personal interest in item 5: Improving the safety of our schools across the borough as he lived in close proximity to the James Oglethorpe School which was one of the schools included in the pilot PSPO (Public Space Protection Order) scheme

**48 MINUTES**

The minutes of the meeting held on 10 February 2016 were agreed as a correct record and were signed by the Chairman.

49 **IMPROVING ROAD SAFETY OUTSIDE OUR SCHOOLS & ACROSS THE WIDER BOROUGH**

*Councillor Osman Dervish, Cabinet member for Regulatory Services and Community Safety, introduced the report*

Cabinet was informed that the purpose of the report was to outline a new option to augment conventional parking enforcement around schools to combat rising dangers as well as anti-social behaviour by using a Public Space Protection Order (PSPO) under the Anti-social Behaviour Crime and Policing Act 2014 (ASBCPA). The report before Members considered how this new power could most effectively be used.

**Reasons for the Decision**

A Public Space Protection Order provides the best opportunity to enable a safer environment for children during the school drop off and pick up. The behavioural evidence collected clearly shows that detrimental activities are occurring on a persistent and continuing nature and that the proposed prohibition will mitigate the school drop off and pick up's detrimental activities and create a safer environment.

**Alternative Options Considered**

**Congestion Zone**

A congestion zone could be set up around a school and anyone entering the zone would be charged to enter and exit the area. This would reduce the congestion in the area and would improve safety. However it would not deter parents that could afford to pay the congestion charge. This proposal was therefore rejected.

**Pedestrian Zone**

A Pedestrian zone could be set up along the frontage of a school and this would prohibit all vehicular access during the school drop off and pick up times. This would reduce the congestion in the area and would improve safety. However, as local residents would have no access during the school drop off and pick up times they would be disproportionately affected. This proposal was therefore rejected.

Cabinet:

1. **Considered** the report and **agreed in principle** to make Public Space Protection Orders (PSPOs) relating to detrimental activities in the locations/in the vicinity of the following schools:

Broadford Primary School, Engayne Primary School, Parsonage Farm Primary School, St. Peter's Catholic Primary School, The James Oglethorpe Primary School, Wykeham Primary School, Ardleigh Green Infants & Juniors

Schools, Crownfield Infant & Junior Schools, Gidea Park Primary School, Hylands Primary School, and Rise Park Academy School.

2. **Delegated authority** to make the order to the Deputy Chief Executive for Community and Resources, in consultation with the Cabinet Member for Regulatory Services & Community Safety where the evidential surveys and studies had identified detrimental activities taking place therefore justifying a need for the introduction of a Public Space Protection Order.
3. **Considered** the arguments set out in the report and **set the maximum** level of the fixed penalty at £100 payable within 14 days of issue of a Fixed Penalty Notice.
4. **Consented** to issue “free of charge” permits for residents who lived within a PSPO area and to extend the same to their visitors.
5. **Noted** that a statutory consultation exercise would take place prior to the introduction of any proposed PSPO. Though not exhaustive, consultees would include local Councillors, residents, school governing bodies, teachers, pupil/student parents and or carers, the Police and other emergency services. The results of the consultation would be presented to the Cabinet Member for Regulatory Services & Community Safety and in discussion with the respective Ward Members, agreement from the Cabinet Member would be sought to determine whether to proceed with the PSPO.

50 **AFFORDABLE HOUSING - COMMUTED SUMS PLANNING GUIDANCE NOTE**

*Councillor Osman Dervish, Cabinet member for Regulatory Services and Community Safety, introduced the report*

Cabinet was reminded that the provision of affordable housing remained a key part of the overall delivery of housing and the Council remained committed to providing more affordable homes in the borough.

The report sought Member approval for a non-statutory planning guidance note (detailed in Appendix 1 to the report) which set out the circumstances in which the Council might accept commuted sum payments to it in lieu of affordable housing being provided on-site or on an alternative site agreed by the Council. Such an approach would be in line with the flexibility provided by planning policies from the Government and the London Mayor.

Cabinet was informed that the guidance note would set out the Council’s approach to securing affordable housing and made clear that it would be the Council that determined whether a commuted sum payment to the Council was appropriate.

The note emphasised that the Council's starting point would continue to be for affordable housing to be provided on site.

Members' attention was drawn to the guidance where commuted sum payments to the Council which might be appropriate were listed and this included situations where on-site affordable housing would prejudice other planning and regeneration objectives being achieved, would work against the development of a 'mixed and balanced' community, and/or would be poorly located relative to transport and jobs. Additionally, the report suggested that affordable housing on-site might be inappropriate where it would result in a modest number of new homes that could be difficult to manage and maintain.

In addition, the note set out a financial formula to enable the Council and the developer to calculate a commuted sum payment to the Council in lieu of provision on-site or at an alternative site agreed by the Council.

The note also confirmed that the proposed approach was being followed by many other authorities. It highlighted some of the benefits that might follow from its adoption.

The report made clear that the policies of the Havering Local Development Framework would continue to provide the formal policy context for the consideration of such proposals and would retain the statutory pre-eminence afforded by Section 38(6) of the Planning and Compulsory Purchase Act 2004.

Cabinet was informed that the report and the recommended draft guidance note dealt only with commuted sums to be paid to the Council for affordable housing. It did not encompass developer contributions for other purposes such as site specific mitigation measures linked to a proposed development which would remain outside of the scope of the report.

In order for the process to proceed, Members were asked to note that the guidance note was being adopted on an interim basis and was concurrently the subject of public consultation and that at the conclusion of this a further report with recommendations for Council would be brought back to Cabinet.

**Reasons for the decision:**

To provide the Council with a robust, transparent and practical methodology for establishing how much commuted sum payments should be in cases where it is not appropriate for affordable housing to be provided on site or on an alternative site. The guidance note identifies the circumstances where such an approach may be appropriate.

**Other options considered:**

The absence of explicit criteria setting out where commuted sum payment may be appropriate and a financial formula model for calculating such payments is unhelpful for both the Council and prospective developers and may adversely affect the successful delivery of more affordable homes.

Alternative approaches to calculating a commuted sum provision have been considered and rejected as they are not considered to be financially neutral and would incentivise the developer to provide a commuted sum in lieu of on-site provision, fail to achieve the maximum viable levels of affordable housing contribution or alternatively fail to sufficiently recognise the importance of assessing viability at a scheme by scheme level.

Cabinet:

- 1 **Approved** the planning guidance note (as set out in Appendix 1 to the report) for public consultation purposes;
- 2 **Approved** the use of the note on an interim basis as 'good practice' guidance to show the circumstances in which commuted sum payments to the Council might be appropriate in lieu of on-site / off-site provision pending formal adoption by Full Council;
- 3 **Approved** publication of the guidance note on the Council's website as an interim guide pending formal adoption by Full Council; and
- 4 **Noted** that recommendations 1 and 2 notwithstanding, the current national planning legislation would continue to afford the policies in the Havering Local Development Framework (as part of the statutory Development Plan) greater weight than the guidance note in the formal planning decision-making process.

## 51 **CORPORATE PLAN 2016-17**

*Councillor Clarence Barrett, Cabinet member for Financial Management, introduced the report*

Cabinet was reminded that the Corporate Plan set out the Council's mission statement: **Clean | Safe | Proud** and the activities that the Council proposed to undertake to 'support our community', 'use our influence and 'lead by example' during the 2016/17 financial year.

The Corporate Plan would be used to inform service planning and to ensure that the Council's operational activities and measures were linked back to its overarching mission statement. Members were also asked to note that the report front page contained a typographical error. The report before them was not itself a key decision.

### **Reasons for the decision:**

To provide the Council with a Corporate Plan for the forthcoming year based on its mission statement - **Clean | Safe | Proud**.

### **Alternative Options Considered**

There were no alternative options.

Cabinet:

- 1 **Approved** the planning guidance note (as set out in Appendix 1 to the report) for public consultation purposes;
- 2 **Approved** the use of the note on an interim basis as 'good practice' guidance to show the circumstances in which commuted sum payments to the Council might be appropriate in lieu of on-site / off-site provision pending formal adoption by Full Council;
- 3 **Approved** publication of the guidance note on the Council's website as an interim guide pending formal adoption by Full Council; and
- 4 **Noted** that recommendations 1 and 2 notwithstanding, the current national planning legislation would continue to afford the policies in the Havering Local Development Framework (as part of the statutory Development Plan) greater weight than the guidance note in the formal planning decision-making process.

## 52 **CORPORATE PERFORMANCE REPORT - Q3 2015-16**

*Councillor Clarence Barrett, Cabinet member for Financial Management, introduced the report*

Members were reminded that the Corporate Performance Report provided an overview of the Council's performance for each of its strategic goals (Clean, Safe and Proud). The report highlighted areas of strong performance and potential areas for improvement.

The report identified where the Council was performing well (**Green**) and not so well (**Amber** and **Red**). The "RAG" ratings for 2015/16 were as follows:

A green arrow (↑) meant that performance was better and a red arrow (↓) meant performance was worse. An amber arrow (→) meant that performance had remained the same.

### **Reasons for the decision:**

To provide Cabinet Members with an update on the Council's performance for each of the strategic goals (Clean, Safe and Proud).

### **Other options considered:**

There were no alternative options.

Cabinet:

1. **Reviewed** the levels of performance set out in **Appendix 1** to the report and the corrective action that was being taken, and
2. **Noted** the content of the Demand Pressures Dashboard attached as **Appendix 2** to the report.

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**Chairman**

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**CABINET**

**15 June 2016**

**Subject Heading:**

**OVERVIEW & SCRUTINY BOARD –  
DEBT RECOVERY TOPIC GROUP  
INTERIM REPORT**

**Cabinet Member:**

**Cllr Clarence Barrett**, Cabinet Member  
for Financial Management

**CMT Lead:**

**Andrew Blake-Herbert**  
Chief Executive

**Report Author and contact details:**

Richard Cursons  
Committee Officer  
Tel: 01708 432430  
[richard.cursons@onesource.co.uk](mailto:richard.cursons@onesource.co.uk)

**Policy context:**

**Financial summary:**

There are none associated with this report.

**Is this a Key Decision?**

No

**Is this a Strategic Decision?**

No

**When should this matter be reviewed?**

March 2017

**Reviewing OSC:**

Overview & Scrutiny Board

**The subject matter of this report deals with the following Council Objectives**

Havering will be clean and its environment will be cared for	<input type="checkbox"/>
People will be safe, in their homes and in the community	<input type="checkbox"/>
Residents will be proud to live in Havering	<input checked="" type="checkbox"/>

**SUMMARY**

The attached report contains the findings and recommendations that had emerged after the topic group scrutinised the subject selected by the Overview & Scrutiny Board in May 2015.

The environmental, equalities & social inclusion, financial, legal and HR implications and risks are addressed within the topic group's report.

**RECOMMENDATIONS**

That Cabinet:

1. **Note** the report of the topic group.
2. **Authorise** the creation of a task force focussed solely upon recovering Council Tax debts over one year old.
3. **Agree** to the continuation of the Topic Group to maintain a review of Council Tax and, progressively, other Council debts for an indefinite period.

**REPORT DETAIL**

The attached report of the Overview and Scrutiny Board identifies the initial findings of the Debt Recovery Topic Group and recommends a solution to reducing the amount of outstanding Council Tax debt owed to the Council.

**REASONS AND OPTIONS**

**Reasons and Options**

Reasons for the Decision

Under the Local Government and Public Involvement in Health Act 2007, s. 122, Cabinet is required to consider and respond to a report of an Overview and Scrutiny Committee within two months of its agreement by that Committee or at the earliest available opportunity. In this case, Cabinet is required to do this at its meeting on 11

May 2016. Cabinet is also required to give reasons for its decisions in relating to the report, particularly in instances where it decides not to adopt one or more of the recommendations contained within the report.

Alternative Options Considered

There are no alternative options.

## **IMPLICATIONS AND RISKS**

### **Financial Implications and Risks:**

There are no financial implications arising directly from this report

### **Legal Implications and Risks:**

There are no legal implications arising directly from this report

### **Human Resources Implications and Risks:**

There are no Human Resources implications arising directly from this report.

### **Equalities and Social Inclusion Implications and Risks:**

There are no Equality implications arising directly from this report.

## **BACKGROUND PAPERS**

None



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MEETING	DATE	ITEM
<b>OVERVIEW &amp; SCRUTINY BOARD</b>	<b>26 April 2016</b>	<b>4</b>

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**SUBJECT: REPORT OF THE OVERVIEW & SCRUTINY DEBT TOPIC GROUP**

**SUMMARY**

This report contains the (interim) findings and recommendations that have emerged after the Topic Group scrutinised the subject selected by the Board on 5 May 2015.

The environmental, equalities & social inclusion, financial, legal and HR implications and risks are addressed within the topic group's report.

**RECOMMENDATIONS**

That Members:

1. Note the report of the Overview & Scrutiny Debt Topic Group
2. Decide whether to refer the recommendations set out in section 4 of the report of the Topic Group to Cabinet.

**REPORT DETAILS**

At its meeting on 5 May 2015, the Overview & Scrutiny Board agreed to establish a Topic Group to scrutinise how the Council collects its debts and existing levels of debt and whether this could be improved.

Attached is the Topic Group's report. The report includes details of the research that the group undertook in reaching the conclusions set out.

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Designation: Committee Officer

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<p style="text-align: center;"><b>INTERIM REPORT OF THE OVERVIEW &amp; SCRUTINY BOARD DEBT RECOVERY TOPIC GROUP</b></p>
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## **1.0 BACKGROUND**

- 1.1 At its meeting on 5 May 2015, the Overview & Scrutiny Board agreed to establish a Topic Group to scrutinise debt recovery in the borough by understanding the current procedures, levels of debt and consider any solutions that might usefully improve collections.
- 1.2 The following Members formed the Topic Group at its outset: Councillors Graham Williamson, Steven Kelly, John Crowder and Philippa Crowder.
- 1.3 The Topic Group agreed that it would initially focus on Council Tax collection and thereafter other debts e.g. National Non-Domestic Rates (NNDR).
- 1.4 The Topic Group met on 8 occasions (4 including one on NNDR with Officers), so that all aspects of Council Tax debt collections were investigated and possible alternative solutions could be scrutinised. The Topic Group has now reached its interim findings and conclusions which are detailed in this report

## **2.0 SCOPE OF THE REVIEW**

- 2.1 To understand the current Council Tax collection procedures.
- 2.2 To identify and evaluate the Council's collection rates.
- 2.3 Propose any changes/initiatives to improve collection rates.

## **3.0 FINDINGS**

- 3.1 The Topic Group wished to understand and gather information on how the Council handled Council Tax collections, especially outstanding debts i.e. over one year old. This is controlled by the Exchequer & Transactional Services (for all debts) now part of oneSource.
- 3.2 Each year the amount of Council Tax to be collected increases e.g. in 2013-14 the figure was £118,480,176 and in 2014-15 it was £119,816,832.91. The service has yearly targets to meet. For example, at the end of 2013-14 financial year the target was 97%. The actual collection rate for 2013-14 was 97.1%. Other years' targets were usually met.

## Cabinet 15 June 2016

- 3.3 The collection rate was relatively efficient compared to other London boroughs e.g. in 2013/14 Havering ranked 6<sup>th</sup> out of 25 boroughs (where collection rate data was available).
- 3.4 However, what became clear was that the debts over a year old were not being collected as efficiently. For example, the target for these was only 18%. Thus these debts inevitably grew year on year even when a proportion of it was written-off.
- 3.5 For example, in June 2015, the outstanding debt for all the previous years up to 2015 (including pre-2000) was £19,189,435.12. This was owed by some 8,312 Council Tax payers. This ranged from 5,128 owing for 2014-15 to 3 owing for over 10 years.
- 3.6 Furthermore, over the past five years a sum of £4,511,476.89 was written-off covering a number of years but always over six years old (we are unaware of what was written off in earlier years).
- 3.7 The Topic Group found it extremely challenging trying to obtain and understand the figures and the processes followed. The information provided was difficult to understand and the Topic Group were constantly asking Council Officers for clarification. The Topic Group detected a defensive attitude, no doubt fearful of a critical analysis. Eventually, the Topic Group believes they reassured officers responsible for debt collections that they only wished to work with them to provide solutions (see later).
- 3.8 In the Topic Group's the Council Tax debt was far too high and, despite some of it being written-off, was likely to continue rising year on year. This is based on the fact that there is given an increasing number of new build properties in the borough, a yearly Council Tax rise for the foreseeable future, savings to be made by the relevant Council Tax section budget (as within all Council sections/depts.), and the 15% reduction of the Council Tax Support Scheme.
- 3.9 There are a number of reasons the Topic Group believe the Council is struggling to collect such debt:

Firstly, whilst the Council is generally meeting its yearly in-year targets the Topic Group believe an aspect of complacency has crept in towards the 3% or so that is not collected (the target drops dramatically to around 18%).

Secondly, the process of collection is complicated and long winded. The attached flowchart highlights the numerous 'opportunities' and time debtors have to settle debts and the various options available to them/Council. However, all debts are recorded as being within a stage of these processes. There are as many as 33, ranging from 'No action' to 'Liability orders' to debtors who still owe monies post-bailiff action.

Thirdly, the work involved is labour intensive e.g. last year 12,000 summonses, leading to 8,000 liability orders were issued and internal officers carried out over 3,500 visits.

Fourthly, most resources are focussed in reaching the first year target.

- 3.10 After the Topic Group was formed there have been, in the Group's opinion, a number of positive developments:

Firstly, the Head of Exchequer & Transactional Services produced a Service Plan 2015/16 which looked at the Service itself including the collection of debts. Among a number of *'Objectives and Outcomes'* was *'To improve income collection and reduce debt'* and *'To maintain or improve council tax.....collection rates'*.

Secondly, an Income and Debt Review was initiated to *'examine the opportunities and potential efficiencies of having a more co-ordinated approach to managing income collection and debt recovery and will support the development of the Debt Management Board'*. Nick Kingham was appointed as Debt Management Project Manager to lead it.

Thirdly, office based Enforcement Assistants (who support Enforcement Officers) were recruited to help collect specifically Council Tax arrears.

Fourthly, the Topic Group made a number of suggestions. For example:

\* There were some errors in the 'chase up' letters e.g. if a Summons was sent it would say that the right to pay by instalments was lost but would later offer payment by Direct Debit?

\* Based on the 'nudge' factor we asked that all letters explicitly explain the consequences to Council services if council taxes were not paid.

\* Name and shame bad debtors. Although there was some resistance to specifically naming those who had not been convicted of a criminal offence there is no reason why this cannot be done anonymously.

\* Financially incentivise our in-house Bailiffs.

- 3.11 Other suggestions were not as yet taken up e.g. it was not possible to change Council tenancy agreements to threaten eviction if Council Tax (as apart from rent) was unpaid. Greater use of the High Court, to collect debts exploiting the topicality and perceived fear of such, was thought to be too complicated a process.

- 3.12 It was clear that the scale of the debt justified forming a special task force, focusing entirely on the old debt. This was discussed with the Head of the Council Tax & Benefits Service.

It was agreed that such a task force could collect arrears more quickly (or alternatively identify problems explaining why the debt could not be collected than is presently the case.



To recruit a Senior Officer to assist in delivering the debt aspects of the Council Tax & Benefit Service's Council Tax Collection & Recovery Activity Plan plus three other officers to manage the day to day work of outbound phone calls and dealing with returns from Bailiffs.

The group was advised that such a task force would cost £150k for the four staff on a rolling 12 month contract that would be reviewed after the first and following years in relation to outstanding Council Tax debts. The group regarded it as an 'Invest to Save' project.

- 3.13 Members wish to maintain the Topic Group to continue an ongoing review of Council Tax debt (meeting planned by the end of April) and ultimately review all areas of Council debt. The Topic Group has already had one meeting on NNDR and plans a further one by the end of April.

#### **4.0 RECOMMENDATIONS**

- 4.1 Create a task force focussed solely upon recovering Council Tax debts over one year old.
- 4.2 Continuation of the Topic Group to maintain a review of Council Tax and, progressively, other Council debts for an indefinite period.

#### **ACKNOWLEDGEMENTS**

During the course of its review, the Topic Group met and held discussions with the following people:

Sarah Bryant – Director of Exchequer and Transactional Services  
Chris Henry – Head of Council Tax & Benefits  
Nick Kingham – Debt Management Project Manager

**The following comments are submitted by members of staff:**

#### **Financial Implications and Risks:**

The financial implications for the two recommendations are set out below:

*Recommendation 1 - Create a task force focussed solely upon recovering Council Tax debts over one year old.*

There will be revenue cost implications of creating posts. If the Overview and Scrutiny Board agree to make this recommendation to Cabinet further work will need to be undertaken with the service to establish the number/grades of posts in order to confirm costs and identify a source of funding.

**Recommendation 2 - Continuation of the Topic Group to maintain a review of Council Tax and, progressively, other Council debts for an indefinite period.**

If the topic group continues to be resourced from existing Members/Officers in established posts there will be no additional costs arising from this recommendation.

**Legal Implications and Risks:**

There are no legal implications resulting from the Overview & Scrutiny Board noting the contents of this report and there are no legal implications directly arising from processing the recommendations of the report.

In relation to the Topic Group's proposal to financially incentivise the Council's in-house Bailiffs, the Council would need to ensure that the bailiffs work in line with the Taking Control of Goods Regulations 2013 which came into force on 6 April 2014. Officers would need to carefully check each case before it is issued to the bailiffs and the bailiffs would need to check that residents do not meet specific vulnerability criteria before they enforce debt collection.

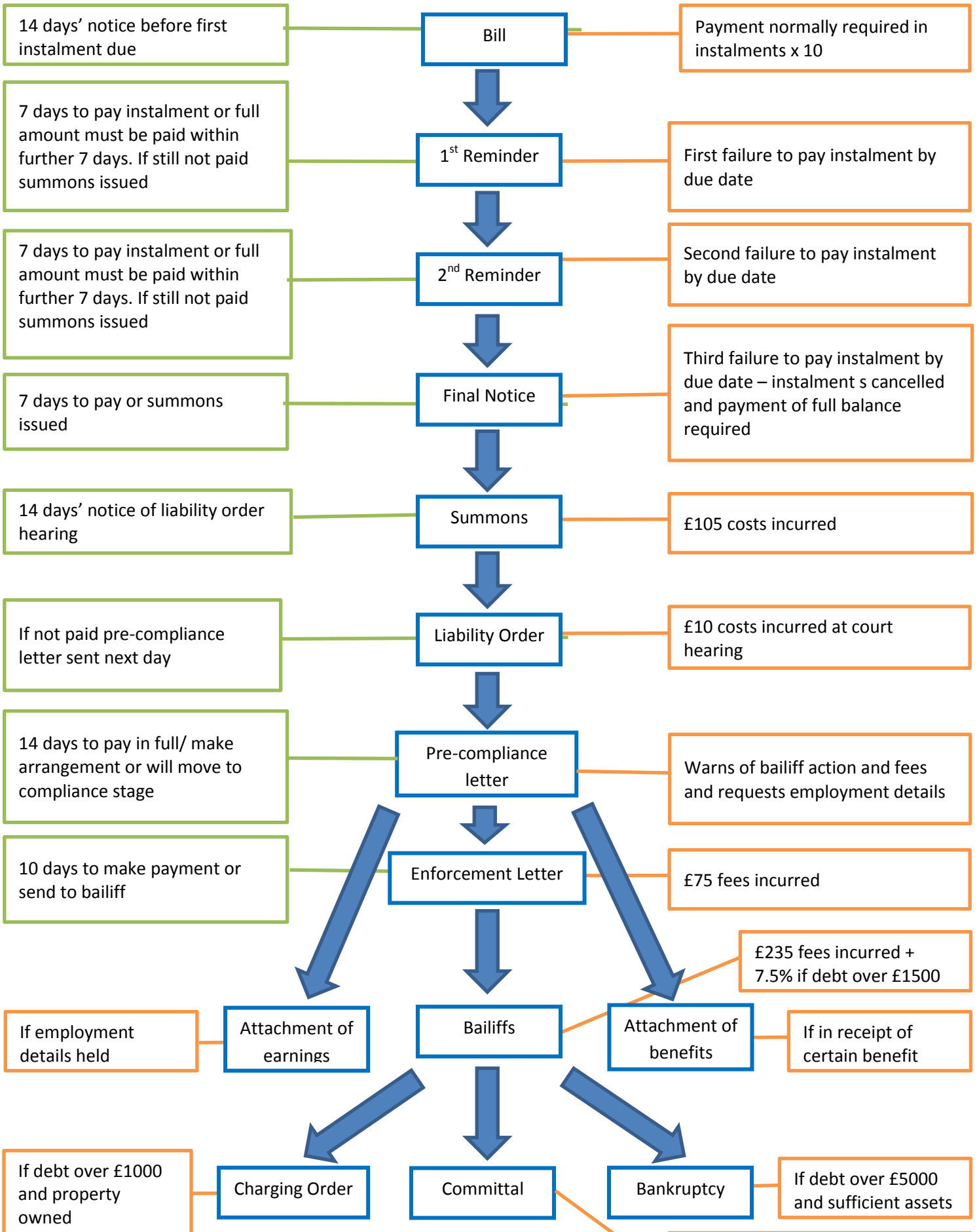
**Human Resources Implications and Risks:**

There are no direct HR implications or risks, to the Council or its workforce, that can be identified from the recommendations made in this report except for meeting the resourcing needs of the oneSource Exchequer & Transactional service in order for them to be able to effectively discharge the objectives and required activities of the suggested Council Tax debt recovery taskforce. These new roles would be over and above the existing establishment of the service. Therefore, sufficient funding for the lifetime of the taskforce project would need to be identified from outside of the service.

**Equalities and Social Inclusion Implications and Risks:**

The report outlines suggested improvements for collection of monies owed to the Council. Whilst this may not have any direct impact on protected characteristics such measures will need to be part of a holistic approach toward helping people managing income /income maximisation to avoid such issues where possible in arising in the future.

# Council Tax Recovery Process



Key

Enforcement stage

Further detail

Time between stages

Options to make order for payment, suspended sentence, remit debt or committal to prison

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**CABINET**

15 JUNE 2016

**Subject Heading:**

**Local London Inter Authority Agreement**

**Cabinet Member:**

**Councillor Roger Ramsey**

**CMT Lead:**

**Andrew Blake-Herbert**

**Report Author and contact details:**

Kayleigh Pardoe, Policy and Performance Business Partner (Communities and Resources)

**Policy context:**

This is related to the Council's Corporate Plan wherein one of the Council's objectives under 'Working with others to reduce costs' is to continue to work with other boroughs in Local London to make the case for devolution and to secure better funding and resources for Havering

**Financial summary:**

Each Local London Member is required to pay an annual contribution of £50k or such other sum as shall be agreed. Payment for the first year of the Agreement shall be payable with 30 days of the commencement of the Agreement. Payments in respect of subsequent years will be made on or before the 30 April in each year. The funding previously contributed to the North East London Strategic Alliance (NELSA) and East London Solutions (ELS) is no longer required and so can be diverted to this use.

**Is this a Key Decision?**

No

**When should this matter be reviewed?**

April 2017

**Reviewing OSC:**

Overview and Scrutiny Board

**The subject matter of this report deals with the following Council Objectives**

Havering will be clean and its environment will be cared for	<input type="checkbox"/>
People will be safe, in their homes and in the community	<input checked="" type="checkbox"/>
Residents will be proud to live in Havering	<input checked="" type="checkbox"/>

**SUMMARY**

This report seeks Cabinet approval for the Local London Inter Authority Agreement, as agreed by the Local London Partnership Members. The Local London Inter Authority Agreement is attached as Appendix A to this report.

**RECOMMENDATIONS**

That Cabinet:

1. Formally **approves** the Local London Inter Authority Agreement and the agreements proposed.
2. **Agrees** to the creation of the Local London Partnership Unit headed by the Director of Local London, who shall lead on the development and management of Local London's programme of work.
3. **Agrees** to the creation of the Local London joint committee and **agrees** to the delegation of functions to this joint committee to discharge executive functions on behalf of the London Borough of Havering and other Local London Members as outlined in the Schedule of Appendix A.
4. **Approves** the London Borough of Redbridge's role as the Accountable Body of Local London, and any duties and responsibilities that are assigned to this role.
5. **Nominates** one representative for the Local London Joint Committee, which will enact executive functions (please see paragraph 3.1). This will usually be the Leader of the Council.

**REPORT DETAIL**

**1. Background**

- 1.1 The Local London Partnership was established in February 2016 as the successor to the North East London Strategic Alliance (NELSA). Membership is currently made up of eight London Boroughs (Barking & Dagenham, Bexley, Enfield, Greenwich, Havering, Newham, Redbridge and Waltham Forest). Members of Local London work in partnership with the aims of delivering growth and to identify opportunities for devolution to the sub London region.
- 1.2 Local London Members work with the Greater London Authority and the national government to seek devolution deals which will result in benefits for both local economies and residents. The Local London Partnership will deliver on any responsibilities transferred to them and any specified devolved matters given to its members.
- 1.3 A draft Local London constitution was proposed at the Local London Leaders, Mayors and Chief Executives Strategy Group meeting on the 19<sup>th</sup> January 2016 that outlined the objectives and powers of the Local London Partnership. These arrangements have since been incorporated into the Local London Inter Authority Agreement, agreed upon by the Leaders, Mayors and Chief Executives Strategy Group in March 2016, which is to be formally approved by the executive bodies of each Local London Member. The decision to appoint a Director of Local London to oversee the work of the Local London Partnership Programme was also agreed at this meeting.
- 1.4 At the Local London Leaders, Mayors and Chief Executives Strategy Group meeting on the 16<sup>th</sup> February, a proposal was put forward from the London Borough of Redbridge that it would act as the accountable body for Local London. It was provisionally agreed by members that Redbridge would act as the accountable body for Local London.

**2 Local London Inter Authority Agreement**

See Appendix A for the full text to be approved by Cabinet

**3 Joint Committee**

- 3.1 The Local London Joint Committee will enact executive functions, as outlined in The Schedule of Appendix A, on behalf of all Local London Members in so far as they involve joint activities or areas of common concern that relate to devolved matters. As stated in the terms of reference, each Local London Member will nominate one representative to the joint committee who will each have one vote. The use of executive functions by

the joint committee will require approval from the executive bodies of each Local London Member.

#### **4 Accountable Body**

4.1 The responsibilities for the London Borough of Redbridge as the accountable body for Local London are to include:

- Budget and staff hosting (including the annual budget)
- Ensuring that the annual budget is set and monitored in an open and transparent way
- Ensuring revenue is spent appropriately and promotes the agenda of Local London and its members
- Arrangement of Local London meetings
- Development and circulation of papers
- Appropriate sign off processes for key decision making

4.2 A detailed summary of the responsibilities of the accountable body can be found in Appendix A (section 8 of the Local London Inter Authority Agreement).

4.3 Local London Members have agreed in principle to Redbridge's role as the accountable body for Local London but the decision will need formal approval by each member's executive body.

#### **5 Director of Local London**

5.1 Local London Members have agreed in principle to the appointment of a Director of Local London, who will oversee Local London's programme of devolved work by managing the Local London Partnership Unit. The director will provide strategic leadership to the Local London sub-region in developing joint programmes of work, identifying opportunities and developing a case for greater devolution to Local London. The director will work closely with London's other sub-regional partnerships to negotiate effective and meaningful devolution deals with central government to transfer further powers and responsibilities.

5.2 The Leaders, Mayors and Chief Executives of Local London Members will be directly involved in appointing the director through the application and interview processes.

5.3 As the accountable body for Local London, the London Borough of Redbridge will be responsible for employing and hosting the Director of Local London and any subsequent staff they may wish to appoint. Further details on this process can be found in Appendix A (section 8 of the Local London Inter Authority Agreement)

#### **6 Next Steps**

6.1 Moving forward it is important to formalise the structure of Local London as discussions on devolution continue to move apace. Cabinet can approve



the recommendations suggested and in doing so Local London Members can achieve the agreed goal of Local London being fully constituted and operational by early summer 2016.

- 6.2 Local London members will continue to work on the devolved areas previously agreed (skills, employment support and health).
- 6.3 The approval of the Local London Inter Authority Agreement and its agreements will formalise the Local London Partnership and ensure the partnership is in a position to be able to manage and deliver additional devolved responsibilities from central government.

**REASONS AND OPTIONS**

**Reasons for the decision:**

It is necessary for Cabinet to approve the arrangements set out in the Local London Inter Authority Agreement in order for Local London members to collaborate on and coordinate a range of activities and opportunities that arise through a greater devolution of powers from central government.

At the Local London Leaders, Mayors and Chief Executives Strategy Group meeting on 15<sup>th</sup> March, members committed themselves to formally approving the Local London Inter Authority Agreement through their respective governance mechanisms.

**Other options considered:**

The alternative option available to the Cabinet is not to approve the arrangements set out in the Local London Inter Authority Agreement. This would mean Havering would not formally be a Local London member, which would limit the opportunities presented to the borough through devolution at a sub-regional level. This option is not recommended.

**IMPLICATIONS AND RISKS**

**Financial implications and risks:**

Paragraph 9 of the agreement sets out how the Annual Budget of Local London will work.

Each Local London Member is required to pay an Annual Contribution of £50k or such other sum as shall be agreed. Payments will be made on or before the 30 April in each year.

Where an underspend occurs in any Financial Year this will be carried forward unless all Local London members agree for an equal reimbursement. Any overspends will be shared in equal parts and further equal contributions made by each of the Local London members.

The annual contribution may also be increased in line with the rate of inflation in accordance with the annual percentage increase in the Consumer Price Index (CPI) provided a majority of the Local London members agree.

Cleared: Comie Campbell Interim Strategic Finance Business Partner 19/04/2016

**Legal implications and risks:**

The Council has powers under Section 101 (5) and 113 (1) of the Local Government Act 1972, Section 1 (1) (b) of the Local Authorities (Goods and Services) Act 1970, Section 1 of the Localism Act 2011, and Sections 9EA and 9EB of the Local Government Act 2000 to enter into the arrangements as recommended in the report.

Further, the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 enable arrangements for the discharge of executive functions to be made as specified under the Regulations.

Cleared: Shupriya Iqbal, Senior Procurement Lawyer 21/04/2016

**Human Resources implications and risks:**

There are no envisaged Human Resources implications for Havering.

Cleared: Geraldine Minchin, Strategic HR Business Partner 18/04/2016

**Equalities implications and risks:**

Projects / activities undertaken by Local London will be subject to separate Equalities Impact Assessments.

It is not considered necessary to have an Equalities Impact Assessment for the approval of the Local London Inter Authority Agreement.

Cleared: Savinder Bhamra, Corporate Diversity Advisor 18/04/2016

**BACKGROUND PAPERS**

None

DATED \_\_\_\_\_ 2016

LONDON BOROUGH OF BARKING & DAGENHAM  
LONDON BOROUGH OF BEXLEY  
LONDON BOROUGH OF ENFIELD  
ROYAL BOROUGH OF GREENWICH  
LONDON BOROUGH OF HAVERING  
LONDON BOROUGH OF NEWHAM  
LONDON BOROUGH OF REDBRIDGE  
LONDON BOROUGH OF WALTHAM FOREST

LOCAL LONDON PARTNERSHIP  
INTER AUTHORITY AGREEMENT

THIS AGREEMENT is made on the..... 2016 between

1. The Mayor and Burgesses of the London Borough of Barking & Dagenham, Civic Centre, Dagenham, RM10 7BN ("Barking & Dagenham")
2. The Mayor and Burgesses of the London Borough of Bexley, Civic Offices, 2 Watling Street, Bexleyheath, Kent, DA6 7AT ("Bexley")
3. The Mayor and Burgesses of the London Borough of Enfield, Civic Centre, Silver Street, Enfield, London, EN1 3ES ("Enfield")
4. The Mayor and Burgesses of the Royal Borough of Greenwich, Town Hall, Wellington Street, Woolwich, London SE18 6PW ("Greenwich")
5. The Mayor and Burgesses of the London Borough of Havering, Town Hall, Main Road, Romford, London, RM1 3BB ("Havering")
6. The Mayor and Burgesses of the London Borough of Newham, Town Hall, Barking Road, East Ham, London, E6 2RP ("Newham")
7. The Mayor and Burgesses of the London Borough of Redbridge, Town Hall, Ilford, London, IG1 1DD ("Redbridge")
8. The Mayor and Burgesses of the London Borough of Waltham Forest, Town Hall, Forest Road, Walthamstow, London, E17 4JF ("Waltham Forest")

(Here inafter jointly referred to as "Local London Members")

## BACKGROUND

- (a) The Local London Members are the eight London boroughs who are parties to this Agreement which have joined together to develop and implement a coordinated programme which will both seek meaningful devolution deals with regional and national government, and effectively deliver on any responsibilities transferred to the sub-region (hereinafter referred to as the Local London Partnership Programme (LLPP))
- (b) Local London Members will ensure that they work together to deliver growth and identify opportunities for devolution to the sub-region which can result in sustainable long term benefits for local residents.
- (c) Local London Members have agreed to establish a Joint Committee on the basis of the Memorandum of Understanding (MOU) attached to this Agreement as The Appendix. The Joint Committee's Terms of Reference are set out in The Schedule. The Joint Committee will discharge executive functions on the collective behalf of Local London Members in so far as they relate to joint activities or areas of common concern in relation to the delivery of the LLPP.
- (d) Local London Members have agreed to establish a Local London Partnership Unit (LLPU) which shall deliver the LLPP, including all matters therewith. Members have agreed Redbridge's formal role as the Accountable Body for Local London, and any duties and responsibilities which are assigned to this role as outlined in section 8.

IT IS HEREBY AGREED as follows:-

1. DEFINITIONS AND INTERPRETATION

- 1.1 Words importing the singular shall include the plural and vice versa. Words importing any gender shall include all genders and words importing persons shall include bodies incorporate, unincorporated associations and partnerships.
- 1.2 Clause headings are inserted for reference only and shall not affect the interpretation or construction of this Agreement.
- 1.3 In this Agreement, the following words and expressions have the following meanings

Accountable Body	Shall mean the formal role assigned to the London Borough of Redbridge as a member of Local London. The Accountable Body shall take on the lead responsibility for delivering particular activities as from time to time identified, defined and agreed under this Agreement.
Agreement	Shall mean this Inter-Authority Agreement
Annual Budget	Shall mean the aggregate of all sums paid each Financial Year by each of the Parties
Annual Contribution	Shall mean the sum paid each Financial Year by each of the Parties in accordance with paragraph 9.2
Chief Executives Board	Shall mean the meetings of the Chief Executives of each of the Parties or their nominees in accordance with paragraph 10.1
Director of Local London	Shall mean the individual responsible for leading and managing the Local London Partnership Unit
Financial Year	Shall mean 1 April – 31 March
Joint Committee	Shall mean the Joint Committee established by the Local London Members and as described in the schedule to this Agreement
Lead Borough	Shall mean one of the Parties to this Agreement which shall take on the lead responsibility for delivering particular activities identified

Local London Partnership Programme (LLPP)	Shall mean the programme agreed by the Parties to deliver sustainable benefits for the Parties in accordance with this Agreement
Local London Partnership Unit (LLPU)	Shall mean the staff required to deliver the LLPP as shall agreed by the Parties
Local London Members	Shall mean the London Boroughs of Barking & Dagenham, Bexley, Enfield, Greenwich, Having, Newham, Redbridge and Waltham Forest
MOU	Shall mean the Memorandum of Understanding set out in Appendix A to this agreement
Procedure Rules	Shall mean the rules of procedure governing the meetings and activities of Local London and any of its subcommittees

## 2. CONSIDERATION

2.1 In consideration of the mutual agreements set out herein, the Local London Members have granted the rights and accepted the obligations set out herein.

## 3. ENABLING POWERS

3.1 This Agreement is made pursuant to Sections 101(5), and 113(1) of the Local Government Act 1972, Section 1(1) (b) of the Local Authorities (Goods and Services) Act 1970 and Section 1 of the Localism Act 2011 (and all the other enabling powers).

3.2 It shall be the responsibility of each member to ensure they have the necessary delegations and decisions in place to give effect to this Agreement and by the act of entering into this Agreement have confirmed each of the Local London Members has met the requirements of this paragraph 3.2.

3.3 The general terms of the MOU are to be considered and approved by the Chief Executive of each of the Local London Members. The agreed MOU (The Appendix) and The Schedule as outlined in this agreement are to be signed by The Chief Executive for each of the eight Boroughs acting under delegated authority.

## 4. COMMENCEMENT

4.1 This Agreement shall commence from the date hereof and shall continue until terminated in accordance with paragraph 11.1 or 11.4.

## 5. OBJECTIVES

- 5.1 The main purpose of establishing the arrangements set out in this Agreement is for the Local London Members to collaborate on and coordinate a range of activities and opportunities that arise through greater devolution of powers from government for the purposes of:
  - 5.1.1 Securing local benefits and sustainable growth for the geographical areas of the eight Local London Members.
  - 5.1.2 Securing the long-term benefits for the functions carried out and services provided by the Local London Members, howsoever provided including collectively, individually or in partnership with others.
  - 5.1.3 Giving strategic and operational coherence to the collaborative work of the Local London Members in relation to securing local benefits.
  - 5.1.4 Establishing and facilitating the implementation of a programme for the Local London Members which ensures local benefit and sustainable legacy.
  - 5.1.5 Pooling and sharing costs arising out of this Agreement equally amongst the Local London Members in order for a collaborative programme to be developed and implemented; and
  - 5.1.6 Such other objectives as the Local London Members jointly agree are conducive to the joint working arrangements under this Agreement.
- 5.2 Such objectives as set out in accordance with paragraphs 5.1.1 to 5.1.6 above shall collectively be referred to as the Local London Partnership Programme (LLPP) and may be amended and varied from time to time as agreed in accordance with paragraph 7.2 of this Agreement.

## 6. LOCAL LONDON PARTNERSHIP UNIT

- 6.1 Local London Members shall establish a Local London Partnership Unit headed by the Director of Local London, the purpose of which shall be to develop and manage the Local London programme of work.
- 6.2 The LLPU shall be located and set within the structure of the Accountable Body and shall provide administrative and clerking support to the LLPP. The LLPU shall be responsible to develop, manage and administer the LLPP work streams.
- 6.3 The LLPU shall be accountable to the Local London Members and shall on request provide reports to and/or attend meetings of each or any of the Local London Members including but not limited to their respective scrutiny committee.

## 7. POWERS

- 7.1 The LLPU shall not have any delegated powers other than those expressly set out in this Agreement or as may be agreed between the Parties in accordance with the procedure for agreement set out in paragraph 7.2 below. Anything undertaken by the LLPU which cannot be delivered directly by the LLPU or which shall require contractual or other arrangements to be entered into shall be undertaken through one of the Parties who shall be identified as a Lead Borough in accordance with the procedure for formal agreement as set out in

paragraph 7.2, or as may be delegated to it by the Joint Committee.

- 7.2 Unless otherwise specified in the Agreement further agreement will be required through consensus of all Chief Executives, Leaders or Executive Mayors of the Local London Members who shall either reach agreement at the Board or in writing. Once consensus has been reached the decision shall, if required, be referred to the next available Joint Committee meeting which shall confirm the decision.
- 7.3 The Parties shall agree in accordance with the procedure for agreement in paragraph 7.2 what activities shall be undertaken, which of those activities can be delivered directly by the LLPU and which shall be delivered by one of the Parties acting as Lead Borough. Where delivery shall be by a Lead Borough the Parties shall agree which of them shall take the Lead Borough role and what resources (if any) need to be sourced and the estimated costs to be met.
- 7.4 The Parties have agreed that the following areas of activity shall be the initial activities to be undertaken:
- 7.4.1 To manage the Annual Budget, receive income, pay out expenses and reimburse costs of agreed activities in accordance with an agreed programme of activity and cost.
- 7.4.2 To recruit the Director of Local London to lead and manage the LLPU. The Director shall be responsible for recruiting, appointing and determining the engagement or secondment of other staff and advisers to the LLPU upon such terms and conditions of service as Local London Members consider necessary or desirable for the purpose of implementing the agreed objectives.
- 7.4.3 To line manage the Director of Local London and staff who shall make up the LLPU.
- 7.5 Additional activities to those set out in paragraphs 7.4.1 – 7.4.4 above shall be agreed between the Parties in accordance with the procedure for agreement set out in paragraph 7.2 above. All additional activities agreed by the Local London Members shall be evidenced in writing against this Agreement.

## 8. ACCOUNTABLE BODY AND LEAD BOROUGH ARRANGEMENTS

- 8.1 Redbridge has been identified by the Local London Members as the Accountable Body of Local London and shall perform all the functions and responsibilities of the Accountable Body and undertake and perform all such other necessary activities to facilitate the work of the Accountable Body in delivering the LLPP as provided for under this Agreement.



- 8.2 It is agreed that staff hosting activities should be undertaken by the Accountable Body. In relation to paragraph 7.4.1, appointment of staff, Redbridge has been designated as the Lead Borough in this role. For the purposes of paragraph 7.4.1 Redbridge will be the Lead Borough and employer and will subject to the provisions contained in this Agreement be responsible for the terms and conditions and day to day management of staff engaged in accordance with this Agreement.
- 8.2.1 The Accountable Body shall ensure that any and all staff engaged, except for seconded staff, will be paid and employed by the Accountable Body in accordance with Redbridge's standard terms and conditions of employment and appropriate Local Government Remuneration for such positions, subject to the Local London Member's obligations towards Redbridge in respect of such appointments as set out in this Agreement.
- 8.2.2 In discharging its role as employer of staff engaged in relation to paragraph 7.4.1 it is agreed that the Accountable Body will provide and manage staff in accordance with an appropriate job description. It is further agreed that whilst the Accountable Body will consult with the other parties to this Agreement (at such times agreed between them) as to performance of staff engaged pursuant to paragraph 7.4.1 against any agreed targets and the ongoing performance of such staff, it will be for Redbridge acting as employer to supervise and take any appropriate actions as employer in relation to staff concerned.
- 8.2.3 The Accountable Body will submit an account of the costs of all staff engaged in accordance with paragraph 7.4.1. Such account must be agreed by at least three of the Parties (not including Redbridge) to this Agreement within at least 30 days of Redbridge submitting the account for the account to fall due. Reimbursement shall be made to Redbridge from the Annual Budget within 30 days of the account being agreed in accordance with this paragraph.
- 8.2.4 The Accountable Body will only be reimbursed in accordance with a schedule of costs and salaries that have previously been agreed, by all the Parties, through the procedure for agreement set out in paragraph 7.2 above.
- 8.2.5 The Accountable Body shall be reimbursed the cost of employer's pension contributions, ill health retirements, early retirements, redundancies or buy out costs falling on it as employing Authority in accordance with this Agreement in the event that any of the staff engaged in accordance with paragraph 7.4.1 become so entitled. Such sums shall be met in equal parts by each of the Parties insofar as they are not provided for in the Annual Budget. However, no such payment shall be due in the event that liability for the payment is over and above that which each of the Parties is required to contribute and such extra cost is as a result of any avoidable negligent act or omission (determined at law) by Redbridge.
- 8.3 The Accountable Body will be responsible for hosting and discharging the Annual Budget.

- 8.3.1 In discharging the Annual Budget activity the Accountable Body will adopt standard Local Government financial control practices and principles as shall apply from time to time.
- 8.3.2 For each Financial Year the Accountable Body will produce an Annual Budget for agreement at a Chief Executives' Board and for consideration by the Joint Committee in advance of the Financial Year start and by no later than 1 March in any year which shall cover all aspects of the agreed activity to meet the LLPP and a cash flow statement.
- 8.3.3 The Accountable Body will produce where practicable a statement of expenditure and income and financial commitments for every Chief Executives' Board or where not practicable at a minimum frequency of every three months from the commencement of this Agreement.
- 8.3.4 The Accountable Body will reimburse agreed and approved items of expenditure as submitted in accordance with paragraph 8.5
- 8.4 Subject to the inclusion of sufficient funds in the Annual Budget or under any alternative funding arrangements made under paragraph 7.2 above the Accountable Body will reimburse costs for any Lead Borough activity carried out under this Agreement within 30 days of submission of a statement of expenditure provided that the said statement of expenditure is agreed as reasonable by at least three of the Local London Members (not including the Party submitting the said statement) such agreement to be provided within 30 days of submission of the statement of expenditure. Such statements of expenditure shall include all relevant proofs and details of expenditure as would ordinarily be expected by an authority acting reasonably.
- 8.5 In the event that additional Lead Boroughs are identified for certain activities under this Agreement they shall submit statements of expenditure as required in paragraph 8.4. Payments shall be made in accordance with the procedure set out in paragraph 8.4.
- 8.6 The Accountable Body will ensure the appropriate sign off processes for any key decision making undertaken by Local London Members and the Director of Local London.

## 9. THE ANNUAL BUDGET

- 9.1 Redbridge in its role as the Accountable Body of Local London shall be the Lead Borough responsible for administering the Annual Budget.
- 9.2 Subject to the provisions of paragraph 9.3 each Local London Member will pay an Annual Contribution of £50k or such other sum as shall be agreed. Payments will be made on or before the 30 April in each year until termination of this Agreement.
- 9.3 The first Annual Contribution shall be payable within 30 days of the commencement of this Agreement. Such payment shall be the contribution

payable to the Accountable Body. Annual payments thereafter shall be made payable to Accountable Body.

- 9.4 All agreed costs will be shared equally and be met from the Annual Budget.
- 9.5 Any underspends in any Financial Year will be carried forward unless all Local London Members agree to be reimbursed. Such agreement to be reached in accordance with paragraph 7.2 above.
- 9.6 Any overspends will be shared in equal parts and further equal contributions made by each of the Local London Members within 30 days of the overspend being determined by the out-turn report provided that such overspend has not arisen due to negligence, breach of this Agreement or authority being exceeded by any of the Local London Members.
- 9.7 In the event of any overspend or element of overspend caused by negligence, breach of this Agreement or authority being exceeded by any Local London Member to this Agreement, that Local London Member shall be solely responsible for the costs arising.
- 9.8 The Annual Contribution made under paragraph 9.2 may be increased in line with the rate of inflation in accordance with the annual percentage increase in the Consumer Price Index (CPI) provided a majority of the Local London Members agree. Any increase in excess of percentage increase in CPI shall require the written unanimous agreement of all Local London Members and approval in accordance with paragraph 7.2 above.

## 10. CHIEF EXECUTIVES' BOARD

- 10.1 The Chief Executives for Local London Members shall meet on a regular basis as the Chief Executives' Board and in any event not less than quarterly to review the operation of this Agreement and deal with any matters requiring their attention or approval in accordance with the provisions of this Agreement. The Chief Executives shall be entitled to send a nominee to such meetings to represent them in their absence. Such nominees should be first tier and shall have the same delegated powers as the Chief Executive would have had, had they attended.
- 10.2 A monthly Local London Leaders, Executive Mayors and Chief Executives Strategy Group meeting will be held to agree the coming agenda for Local London and to discuss the progress of Local London Members. Attendance will comprise the Chief Executives, Mayors and Leader of each Local London Member and any nominated attendee approved to represent each member.

## 11. TERMINATION AND DISSOLUTION

- 11.1 This Agreement shall terminate on such date as shall be agreed by all Local London Members.
- 11.2 In the event of termination a final account will be drawn up detailing the costs and liabilities arising from such termination. Such costs and liabilities shall include any staffing costs, redundancies and the cost of terminating any formal arrangements entered into.
- 11.3 Any net costs after deduction of **Page 35** income or Annual Contributions remaining will be shared equally between the Local London Members.

11.4 In the event of one or more of the Local London Members wishing to withdraw from this Agreement, but where the LLPP effectively continues then the withdrawing Local London Member[s] will contribute equally between themselves the net cost of their withdrawal. This will include any resultant redundancy costs, any costs of terminating formal agreements and costs that fall on the remaining Local London Members not able to be defrayed by other action. Any Local London Member wishing to withdraw shall be required to give 12 months' notice in writing of the withdrawal. Such notice period may only be reduced with the written agreement of all non-withdrawing Local London Members.

## 12. ENTIRE AGREEMENT

12.1 This Agreement together with any appendices to it constitutes the entire agreement between the Local London Members with respect to the matters dealt with therein.

12.2 For the avoidance of doubt the terms of the MOU and Appendix One thereto shall be incorporated as part of this Agreement.

## 13. NO PARTNERSHIP

13.1 Nothing in this Agreement shall constitute or be deemed to constitute a partnership between any of the Local London Members and except as expressly provided herein none of the Local London Members shall have any authority to bind the others in any way save as permitted by this Agreement.

## 14. INSURANCE

14.1 The Lead Borough for the purposes of employing the staff under paragraph 8.2 above shall, unless the Local London Members agree otherwise in accordance with the procedure for agreement set out in paragraph 7.2, be the Lead Borough on insurance and insurable risks and shall, if one or more of the Parties are satisfied their current insurance cover is not sufficient, effect either jointly for the benefit of the Local London Members or for the relevant Lead Borough Employers, Public, Professional, Motor Contingency liability insurance and other such insurances the Parties agree to be appropriate and necessary in order to protect the liabilities and assets of the Local London Members.

14.2 The Lead Borough in accordance with paragraph 14.1 shall on request by one or more of the other Local London Members provide evidence of effecting such insurance including premiums together with advice and guidance to the Local London Members and the LLPU on insurance and related matters insofar as they are pertinent and relevant to the obligations and liabilities contained in this Agreement.

## 15 INDEMNITIES

- 15.1 The Local London Members hereto agree to indemnify the Lead Borough(s) against any costs, losses, liabilities and proceedings which the Lead Borough(s) may suffer as a result of or in connection with its obligations hereunder provided and to the extent that such costs, losses, liabilities and proceedings over and above that which each borough to this Agreement is required to contribute and such extra costs are not due to any avoidable negligent act or omission (determined at law) of the Lead Borough(s) or breach by the Lead Borough(s) of its obligations hereunder. Any payments made to the Lead Borough(s) under this paragraph 15.1 shall be met from the Annual Budget or in equal parts by each of the Parties insofar as they are not provided for in the Annual Budget.
- 15.2 Any Lead Borough appointed hereunder shall indemnify the other Local London Members against any costs, losses, liabilities and proceedings over and above that which each Local London Member is required to contribute and such costs which the other Local London Members(s) may suffer as a result of or in connection with any breach of the Lead Borough's obligations hereunder and/or any avoidable negligent act or omission (determined at law) in relation thereto.
- 15.3 Each Local London Member shall inform the other boroughs at the earliest opportunity of any issue or matter or legal process or proceedings which may affect the Local London Member's obligations under this Agreement.

## 16. WAIVER

- 16.1 No failure to exercise and no delay in exercising on the part of any of the Local London Members any right power or privilege hereunder shall operate as a waiver thereof nor shall any single or partial exercise of any right power or privilege preclude any other or further exercise thereof or the exercise of any other right power or privilege.

## 17. EXECUTION

- 17.1 This Agreement is executed by each Local London Member by executing as a Deed the annexed Memorandum of Participation on behalf of that Local London Member and such Memorandum of Participation shall be evidence of execution by that Local London Member when Memoranda executed by all the Local London Members are incorporated into this Agreement.

## 18. DISPUTE RESOLUTION

- 18.1 Any dispute or difference arising out of or connected with this Agreement shall be identified by written notice from one Local London Member to the other Local London Member(s) in dispute who shall within 7 working days (or such date agreed by all Local London Members to this Agreement) of the notice meet to attempt in good faith to resolve the dispute amicably on a full and final basis.
- 18.2 If the Local London Members are not able to conduct such meeting within the 7 working day period (or other agreed period) or such meeting has taken place but the dispute or difference remains unresolved then it shall be referred to mediation if

the Local London Members in dispute so agree (such mediation to be conducted as agreed between the Local London Members in dispute) or in the event that one or more of the Local London Members in dispute does not agree mediation it shall be referred to an agreed independent expert and the Local London Members agree to abide by the expert's decision without prejudice to the Local London Members' rights in law. In the absence of agreement a mediator or independent expert (whichever is the preferred route) shall be appointed by the President of the Law Society such appointment to be binding on the Local London Members. An appointed mediator or independent expert shall in addition to determination of the dispute or difference set the process, procedure and timetable for determination of the dispute or difference.

All costs relating to resolving the dispute or difference shall be met equally by the Local London Members to this Agreement or apportioned as appropriate by the mediator/expert on the basis that resolution under this paragraph 18 was necessary.

- 18.3 Nothing in this paragraph 18 or the Agreement as a whole shall prejudice the Local London Members legal right to apply to the English Courts for emergency relief or for determination of a point of law.

## 19. NOTICES

- 19.1 All notices or decisions which are required to be given under this Agreement shall be in writing and shall be sent to the address of the recipient set out in this Agreement or such other address as the recipient may designate by notice given in accordance with the provisions of this paragraph. Any such notice may be delivered personally or by first class prepaid letter shall be deemed to have been served if by personal delivery when delivered if by first class post 48 hours after posting.

## 20. DATA PROTECTION

- 20.1 The Local London Members shall ensure full compliance with the Data Protection Act 1998 (hereinafter called the "1998 Act") and all other legislation relating to the collection and use of information as applies from time to time in respect of the control and processing of any information required under this Agreement. All Local London Members shall ensure their notifications under Section 18 and 19 of the 1998 Act are up to date and where necessary include the activities of this Agreement where the Local London Member acts as data controller for the purposes of the information.
- 20.2 Any information provided by a Local London Member to this Agreement who is a data controller of the said information to another Local London Member shall be provided to that Local London Member as Data Processor (as defined by the 1998 Act) only and nothing in this Agreement shall allow the receiving Local London Member to treat the information as though they were the data controller.

All processing by the Local London Members of any information under this Agreement shall be carried out in accordance with the Data Protection Principles (as defined by the 1998 Act).

20.3 Where any Local London Member receives a subject access request for information held as a result of the activities carried out in accordance with this Agreement the Local London Members shall fully cooperate in complying with the obligations under the 1998 Act in relation to that data.

## 21. FREEDOM OF INFORMATION

21.1 The Local London Members recognise that they are subject to legal duties which may require the disclosure of information under the Freedom of Information Act 2000 or the Environmental Information Regulations 2002 or any other applicable legislation or codes governing access to information and that the Local London Members may be under an obligation to provide information on request. Such information may include matters relating to, arising out of or under this Agreement in any way.

21.2 The Local London Members recognise that in order to facilitate openness and accountability the general view is that all relevant information concerning its arrangements should be subject to disclosure unless the information is exempt in accordance with the provisions of the legislation and where applicable the public interest in withholding the information outweighs the public interest in disclosing it.

21.3 Where any Local London Member receives a request for information held the Local London Members shall fully cooperate in complying with the obligations under the Freedom of Information Act and all other relevant legislation in relation to that data.

## 22. SUCCESSORS BOUND

22.1 This Agreement shall be binding on and shall endure for the benefit of the successors and assignees (as the case may be) of each of the Local London Members.

## 23. ASSIGNMENT

23.1 None of the Local London Members may assign its rights and obligations in whole or in part hereunder without the prior written consent of the other Local London Members.

## 24. CONTINUING AGREEMENT

24.1 All provisions of this Agreement shall so far as they are capable of being performed and observed continue in full force and effect notwithstanding termination except in respect of those matters then already performed.

## 25. GOOD FAITH

25.1 Each of the Local London Members undertakes with each of the others to do all things reasonably within its power which are necessary or desirable to give effect to the spirit and intent of this Agreement.

## 26. SEVERABILITY

26.1 Notwithstanding that any provision of this Agreement may prove to be illegal or unenforceable the remaining provisions of this Agreement shall remain in full force and effect.

27. CONTRACTS (RIGHTS OF THIRD PARTIES) ACT 1999

27.1 Nothing contained in this Agreement confers or purports to confer any rights to enforce any of its terms pursuant to the Contracts (Rights of Third Parties) Act 1999 on any person who is not a party hereto.

28. VARIATION

28.1 This Agreement may be varied by agreement in writing of the Local London Members such agreement to be reached in accordance with the procedure for agreement set out in paragraph 7.2 above.



This agreement was executed as a deed on the date of this agreement

THE COMMON SEAL OF THE MAYOR  
AND BURGESSES OF THE LONDON  
BOROUGH OF BARKING &  
DAGENHAM was hereunto affixed in the  
presence of:

Authorised Signatory:

THE COMMON SEAL OF THE MAYOR  
AND BURGESSES OF THE LONDON  
BOROUGH OF BEXLEY was hereunto  
affixed in the presence of:

Authorized Signatory:

THE COMMON SEAL OF THE MAYOR  
AND BURGESSES OF THE LONDON  
BOROUGH OF ENFIELD was hereunto  
affixed in the presence of:

Authorised Signatory:

THE COMMON SEAL OF THE MAYOR AND  
BURGESSES OF THE ROYAL BOROUGH OF  
GREENWICH was hereunto affixed in the  
presence of:

Authorised Signatory:

THE COMMON SEAL OF THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF HAVERING was hereunto affixed in the presence of:

Authorised Signatory:

THE COMMON SEAL of THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF NEWHAM was hereunto affixed in the presence of:

Authorised Signatory:

THE COMMON SEAL of THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF REDBRIDGE was hereunto affixed in the presence of:

Authorised Signatory:

THE COMMON SEAL of THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF WALTHAM FOREST was hereunto affixed in the presence of:

Authorised Signatory:

Being an Officer of the Council of the said Borough authorised to attest the Common Seal

Seal Register Number

# THE APPENDIX

## MEMORANDUM OF UNDERSTANDING

### JOINT COMMITTEE OF LOCAL LONDON

#### Introduction

1. The London Boroughs of Barking and Dagenham, Bexley, Enfield, Havering Newham, Redbridge, Waltham Forest and the Royal Borough of Greenwich (the Local London Members) have decided to establish a joint committee to discharge executive functions on behalf of the Local London Members in so far as they relate to joint activities or areas of common concern in relation to the Local London Partnership Programme.

2. This Memorandum of Understanding sets out the basis for operating the joint committee and associated activities as agreed between the Local London Members. The Memorandum and the terms of reference for the joint committee (which are attached as Appendix One) will be approved by the Executive for each of the Local London Members.

#### Legal Framework

3. Section 101 (5) of the Local Government Act 1972 provides that two or more local authorities may discharge any of their functions jointly and that where joint arrangements are in force in respect of any functions, those functions may be discharged through a joint committee established by the authorities.

4. Section 101 (2) of the Local Government Act 1972 provides that unless the joint arrangements specify otherwise, a joint committee can also establish a sub-committee to discharge any of its functions or delegate functions to an officer and unless the joint arrangements or joint committee specify otherwise, a sub-committee established by a joint committee may delegate functions to an officer.

5. Appointments to a joint committee are made under section 102(1)(b) of the Local Government Act 1972 and the establishment of a joint committee is governed by The Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, issued under sections 9EA, 9EB and 105 of the Local Government Act 2000. The relevant Regulations provide:

a) Regulation 11 (2) - where a joint committee is established to discharge more than one function by the same authorities at the same time and at least one of those functions is an executive function in at least one authority, the joint arrangements may provide for one joint committee to discharge all the functions on behalf of all the authorities.

b) Regulation 12(3) – the decision on appointment to a joint committee should be taken by either the elected mayor, the executive leader, the executive, a member of the executive or a committee of the executive (dependent on the detailed executive arrangements that are being operated by the authority), where the joint committee is to discharge only executive functions on behalf of the executive of the authority.

c) Regulation 12 (3) - where a joint committee is discharging a function in relation to five or more local authorities and the executive is responsible for deciding on the appointment of Members, both executive and non-executive

Members may be appointed to the joint committee by the executive and the political balance requirements do not apply.

6. At present the law does not permit local authorities to discharge their functions through non local authority bodies or through mixed bodies. Therefore, stakeholders and other partners will be involved in the operation of the joint committee in an advisory capacity only.

7. A joint committee is subject to overview and scrutiny requirements under section 9(F) of the Local Government Act 2000 which provides that executive arrangements by a local authority must ensure their overview and scrutiny committee (or their overview and scrutiny committees between them) have power to scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive.

8. The 'call in' provisions also apply to a joint committee under section 9(F) of the Local Government Act 2000 which provides that the above power of an overview and scrutiny committee to review or scrutinise a decision made but not implemented, includes power to recommend that the decision be reconsidered by the person who made it.

8A. The provisions relating to executive decisions contained in the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 do not apply to the operation of this joint committee because under Regulation 2(c) of such Regulations this joint committee is not a decision maker or decision making body under Regulation 2(b) to which such Regulations refer.

9. The joint committee is not a separate legal entity and existing arrangements for lead boroughs to take on responsibility for particular activities will be made and/or continue to operate in accordance with the Inter Authority Agreement made between Local London Members dated \_ \_ \_ \_ \_ 2016.

#### Inter Authority Agreement (IAA)

10. Under the terms of the IAA any variation must be agreed by each of the Local London Member Chief Executives and for the avoidance of doubt the Executive of each of the Local London Members will also specifically delegate responsibility for agreement of the revised IAA to their respective Chief Executives.

#### Employment of Staff

11. The IAA will designate Redbridge as Lead Borough for the employment and management of staff in the new LLPU. The Director of the LLPU will be responsible for day to day management/direction of the LLPU, reporting to the joint committee through the Chief Executive's Board (see 14 below).

#### Annual Budget

12. The IAA will designate Redbridge as Lead Borough for discharging the Annual Budget and the joint committee will be responsible for managing the Annual Budget.

As part of this function, the joint committee may also make proposals for any revision in the level of contribution made by each of the Local London Members to the Annual Budget for consideration as part of each Local London Member's Annual Budget allocation process. Most of the budget will continue to be spent on staffing and accommodation for the LLPU. The IAA provides a framework for engaging and managing staff, and reporting on revisions to staffing structures. The IAA also provides arrangements for establishing and controlling a balanced annual budget funded by equal contributions from Local London Members and grants/contributions secured from other sources.

#### Chief Executives' Board

13. The IAA will provide for regular meetings of the Local London Member Chief Executives meeting formally as the Chief Executives' Board.

#### Administration

14. Administrative support for the meetings of the Local London Member Chief Executive's Board and the joint committee will be provided by the London Borough of Redbridge on a Lead Borough basis and the Chief Executive of Redbridge will be formally designated as clerk to the joint committee with responsibility for the provision of administrative support.

#### Overview and Scrutiny

15. Decisions of the joint committee are subject to scrutiny and 'call in' by Local London Members. Each of the eight members has established overview and scrutiny arrangements for the joint committee (and any sub-committee(s)) to include uniform time limits for the 'call in' process in each of the Local London Members.

16. In the event that a decision of the joint committee or any sub-committee is 'called in' the Chief Executive (or an officer designated by the Chief Executive) for the relevant borough will attend the relevant scrutiny committee together with one or both of the Members nominated by that borough to the joint committee or any Member of a sub-committee.

#### Procedure Rules

17. The joint committee will adopt Procedure Rules to cover all matters relevant to its governance arrangements.

#### Functions

18. The executive functions discharged by the joint committee shall be as specified in the terms of reference attached as The Schedule to this memorandum. The joint committee does not have power to exercise non executive functions on behalf of Local London Members.

19. The functions of the joint committee will not be limited by area, but it will only discharge executive functions that relate to joint activities or areas of common concern in relation to growth and opportunities for devolution to the sub region.

## Membership and Chair

20. The Executive for each of the Local London Members will nominate one Member to the joint committee. Each member of the joint committee may nominate a substitute to attend the joint committee should their presence be absent. Substituted members will be afforded the same powers and voting rights as nominated joint committee members. The maximum term of office for any nomination may not exceed a Member's remaining term in office and should be made by each of the Boroughs every two municipal years.

21. The joint committee will be responsible for electing a Chair and Vice Chair and it has been agreed by Local London Members that the intention of Local London Members is that the Chair of the joint committee should be the Mayor of Newham.

22. The Chair and Vice Chair of the joint committee will be elected for a two year term. After this period nominations will be sought from Local London Members to fill the two positions. Local London Members will be responsible for electing all future Chairs and Vice Chairs of the joint committee which will rotate between members.

## Agenda Management

22. The rules of procedure adopted by the joint committee as part of a Constitution shall include the following provisions relating to agenda management.

23. All prospective items of business for the joint committee established by it shall in the first instance be considered at a meeting of the Chief Executives' Board. An item shall only be included on the agenda for a joint committee meeting with the agreement of each of the Local London Members.

24. Where an item of business has been included in the agenda for a joint committee meeting in accordance with paragraph 24 above but it appears to the Chair of the joint committee that unanimity of voting may not be achieved, the Chair may propose that the agenda item be referred back to the Chief Executives' Board for further consideration.

25. Where a decision of the joint committee does not apply to all Local London Members, the delegation of functions to the joint committee is limited to those boroughs to which the decision applies so that any borough to which the decision does not apply retains the capacity to determine the issue(s) in accordance with its own procedural requirements.

## Quorum and Voting

26. The quorum for meetings of the joint committee will be one Member from each borough.

27. Each Member of the joint committee will have one vote and all questions coming or arising before the joint committee shall be decided by a majority of the members of the joint committee present and voting (paragraph 39 of Schedule 12 to the Local Government Act 1972).

## Delegation to Officers

28. The joint committee may delegate specific functions to an officer of one of the Local London Members. Any such delegation may be subject to the requirement for the officer to consult with or obtain the prior agreement of an officer (or officers) of one or more of the other Local London Members or subject to the requirement for the officer with delegated authority to consult with the Chair of the joint committee

before exercising their delegated authority

#### Partner and Stakeholder Representation

29. Partners and stakeholders will be invited to send observers to meetings of the joint committee as appropriate.

#### Commencement

30. The joint committee will be established when this Memorandum of Understanding and the terms of reference for the joint committee (attached as The Schedule) have been approved by the executives of each Local London Member.

## The Schedule

### JOINT COMMITTEE OF LOCAL LONDON TERMS OF REFERENCE

To act as a joint committee of the London Boroughs of Barking and Dagenham, Bexley, Enfield, Havering, Newham, Redbridge, Waltham Forest and the Royal Borough of Greenwich (the Local London Membership) to discharge executive functions that relate to joint activities in areas of growth and opportunities for devolution to the sub-region.

#### 1. Functions:

To discharge on behalf of the boroughs the executive functions listed below in so far as they relate to joint activities or areas of common concern in relation to growth and opportunities for devolution to the sub-region.

1. Strategic management and expenditure of the Annual Budget as defined by the Inter Authority Agreement made between Local London Members.
2. Strategic management and expenditure of external funding and all other financial resources allocated to the joint committee, including any funding allocated to the joint committee by any or all of the Local London Members in addition to the annual budget.
3. Approval of an annual business plan.
4. To collaborate on and coordinate a range of activities and opportunities that arise through greater devolution of powers from central government.
5. Securing local benefits and sustainable growth for the geographical areas of Local London Members.
6. Securing the long-term benefits for the functions carried out and services provided by Local London Members collectively, individually or in partnership with others.
7. Strategic and operational coherence to the collaborative work of Local London Members in relation to securing local benefits.
8. Joint bidding for funding, training and employment programmes, e.g. funding from the European Union and Regional Growth Fund (RGF) where bids from one Borough will not be entertained.
9. Establishing and facilitating the implementation of a programme for Local London Members which ensures local benefit and sustainable long term growth.

Any other executive functions relating to joint activities or areas of common concern in relation to growth and opportunities for devolution to the sub-region in relation to which funding is allocated through the annual budget or in respect of which external funding or any other financial resources are allocated to the joint committee.

The governance arrangements provide flexibility so that one or more but less than all Local London Members can opt out of certain projects insofar as they relate to joint activities or areas of concern. It is within the capacity of the Joint Committee to agree that one or more but less than all Local London Members may participate in work with other authorities outside of the Local London Partnership.



The Joint Committee will agree any particular project will be undertaken by one or more boroughs outside the responsibilities of the Joint Committee.

2. Membership:

Eight Members, one nominated by the Executive from each of the Local London Members for a maximum period not extending beyond any Member's remaining terms of office as a councillor.

3. Quorum:

See point 20 in The Appendix (the MOU for the Local London Joint Committee)

4. Chair:

See point 21 in The Appendix (the MOU for the Local London Joint Committee)

5. Voting Requirements:

Each Member of the joint committee will have one vote and all questions coming or arising before the joint committee shall be decided by a majority of the members of the joint committee present and voting.



**CABINET**

15 June 2016

**Subject Heading:**

**Revised Housing Allocations Scheme and the introduction of a New Homeless Placements Policy**

**Cabinet Member:**

**Councillor Damian White**

**CMT Lead:**

**Neil Stubbings** (Interim) Director of Housing

**Report Author and contact details:**

Beatrice Cingtho-Taylor  
Housing Demand Service Manager  
01708 434606  
[beatrice.cingtho-taylor@havering.gov.uk](mailto:beatrice.cingtho-taylor@havering.gov.uk)

**Policy context:**

Housing Strategy

**Financial summary:**

The proposals will require a review of all those on the housing Register, amended literature, processes and the online application form and other publicity.

The financial costs in terms of implementing the amendments of the Allocation Scheme and the new Placements Policy will be contained within the existing General Fund budget

**Is this a Key Decision?**

Yes, it has a significant effect on two or more Wards

**When should this matter be reviewed?**

June 2017

**Reviewing OSC:**

Towns and Communities

**The subject matter of this report deals with the following Council Objectives**

Havering will be clean and its environment will be cared for	<input type="checkbox"/>
People will be safe, in their homes and in the community	<input checked="" type="checkbox"/>
Residents will be proud to live in Havering	<input checked="" type="checkbox"/>

**SUMMARY**

This report seeks approval for a revised Housing Allocations Scheme and introduction of a Homelessness Placements Policy following a period of consultation which ended on 4<sup>th</sup> April 2016.

There is a statutory requirement for local authorities to publish an Allocations Scheme that sets out in detail how households are prioritised for social housing. The Localism Act 2011 provides local authorities with considerable discretion in constructing the scheme. The fully revised draft Allocations Scheme covers the eligibility and qualification for, and letting of, social housing in the borough.

The report also sets out a new draft Homeless Placements Policy which has been developed in order to clarify how and what the Council will take into account when it discharges its homelessness duty to households applying under Part VII of the Housing Act 1996.

**RECOMMENDATIONS**

That Cabinet:

1. **Approve** the revised draft Housing Allocations Scheme attached at Appendix 2.
2. **Approve** the new draft Homeless Placements Policy attached at Appendix 3.
3. **Delegate** to the Leader of the Council and the Lead Member for Housing authority to make any minor amendments to the revised Allocations Scheme and the Homeless Placements Policy, necessitated by any future guidance, further legal advice, national government or operational requirements, unless these would have a significant financial impact in which case a further report would be brought to Cabinet.
4. **Delegate** to the Head of Housing authority to review the circumstances of every household on the Housing Register to enable a reassessment of their priority for housing as part of the implementation of the revised Allocation Scheme and new Homeless Placements Policy.
5. **Approve** the transitional implementation period of six months for the revised Housing Allocations Scheme in order to give existing households on the housing register who will no longer qualify for housing time to secure alternative accommodation before they are removed from the housing register.
6. **Approve** full implementation of the new Homeless Placements Policy as soon as is practicable.

**REPORT DETAIL**

**1. Background**

- 1.1. The Council's Housing Allocations Scheme is used to determine which households are offered housing assistance. The Scheme will continue to recognise the contribution to the community from people who work, former service personnel volunteers, foster carers, tenants who wish to downsize and carers.
- 1.3. Since the introduction of the current Housing Allocations Scheme in September 2014, pressure on housing in the borough has increased, with the demand for homes outstripping supply, largely due to market conditions. As a result, applications on the housing register have increased to approximately 2500 as well as demand due to homelessness. In 2014/15 year, there were 654 formal homeless applications and 191 (29%) acceptances. In 2015/16, homeless applications almost doubled to 1103 and 398 (36%) acceptances. However, there were only 650 social housing units available to let during the year. The Council is therefore reliant on the use of housing in the private rented sector to meet its housing obligations.
- 1.4. At the same time, changes to local housing allowances have meant that the Council has found it increasingly difficult to procure accommodation in the private sector at Local Housing Allowance rates (housing benefit levels), as rents in Havering and London have continued to increase. This has resulted in a significant use of secure affordable homes in the private rented sector to meet this increased demand, resulting in an increase in the use of emergency temporary accommodation (both hostels and Bed & Breakfast accommodation), often at a cost that cannot be fully met through the housing benefit system, resulting in a pressure on the Council's General Fund budget.
- 1.5. Therefore the revised Housing Allocations Scheme and proposed Homeless Placements Policy will provide a more efficient housing service with better outcomes for customers in high housing need as well as enable the Council to increase access to housing supply by discharging its duty to homeless households into the private rented sector, both within and outside the borough.

**2. Key proposed amendments to the Housing Allocation Scheme**

- 2.1. The proposed draft Allocations Scheme is attached at Appendix 1. This section of the report summarises the key proposed policy changes and indicates how the Housing Service has responded to the findings of the consultation.

**2.2. Proposal 1: Extending the residency period qualifying criterion.**

- 2.2.1 Under the current policy, an applicant must have lived in Havering for at least 5 years OR at least the last 2 years prior to applying if they have lived a total of 5 out of the last 10 years in the borough.
- 2.2.2 Respondents were asked to consider the exact length of residency period they felt was appropriate. 62% felt that the residency period should remain unchanged at 5 or less years and 29% felt that it should be extended. Surprisingly, of the 29%, over half of them (16%) wanted the period extended to 8 years.
- 2.2.3 As this was one of the most controversial changes, analysis of the impact of the various residency period options on people on the housing register was carried out. As a result, it is proposed to extend the residency period by one year to at least 6 years as this option has a low adverse impact on all groups.
- 2.2.4 This is further mitigated by the ability to apply discretion in exceptional circumstances on a case by case basis as set out in the Housing Allocation Scheme.

**2.3. Proposal 2: Continuous period of residency.**

- 2.3.1 Under the current policy, an applicant must have lived in Havering for at least the last 2 years prior to applying if they have lived a total of 5 out of the last 10 years in the borough.
- 2.3.2 The proposal is that the residency period becomes a continuous 6 year period (without any break) which makes it easier to assess and clearer for residents to understand. The majority of the respondents (84%) agreed with the proposal.
- 2.3.4 Proposals 1 and 2 are likely to affect approximately 290 (11%) households who currently have less than 6 years continuous residency as they will no longer qualify and will therefore be removed from the housing register.
- 2.3.5 Again, the exceptional circumstances mentioned in 4.2 above apply.

**2.4 Proposal 3: Financial circumstances.**

- 2.4.1 Under the current policy, an applicant cannot join the housing register if the household income is £27,500 or more because of the severe shortage of social and affordable rented properties in the borough.
- 2.4.2 The proposal is to increase this level to £36,000 which is the income needed to afford to privately rent in the borough at current average market rents. It is assumed that if you cannot afford to rent a private sector property, you cannot afford to buy, which is why we have used the private rental as the measure.
- 2.4.3 This proposal was supported by 69% of the respondents and will not affect existing housing register applicants. However, it is estimated that approximately

100 additional households a year will be able to join the housing register based on previous applications.

**2.5. Proposal 4: Qualifying criteria – Unacceptable behaviour.**

2.5.1 Under the current policy, an applicant found guilty of unacceptable behaviour can join the housing register but an offer of accommodation may be withdrawn once they are successful in bidding for a property.

2.5.2 The proposal is to exclude such applicants from joining the housing register altogether as such behaviour would prevent the applicant from being considered a suitable tenant. Examples of the behaviours includes anti-social behaviour; obtaining a tenancy by deception; sub-letting social housing; unspent housing or welfare benefit convictions; providing false or misleading information and threat or actual violence against neighbours, council staff, members and Council contractors.

2.5.3 The majority of the respondents (86%) agreed with the proposal. There is no data currently available to assess if any existing housing register applicant will be affected.

**2.6. Proposal 5: Restricting the housing register to those applicants who can demonstrate a housing need.**

2.6.1 Under the current policy, council or private sector leased tenants who have been in their accommodation for 5 years but are not in housing need can qualify to be moved to alternative accommodation.

2.6.2 The proposal is to only allow people who can demonstrate they have a housing need to join the housing register as there is limited supply of social housing. Examples of housing need include:

- Homeless people,
- People who need to move on welfare or medical grounds where their situation is being made worse by their current housing,
- People living in unsanitary, unsatisfactory or overcrowded housing, and
- People who would face hardship unless they move to another area.

2.6.3 Overall the majority 63% agreed with the proposal, but a notable 26% disagreed. This proposal is likely to affect approximately 353 tenants. Such applicants will be given advice to find their own housing solution if they want to move to another accommodation, including private rented sector options.

**2.7. Proposal 6: Reduced housing priority criterion.**

2.7.1 The Council is proposing to implement a new 'reduced priority' criterion to the 'banding' system which will be awarded to accepted homeless households who do not meet the Havering residency period.

2.7.2 This is because as a result of the homelessness legislation and the Housing Act, homeless households have a reasonable preference whether they comply with the residency qualification criteria or not. In addition, the local connection rules

under the homelessness legislation is different from the residency criteria that a local authority can apply under the Allocation Scheme (e.g. under homelessness legislation, it is 6 out of the last 12 months or a family association). This proposal ensures that we continue to comply with the requirements placed on us by law.

- 2.7.3 Overall the majority 61% agreed with the proposal indicating an understanding that the Council must meet its statutory obligations to assist homeless households. Reduced priority is likely to be awarded to approximately 214 of the 464 (46%) of all occupants in temporary accommodation that are on the housing register as they will not meet the 6 year residency period (*total households in temporary accommodation is 670*).

## **2.8. Proposal 7: Priority banding system**

- 2.8.1 Under the current policy, there are four priority bands with a number of different qualifying conditions which are complicated and can be difficult to understand and administer.

- 2.8.2 The proposal is to introduce five simple priority bands to make it easier to determine, award appropriate housing need priority and explain to residents the rationale for the decision:

a) Emergency Rehousing Band (ER)

For households with an urgent need to move, examples include life threatening health or medical needs, domestic violence, critical safeguarding issues and serious disrepair.

b) Community Contribution Reward 1 Band (CCR1)

For households with an identified housing need plus Community Contribution for working, being an ex-service personnel and council tenant wishing to downsize due to welfare reform impact.

c) Community Contribution Reward 2 Band (CCR2)

For households with an identified housing need plus Community Contribution for fostering and adopting, volunteering, council tenants needing to downsize and caring for a Havering resident.

d) Home-seeker Band (H)

Households with an identified housing need only.

e) Reduced Priority Band (RP)

- Accepted homeless households who do not meet the local residency criteria
- Other confirmed homeless households with no priority need or those who are intentionally homeless.

- 2.8.3 The proportion of estimated households in each priority band under the new proposal (Table 1) shows that there will be fewer households in the highest 'emergency band' and the majority will be placed in the 'home-seeker band'.



<b>TABLE 1: Proposed Band</b>	<b>Households based on current Priority Band</b>	<b>Estimated households based on proposed Priority Band</b>
Emergency Rehousing Band (ER)	194 (8%)	115 (4%)
Community Contribution Reward 1 Band (CCR1)	636 (24%)	483 (18%)
Community Contribution Reward 2 Band (CCR2)		207 (8%)
Home-seeker Band (H)	1785 (includes 186 in PSL Band) – 68%	1596 (61%)
Reduced Priority Band (RP)		214 (9%)
<b>Total</b>	<b>2615</b>	<b>2615</b>

2.8.4 Overall the majority 69% agreed with the proposal which will ensure that priority is based on the severity of the impact on the household of lack of alternative accommodation.

**2.9. Proposal 8: Choice Based Lettings/Assisted Bidding.**

2.9.1 The proposal is to continue to operate a Choice Based Lettings system by advertising properties through East London Lettings Company. However, under the current policy, all applicants in the ‘Emergency Rehousing Band’ are made a direct offer (assisted bids) which means that although all properties are advertised, they are not available to other residents to bid on which causes frustration (See Table 2)

<b>TABLE 2: Year</b>	<b>Assisted Bid/ Direct Offer</b>	<b>Resident Bidding</b>	<b>Total Council Lets</b>
2013/14	108 (15%)	634 (85%)	742
2014/15	273 (35%)	503 (65%)	776
2015/16	225 (34%)	430 (66%)	655

2.9.2 In order to improve transparency of the system (a) the circumstances under which assisted bids (direct offers) can be made will be limited and (b) only properties available for residents to place bids on will be advertised. It is expected that at least 70% of all allocations will be as a result of resident bidding activity and the properties directly allocated will still be reported in the feedback sheet.

2.9.3 Overall the majority 69% agreed with the proposal to limit the circumstances under which assisted bids can be made.

**2.10. Proposal 9: One offer only policy.**

2.10.1 Under the current policy, there are different numbers of offers and penalties that can be made to households on the housing register depending on the ‘priority band’ a household is awarded.

2.10.2 The proposal is to implement a one offer only policy. However, respondents were split on this with 44% agreeing and 47% disagreeing with the proposal. The evidence shows that there were 241 refusals on offers of accommodation between 1 April 2015 and 31 March 2016. This represents 37% of the total 655

lettings. In addition 504 (19%) households on the housing register have never placed a bid. This suggests that many households are delaying acceptance of a reasonable and suitable offer in the hope that a better property will become available. This causes a delay in letting the property and loss of income when there is a high demand for housing overall.

2.10.3 In view of the above, applicants will be offered one property which they will be expected to accept or risk being removed from the housing register for a 12 month period. In the event that homeless applicants turn down a suitable offer, duty will be discharged and if they are occupying temporary accommodation provided by the council, eviction proceedings will commence.

2.10.4 Applicants will still have the option to appeal against an offer if they consider it to be unreasonable, and will receive another offer if their appeal is successful.

2.10.5 The one offer policy will not apply to sheltered housing.

### **2.11. Proposal 10: Sheltered housing eligibility criteria**

2.11.1 Currently, there is no eligibility criterion for sheltered housing.

2.11.2 It is proposed to implement a criterion that will ensure that the lifestyle of those residing in sheltered accommodation is compatible with the scheme. Therefore applicants, who are currently on the housing register (shown in Table 3 below), will be assessed to determine if (a) they would like to move to such accommodation and (b) sheltered accommodation is suitable for them:

- 60 years and over or
- Aged 55 to 59 years and requiring a higher level of support due to frailty, ill-health or restricted mobility.
- In need of the housing support provided by the scheme
- The applicants can be single or joint applicants with no children

<b>Table 3: Priority Band</b>	<b>Age 55-59</b>	<b>Age 60-79</b>	<b>Age 80+</b>	<b>Total</b>
<b>Emergency Rehousing</b>	18	26	17	61
<b>Community Contribution Reward</b>	32	78	12	122
<b>Home-seeker</b>	55	120	32	207
<b>Private Sector Leased Accommodation</b>	2	3	0	5
<b>Total</b>	<b>107</b>	<b>227</b>	<b>61</b>	<b>395</b>

Overall the majority 81% of the respondents agreed with the proposal.

### **2.12. Proposal 11: New Allocation Scheme implementation options.**

2.12.1 As the proposed changes will mean that some applicants on the housing register will no longer qualify, resident views were sought on the implementation options. 62% wanted a transition period. In addition, there was a split on the transition timescale with 39% opting for a year and 26% opting for six months.

- 2.12.2 As a transitional arrangement means operating two systems at the same time and taking into account that it is not a majority view to do so for a year, it is proposed to proceed with a transitional arrangement for six months.
- 2.12.3 This will mean that existing applicants who will no longer qualify due to residency or housing need criteria will be given a transition period of 6 months from the date of implementation of the new scheme. They will remain on the register with the current priority and continue to bid for alternative accommodation. If after 6 months they have not moved, their application will be closed/removed from the housing register. Based on June Cabinet decision, if approved, the new scheme will be implemented in July 2016 and the transitional period will end in January 2017.
- 2.12.4 Therefore, work will be required to review all those on the housing register and write to them advising them of the change and what effect it has on them, amend current literature in relation to applying and bidding for properties and the online application form.
- 2.12.5 Other minor amendments have also been made to the Scheme which is mainly areas where clarification is required, for example, property owners who may have sold their property within the last 5 years will be expected to provide evidence of the proceeds received from the sale and what has become of them etc.

### **3. Key proposals of Homeless Placements Policy**

- 3.1. The introduction of this policy is intended to increase the Council's ability to place households into more affordable accommodation within or outside of the borough, either as temporary accommodation or when discharging homeless duty into the private rented sector.
- 3.2. A draft Homeless Placements Policy (attached as Appendix 3) has been produced to set out how the Council will make use of the private sector in meeting its legal duties to homeless households, taking into account housing market and supply issues. The Policy sets out the key tests that will be used to ensure that the Council makes suitable offers of accommodation. These include:
- ensuring that a property meets the standards sets out the Suitability regulations
  - ensuring that the circumstances of the applicant have been considered in terms of the location of the property, and
  - ensuring that the applicant is able to afford to live in the property taking into account their income once they have paid the rent.

### **3.3. Proposal 1: Homeless Placements Pathway**

- 3.3.1 This proposal describes the Council's approach for placements into interim and long-term temporary accommodation and settled private rented sector accommodation. In general, the Council will place people in hostels first (Bed Breakfast as a last resort) and then move them into longer-term private sector

leased (PSL) accommodation. The household will remain in the private sector leased accommodation until they secure alternative settled accommodation

3.3.2 For those households who applied as homeless from 9<sup>th</sup> November 2012, a private rented sector offer will be made at any stage to discharge the main homelessness duty.

3.3.3 73% of the respondents agreed with this proposal.

**3.4. Proposal 2: Discharging homelessness duty by using private rented sector accommodation.**

3.4.1 The Council intends to use its powers under the Localism Act 2011 to discharge its homeless duty by arranging for a private landlord to make a suitable offer of private rented for a period of at least 12 months. This means that a PRSO offer could be made instead of long-term temporary accommodation.

3.4.2 This will be applied to accepted statutory homeless applicants who approached the Council as homeless after 9th November 2012.

3.4.3 68% of the respondents agreed with the proposal.

**3.5. Proposal 3: Factors to take into account in making placement decision.**

3.5.1 It is the Council's aim to provide accommodation within Havering wherever possible however due to the increasing demand pressures in the borough, this is no longer achievable and the accommodation may be located outside the borough.

3.5.2 Therefore the following factors will be taken into account in any placement decision:

- Medical needs – applicant with severe and enduring health conditions receiving intensive and specialist medical treatment.
- Welfare and Support needs – applicants who are in receipt of a significant package and range of health care options that cannot be easily transferred or  
Applicants on the Child protection register in Havering
- Employment needs – travelling factors will be considered for working applicants.
- Education needs – disruption in key stages of a child's education.

3.5.3 74% of the respondents agreed with the proposal.

**3.6. Proposal 4: Criteria for prioritising transfers of applicants between units of temporary accommodation.**

3.6.1 There are circumstances under which an existing temporary accommodation property may become unsuitable or unavailable for existing tenants. Therefore the Council has to move the household to alternative temporary accommodation.

3.6.2 In order to ensure there is a fair and transparent process to allocate the limited supply of temporary accommodation, the Council is proposing to adopt the following priority:

- a) Emergency circumstance – for example, serious disrepair that poses a threat to life, violence or an evidenced serious health or medical need.
- b) Shared facilities - households with children or pregnant women in non self-contained Bed & Breakfast for at least 5 weeks (to comply with guidance).
- c) Private sector leased property hand-back - where the long-term private sector lease is coming to the end and the landlord has requested for the property to be returned.
- d) Unsuitability - Where the accommodation has been found to be unsuitable for the household following a statutory review.
- e) Serious disrepair - where the temporary accommodation has become
- f) Under-occupation - Where the household is under-occupying the accommodation
- g) Overcrowding - Where the household is overcrowded

3.6.3 77% of the respondents agreed with the proposal

#### **4. Consultation**

4.1. The Council consulted widely on the proposed amendments during a six week period. The consultation was conducted through an online survey which was widely publicised. Information was sent to over 3800 residents and stakeholders including:

- Letters to housing register and temporary accommodation occupants
- Letters to housing associations operating in the borough
- Face to face meetings with residents who did not have access to an online facility.

4.2 The proposals and a link to the survey were also actively promoted through:

- The Council website
- Social media (Council twitter, Facebook pages)
- Council staff intranet
- Articles in 'At the Heart' and 'Living' tenant magazines
- Email briefings for council staff, Members, housing association staff, private sector developers and landlords, agencies, voluntary and community organisations and other housing specialists

4.3 There were 392 responses including residents from all tenures and representatives of local organisations. This represents 10.3% response rate and the profile of the respondents (age, ethnicity etc.) broadly reflects the census and housing register data.

4.4 Respondents were asked if they agreed or disagreed with the key proposals. Overall the responses indicated broad support for the proposals. However, there were split views on two of the proposals:

- a) Extending the residency period – given the aims of the policy change is to encourage individuals to make a home for themselves and stay in the borough, extending the residency by a year to 6 years delivers this aim whilst having a proportionate impact across the groups with protected characteristics. This is further mitigated by the application of discretion in exceptional circumstances based on individual cases.
- b) One offer policy. This is mitigated by the fact that majority of the applicants will choose to bid for properties that they are interested in, which should mean that there will be a low level of refusals. Applicants also have a right of review of an offer if they feel that it is unsuitable. If the review is in their favour, they will be entitled to a second offer.

4.5 A summary report of the respondents' views is contained in Appendix 5

## REASONS AND OPTIONS

### **Reasons for the decision:**

Havering is a popular place in which to live and the revised Housing Allocations Scheme and the proposed Placements Policy will provide a more efficient housing service with better outcomes for residents in high housing need as well as enable the Council to discharge its duty to homeless households into the private rented sector housing.

In addition, welfare reform means that households who are not working will not be able to receive more in benefits than the average wage of those in work. This will mean that some households may be offered homes in more affordable areas outside of the borough. The Homeless Placements Policy clarifies what the Council will take into account when it discharges its homelessness duty to households applying under Part VII of the Housing Act 1996.

### **Other options considered:**

Significant freedoms exist in devising the Allocations Scheme, following the enactment of the Localism Act 2011, and statutory guidance from the Department of Communities and Local Government. Therefore one of the options explored was to extend the residency criterion to up to 8 years. This was rejected as it would have had a disproportionate adverse impact on black and Minority ethnic communities.

To maintain the existing Allocations Scheme and not to introduce the Homeless Placements Policy. This was rejected because there would potentially be further increased costs to the Council as it would have to consider providing a subsidy for households placed in the private sector locally as a result of the introduction of the welfare benefit cap from August 2013 (which means that the rents charged in Havering and other parts of London for temporary accommodation and private rented sector homes are unaffordable)

**IMPLICATIONS AND RISKS**

**Financial implications and risks:**

The proposed amendments to the Housing Allocations Scheme will result in an increased use of temporary accommodation as most homeless households will have reduced priority for social housing. Often the cost of temporary accommodation cannot be fully met through the housing benefit system which will result in a pressure on the Council's General Fund budget. It is expected that the introduction of a Placements Policy will mitigate the impact by enabling the Council to place households into more affordable accommodation outside of the borough, either as temporary accommodation or when discharging homeless duty into the private rented sector.

Work will be required to review all those on the housing register, amended literature, online application form and other publicity. The financial costs of this work will be contained within the General Fund. Provision has been made within the 2016/17 GF/HRA budget to deliver this work.

**Legal implications and risks:**

Allocation Scheme

Part 6 of the Housing Act 1996 governs the allocation of housing accommodation by local housing authorities. The Council has a duty to comply with the provisions of Part 6 in allocating housing accommodation (s.159(1)). In particular, the Council must comply with the duty to have a scheme both for determining priorities between applicants and as to the procedure to be followed and must not allocate housing except in accordance with that scheme (s.166A(1) & (14)). The Council must frame the allocation scheme so as to secure that reasonable preference is given to the various categories of person identified under s.166A(3), including persons owed a homeless duty by the Council. In modifying their allocation scheme, the Council must have regard to their current homelessness strategy and tenancy strategy (s.166A(12)).

Subject to the provisions of Part 6, however, the Council has a broad discretion under s.159(7), to allocate accommodation in such manner as they consider appropriate. Further, by s.160ZA(8), the Council may decide what classes of person are or are not qualifying persons to whom housing accommodation may be allocated under the scheme. Again, this is a broad discretion. Residence conditions are not unlawful *per se* and can be applied in cases involving reasonable preference. The Council also has discretion as to whether a preference afforded to an applicant is reasonable. However, any discretion must always be exercised in accordance with the general principles of public law and, in particular, in a rational and reasonable manner. The ability to consider exceptional circumstances mitigates the risk of challenge and acts as a "safety valve".

Counsel has advised on the draft Scheme and considers that, broadly, the legislation empowers what the Council are proposing. Subject to some detailed points which may require further amendment to the proposed Scheme, counsel also considers that the

banding system proposed is a permissible means of securing that reasonable preference is afforded to the statutory groups identified under s.166A(3).

It is recommended that there be careful and routine monitoring of the operation of the proposed Scheme to determine how allocations are made, what changes are apparent from the existing scheme and that key objectives are being met. Central to this will be monitoring of the equalities impacts. The Council will also need to allow for further adjustments to the Scheme once it is operating, to take account of any challenges that are made on a case by case basis.

### Homeless Placements Policy

The Council's statutory housing functions in respect of homeless persons are contained within Part VII of the Housing Act 1996. Duties towards those whom the Council are satisfied are eligible, homeless, in priority need and not intentionally homeless are governed by section 193 of the Act; the main housing duty towards unintentionally homeless persons is to secure that suitable accommodation is available for their occupation.

The Localism Act 2011 allows for greater flexibility in discharging the main housing duty by use of the private sector. From 9 November 2012, when s.148 of the LA 2011 came into force (and save in relation to applications made before that date and in respect of which the accommodation duty had arisen but not ceased), an offer of private rented sector accommodation by a local housing authority ends the main housing duty under s.193 of the HA 1996.

A private rented sector accommodation offer is (i) an offer of an assured shorthold tenancy for a fixed term of at least 12 months, (ii) made by a private landlord to the applicant and (iii) made with the approval of the authority in pursuance of arrangements between the authority and the landlord with a view to bringing the authority's duty to an end (s.193(7AC), HA 1996). An applicant who becomes homeless within two years of acceptance is entitled to further assistance from the local authority even if he or she is no longer in priority need.

In addition, the Homelessness (Suitability of Accommodation) (England) Order 2012 contains various requirements relating to the suitability of accommodation which must be considered by the Council when making an offer of accommodation.

The proposed policy should assist the Council in avoiding the difficulties faced by the local authority in the case of in *Nzolameso v Westminster City Council* [2015] UKSC 22, namely a lack of strategic planning in relation to out-of-borough placements.

Counsel has advised generally on the draft policy and overall considers that it is a sensible, necessary and robust document which should serve to provide protection from the risks of non-performance of the Council's duties and legal challenge.

### **Human Resources implications and risks:**

The recommendations made in this report do not give rise to any identifiable Human Resource risks or implications that would affect either the Council or its workforce.



It is expected that the transition phase and the full implementation of the policy (after 6 months) will be managed within existing staff resources in the Housing Service.

Provision to carry out these duties has been taken into account with the implementation of the new Housing Services structure.

**Equalities implications and risks:**

Both policies will affect both new and existing applicants on the Housing Register and those assisted under the homelessness legislation. It will therefore impact on people across all the protected characteristics. Cabinet Members must pay particular attention to the Equalities Impact Assessment which is at Appendices 3 and 4.

Having had careful regard to the analysis, and also the consultation responses at Appendix 5, Cabinet Members are under a duty to have due regard (that is, proportionate) to the matters set out in this report and (i) to consider how the decision is likely to affect those with protected characteristics in practical terms; (ii) to remove any unlawful discrimination, harassment, victimisation and other prohibited conduct; (iii) to consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics; (iv) to consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

However, whilst Cabinet Members are under this duty, in reaching their decision, they may also take into account other considerations, such as the desirability of providing fair strategies based on local priorities.

**BACKGROUND PAPERS**

None.

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**Cabinet, 15 June 2016**

**Appendix 1- Summary of proposed amendments to the Housing Allocation and Homeless Placements policies**

No	Current policy	Proposed change
<b>Housing Allocation Policy</b>		
1	<p><b><i>Residency period</i></b></p> <p>An applicant must have lived in Havering for at least 5 years OR 2 out of the last 5 years before they can join the housing register.</p>	<p>To change the residency period to 6 years (awaiting counsel opinion on extending to 7 years)</p>
2	<p><b><i>Residency period</i></b></p> <p><b>An applicant can have a break by living in Havering for 2 out of the last 5 years</b></p>	<p><b>To change the residency period for a continuous 6 year period without a break (or 7 years as above)</b></p>
3	<p><b><i>Financial circumstances</i></b></p> <p>The current household income threshold is £27,500.</p>	<p><b>To increase to 36,000</b>, which is the level of income needed to afford to privately rent in the borough at current average market rents</p>
4	<p><b><i>Unacceptable behaviour</i></b></p> <p>An applicant found guilty of unacceptable behavior is allowed to be on the housing register and successfully bid for a property BUT an offer of accommodation may be withdrawn once they are successful in bidding for a property.</p>	<p><b>Applicants found guilty of serious unacceptable behaviour will be excluded from joining the housing register altogether.</b></p> <p>Examples of the behavior includes anti-social behavior; obtaining a tenancy by deception; sub-letting social housing; unspent housing or welfare benefit convictions; providing false or misleading information and threat or actual violence against neighbors, council staff, members and Council contractors.</p>
5	<p><b><i>Meeting housing need</i></b></p> <p>Council or private sector leased tenants who are not in housing need but have been in their accommodation for 5 years can be moved to alternative accommodation.</p>	<p>Only applicants with an identified housing need will be provided with or moved to alternative accommodation</p> <p>Examples of housing need includes:</p> <ul style="list-style-type: none"> <li>• Homeless people,</li> <li>• People who need to move on welfare or medical grounds where their situation is being made worse by their current housing,</li> <li>• People living in unsanitary, unsatisfactory or</li> </ul>

		<p>overcrowded housing, and</p> <ul style="list-style-type: none"> <li>• People who would face hardship unless they move to another area.</li> </ul>
6	N/A	<p><b>A 'new reduced priority' band</b></p> <p>To implement a new 'reduced priority' band for accepted homeless households who do not meet the Havering 6 year residency period.</p> <p>This is because under the homelessness legislation and the Housing Act, homeless households have a reasonable preference (housing need) and therefore cannot be excluded from joining the housing register even if they do not meet the 6 year residency qualification criteria.</p> <p>The local connection rules under the homelessness legislation is different from the residency criteria that a local authority can apply under the Allocation Scheme (e.g. under homelessness legislation, it is 6 out of the last 12 months or a family association). This proposal ensures that we continue to comply with the requirements placed on us by law.</p>
7	<p><b>Priority Banding system</b></p> <p>There are four priority bands with a number of different conditions which can be difficult to understand.</p> <ol style="list-style-type: none"> <li>1. Emergency Rehousing Band (ER)</li> <li>2. Community Contribution Band (CCR)</li> <li>3. Home-seeker Band (H)</li> <li>4. Private Sector Lease Band (PSL)</li> </ol> <p>In addition, a number of moderate housing circumstances are considered under the Emergency Rehousing Band which result in a higher number of cases in the highest priority band than should be the case.</p>	<p>To change to five priority bands to make it easier for residents to understand how the assessment and decision regarding their priority are made:</p> <ol style="list-style-type: none"> <li>1. Emergency Rehousing Band (ER)</li> <li>2. Community Contribution Band 1 (CCR1)</li> <li>3. Community Contribution Band 2 (CCR2)</li> <li>4. Home-seeker Band (H)</li> <li>5. Reduced Priority (RP) – for homeless households as explained in (5) above.</li> </ol>
8	<p><b>Choice based lettings and assisted bidding (direct lets)</b></p> <p>Operate choice based letting system by advertising all properties and yet some that residents place bids on are allocated directly to resident through 'assisted bids' and therefore not technically available to bid on.</p>	<p>Continue to operate Choice Based Lettings system but not to advertise the properties identified to be allocated under 'assisted bid'</p> <p>In addition:</p> <ul style="list-style-type: none"> <li>• Circumstances where a resident can be</li> </ul>

	This causes frustration for residents whose expectations are falsely raised	<p>made an 'assisted bid' is clearly set out.</p> <ul style="list-style-type: none"> <li>• Limit the number of properties allocated under 'assisted bids' so that at least 70% are available for residents to bid on.</li> <li>• Regularly report on the numbers and outcomes of properties that are allocated under 'assisted bids'</li> </ul>
9	<p><b><i>Number of offer of accommodation that can be made</i></b></p> <p>There are different numbers of offers allowed and different penalties apply depending on the housing band priority an applicant is placed in.</p>	<p>Implement a one offer only policy.</p> <p>Applicants who refuse a reasonable offer of accommodation will be removed from the housing register and not allowed to re-apply for one year.</p> <p>For other applicant like homeless households who refuse a reasonable offer, re-housing duty will be discharged and their temporary accommodation will be withdrawn.</p> <p>Applicants can appeal against an offer if they consider it to be unreasonable, and if successful, will receive another offer.</p> <p>The one offer policy will not apply to sheltered housing.</p>
10	N/A	<p><b><i>Sheltered Housing eligibility criteria</i></b></p> <p><b>Implement a new sheltered housing eligibility criteria:</b></p> <ul style="list-style-type: none"> <li>• 60 years and over or</li> <li>• Aged 55 to 59 years and require high level of support due to frailty, ill-health or restricted mobility.</li> <li>• Single or joint applicants with no children</li> <li>• In need of the housing support provided by the scheme</li> </ul>
11	N/A	<p><b><i>Policy implementation arrangement</i></b></p> <p>Allow a transitional period of 6 months to implement the changes so that those who will no longer qualify have this time to continue to bid for properties.</p> <p>If they have not been able to move by then, their application will be cancelled and removed from the housing register from Jan 2017 (subject to Cabinet approval of the new policy in June and new policy implementation from July 2016).</p>

## Homeless Placements Policy

<b>1</b>	<b>N/A</b>	<p><b><i>Homeless Placements Pathway</i></b></p> <p>Homeless household requiring temporary accommodation will generally be offered accommodation in this order:</p> <ul style="list-style-type: none"> <li>• Bed Breakfast (if there is no vacancy in hostels)</li> <li>• Hostel accommodation</li> <li>• Private sector leased (PSL) accommodation.</li> </ul> <p>The household will remain in the private sector leased accommodation until they are successful in bidding for alternative settled accommodation.</p>
<b>2</b>	<b>N/A</b>	<p><b><i>Discharging homelessness duty by using private rented sector accommodation.</i></b></p> <p>To use the Council's powers under the Localism Act 2011 to discharge its homelessness duty by arranging for a private landlord to make a suitable offer of private rented for a period of at least 12 months.</p> <p>In this case, temporary accommodation will not be required.</p> <p>This will be applied to accepted homeless households who made applications after 9th November 2012.</p>
<b>3</b>	<b>N/A</b>	<p><b><i>Factors to consider in making appropriate placements</i></b></p> <p>As there is shortage of affordable accommodation in Havering, in order to meet demand properties will be acquired anywhere-within and outside Havering.</p> <p>Therefore this provides a guide on the factors that should be considered when making an appropriate placements including:</p> <ul style="list-style-type: none"> <li>• Medical needs</li> <li>• Welfare and Support needs</li> <li>• Employment needs</li> <li>• Education needs</li> </ul>
<b>4</b>	<b>N/A</b>	<p><b><i>Managing transfer moves within temporary accommodation</i></b></p> <p>Sets out the circumstances to be considered in</p>

		<p>order to prioritise a move if an existing household in temporary accommodation needs to be moved to alternative temporary accommodation because the property has either become unsuitable or the landlord wants the leased property back:</p> <ul style="list-style-type: none"><li>a) <b>Emergency needs</b> – e.g. serious disrepair that poses a threat to life, violence or an evidenced serious health or medical need.</li><li>b) Shared facilities - Households with children or pregnant women in non self-contained Bed &amp; Breakfast</li><li>c) <b>Private sector leased property hand-back-</b> following the end of the lease.</li><li>d) Unsuitability - where the temporary accommodation has become unsuitable e.g. disrepair that cannot be rectified while the tenant is in situ</li><li>e) <b>Under occupation</b></li><li>f) <b>Overcrowding</b></li></ul>
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**Havering**  
LONDON BOROUGH

**London Borough of Havering Council**

**Draft Housing Allocations Scheme**

## Document Control

[This should include document details, version history, approval history, and equality impact assessment record.]

### Document details

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Status	<i>Draft</i>
Author	<i>Beatrice Cingtho-Taylor- Housing Demand Services Manager</i>
Lead officer	<i>Beatrice Cingtho-Taylor- Housing Demand Services Manager</i>
Approved by	<i>Neil Stubbings – Head of Housing Services Councillor Damian White, Lead Member for Housing Services</i>
Review date	<i>June 2017</i>

Supersedes	<i>Housing Allocation Scheme – September 2014</i>
Target audience	<i>Borough Residents, Council employees and other key stakeholders</i>
Related to	<i>Tenancy Policy, Tenancy Strategy, Homeless Placements Policy, Housing Strategy</i>

### Version history

Version	Status	Date	Dissemination/Change
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## 1. INTRODUCTION

Havering is an area with a very high demand for social and affordable housing, and unfortunately a limited supply of homes to rent from the Council or Housing Associations, (also known as Registered Providers and Registered Social Landlords).

The Council's policy has been designed to give real help to people in housing need. It also aims to reward those households who give something back to their communities through:

- working, or
- fostering, or
- adopting, or
- having served in the British armed forces, or
- volunteering, or
- carer; or
- by choosing to release a large council property and move to a smaller one.

Havering Council's Housing Allocations Scheme explains how we make decisions about who to let vacant properties to. It provides a framework for letting accommodation and assigning priority between those in need.

The Housing Allocations Scheme applies to existing tenants wishing to transfer from one tenancy to another and to new applicants, including homeless people. When we refer to 'applicant' in this document, it will refer to new applicants including homeless people and tenants wishing to transfer, (unless otherwise stated).

This Housing Allocations Scheme will be applied fairly to everyone who applies to join, or is already on the Housing Register, (sometimes known as the housing waiting list).

This policy will be effective from July 2016.

### 1.1. Legal context

This Housing Allocations Scheme meets the requirements of the Housing Act 1996, (as amended by the Homelessness Act 2002), and the Localism Act 2011.

The Housing Act 1996, (as amended), requires local authorities to give 'Reasonable Preference' in their allocation policies. This means that we have to give priority for housing to people with high levels of assessed housing need. This could include:

- Homeless people,
- People who need to move on welfare or medical grounds where their situation is being made worse by their current housing,
- People living in unsanitary, unsatisfactory or overcrowded housing, and
- People who would face hardship unless they move to another area.



The Act also requires local authorities to state within their policy what their position is on offering applicants a choice of housing accommodation, or offering them the opportunity to express preference about the housing accommodation to be allocated to them. Our policy on choice is described below in Section 9.

This Housing Allocation Scheme complies with the requirements of:

- Housing Act 1996 (as amended)
- Government's Code of Guidance
- Localism Act 2011
- Equality Act 2010
- Havering Housing Strategy
- London Housing Strategy

## **1.2 Aims of the Housing Allocations Scheme**

It is designed to meet all legal requirements and to support and contribute towards the Council's wider objectives. The Council is also committed to preventing homelessness and the Allocation Scheme focuses on supporting residents to actively pursue suitable alternatives to avoid becoming homeless.

The key objectives of this Housing Allocations Scheme are to:

- Provide a fair and transparent system by which people are prioritised for social housing.
- Help those most in housing need.
- Recognise residents who make a contribution to a local community.
- Make the best use of Havering's social housing including those of our partner Registered Social Landlords

In addition, the Housing Allocations Scheme has considered:

- The Council's statutory obligations and discretion as to who is eligible for housing allocation.
- The Council's statutory obligation to provide 'reasonable preference' to certain categories of applicants set down by law, such as those who must be given a 'head start' under the Council's Allocations Scheme.
- The Council's statutory discretion to grant "additional preference" and/or to determine priority between applicants with 'reasonable preference'.
- The general and specific statutory discretions the Council can exercise when allocating housing in support of its Community Strategy.
- The Council's participation in other mobility schemes including the Greater London Authority's Pan-London mobility scheme.

The Housing Allocations Scheme will be supported by a housing options approach giving applicants realistic advice and promoting other housing options.

Tenancies for council homes are allocated according to the Council's Tenancy Policy with the majority of the homes offered on fixed term tenancies. Other Registered Providers have to take account of the Council's Tenancy Strategy when setting their own policies.

### **1.3. What is not included in the Housing Allocations Scheme**

The following are not allocations under this scheme:

- Succeeding to a tenancy under the relevant Act
- A mutual exchange with another tenant
- Assigning a tenancy
- Transferring a tenancy in accordance with a court order under Family Law provisions or under the Civil Partnership Act 2004
- An introductory tenant becoming a secure tenant
- Use and occupation charge
- Provision of non-secure temporary accommodation in discharge of any homelessness duty or power.

### **1.4. The law - your rights, our responsibilities**

Every council with housing responsibilities is required to publish a Housing Allocations Scheme under the 1996 Housing Act, (as amended, describing how it will assess applications for housing and select people to offer social housing to from its register. Each allocation of social housing must be made according to the scheme, apart from those housing decisions that are not regarded as allocations set out in paragraph 1.3 above.

### **1.5. How can I get a copy of the scheme?**

You are entitled to a summary of the housing allocations scheme free of charge. You can download a copy from the council's website [www.havering.gov.uk](http://www.havering.gov.uk).

## **2. EQUALITIES STATEMENT AND MONITORING**

Havering is home to a number of different communities. We are committed to delivering quality services to all by responding positively to the needs and expectations of all service users.

Applicants will be invited to indicate if they wish to make use of the Council's translation and interpretation services, or if they require additional services to enable them to access and understand the policy to ensure that they are not disadvantaged in the process.

Confidential interview facilities are provided at all housing offices. There is full access to the Housing Options Office for people who use a wheelchair. Home interview services are available for applicants who are elderly or who experience mobility difficulties.

The Council will seek to ensure that its allocation policies are being operated in a manner that is fair to all sections of the community regardless of nationality, ethnic origin, marital status, age, gender, sexual orientation or disability. The information provided will be kept confidential and treated with respect. The Council believes it is important to understand the different

communities who apply for housing and it is only by asking these questions can the Council check that it is operating a fair system.

All applicants for housing or re-housing will be asked to provide details of ethnic origin, sexuality, disability and other equalities information. Provision of this information will not be obligatory and not a requirement for acceptance of an application. However, such information will help monitor the number and types of protected characteristics seeking support and therefore applicants will be strongly advised to complete the relevant information. Equalities records will be kept and monitored on a regular and systematic basis to ensure properties are being offered and allocated fairly. Allocation policies and any changes to them will be reviewed regularly to ensure they do not operate in ways that discriminate against or disadvantage any particular group.

### **3. SUMMARY OF THE SCHEME**

The basis of the scheme is to have a priority system based on need. In order to achieve this, a definition of priority has been broken down into various categories of need and these are then grouped into one of five bands, with the Emergency Rehousing Band being the highest priority and the Reduced Priority Band the lowest.

It may be the case that applicants have more than one category of need. In these circumstances they will be placed in the category which is in the highest priority band.

The allocation policy will look to provide choice to applicants through the operation of Havering Council's Choice Homes choice-based lettings system. This will operate by the Council advertising the availability of properties to let on the internet at [www.ellcchoicetohomes.org.uk](http://www.ellcchoicetohomes.org.uk) (ELLC). Applicants who have been approved in one of the priority bands will then be invited to register an interest in a property by bidding. Once the bidding period is over then a shortlist of applicants will be drawn up. The shortlist will be produced by placing the applications in priority band order and then those with the same priority band will be placed in date order according to when they were approved in their priority band.

The final decision to award a tenancy will be based on the applicant who is in the highest priority band, according to date. However, other factors can be taken into account in making the offer. The other factors that can be considered include; former or current rent arrears, any history of anti-social behaviour and whether they are currently on a probationary tenancy.

There are also occasions where the Council will make direct offers to applicants rather than advertising on Havering Council's Choice Homes choice-based lettings system. This option will be used for applicants outlined in Section 15. The Council will also look to give priority to certain categories of need where it is considered that this is necessary in order to achieve broader council priorities. This can be through a local lettings plan for new build properties and on an individual case by case basis.

#### **4. ELIGIBILITY AND QUALIFICATION CRITERIA**

Any application to join the housing register will be assessed against the following three criteria:

- Criteria One – Applicants will be assessed to determine if they are eligible for social housing (such as not subject to immigration control)
- Criteria Two - Eligible Applicants will then be assessed to determine if they meet the Council's qualification criteria.
- Criteria Three – Eligible and qualified applicants will be assessed to determine if they are in housing need in accordance with the Council's policy.

Only applicants who meet the eligibility, qualification and housing need criteria will be able to join the housing register.

The statutory provisions regarding eligibility and qualification are set out in s60ZA of the Housing Act 1996 as amended by the Localism Act 2011.

A flow chart can be found in Section 4.3 but this is a very basic outline and each case will be assessed on the individual circumstances in line with the legislation and policy in force at the point of application.

##### **4.1. Eligibility Criteria**

The first assessment the Council makes when an application is received is to determine whether the applicant is eligible for social housing.

Any person who does not fall into one of the categories below will be a person subject to immigration control and will be ineligible for an allocation of accommodation.

- i. British citizens
- ii. Certain Commonwealth citizens with a right of abode in the UK
- iii. Citizens of a European Economic Area, (EEA,) country, ('EEA nationals), and their family members who have a right to reside in the UK that derives from EU law. The question of whether an EEA national, (or family member), has a particular right to reside in the UK, (or in another Member State), will depend on the circumstances, particularly the economic status of the EEA national, (such as whether he or she is a worker, self-employed, a student, or economically inactive),
- iv. Persons who are exempt from immigration control under the Immigration Acts, including diplomats and their family members based in the UK and some military personnel.

This means that people subject to immigration control and certain other people from abroad, (outside the categories identified above), will not usually be eligible for accommodation arranged by the Council. Further details can be found in Annex 1 on Page 75.

##### **4.2. Qualification Criteria**

The second assessment the Council makes is to determine whether an applicant qualifies to join the housing register.

The Localism Act 2011 has given local authorities greater freedom to set their own criteria about who qualifies for social housing, and therefore who can join the Housing Register for social and affordable housing in their area.

To be placed on Havering Council's Housing Register you must meet **each** of the four qualification criteria listed below.

**4.2.1. Age qualification criterion: Applicants must be 18 years of age or over**

The Council will not normally grant a tenancy to anyone under the age of 18 years unless another adult is prepared to act as their guarantor, and agrees to cover the rent or any arrears. In exceptional circumstances, the Council can grant permission to occupy a property to an applicant under 18 years by way of something known as an equitable agreement.

For an applicant to become a tenant of the Council and enter into a tenancy agreement, they must have the mental capacity to understand the contract. If an applicant does not have the capacity to understand the contract, an application should be made to the Court of Protection for an appropriate person to sign the tenancy agreement on their behalf.

**Exception**

The age qualification criterion will **not** apply where:

- a young person aged under 18 years is owed a rehousing duty by Havering Council under the homelessness legislation or Children Act 2004 but is unable to access suitable accommodation other than by being given an offer of council or housing association accommodation.

**4.2.2. Residency qualification criterion: An applicant must have lived in the Borough of Havering continuously for six years.**

Meeting a local residency qualification is a central tenet of this Housing Allocation Scheme. Local residency qualification within the terms of this scheme will normally mean that an applicant has lived in this borough continuously, through their own choice, (not through detention or hospitalisation), for a minimum of 6 years up to and including the date of their application. The applicant should remain resident in-borough in order to continue to qualify.

Accepted homeless households, Care leavers and those placed in specialised housing, (but continuing to receive services), outside the Borough will also meet the local residency qualification as long as they fulfil the continuous 6 year residential qualification. Time spent placed by Havering in designated temporary accommodation outside of the Borough will count towards time spent in Havering.

Those placed in Havering in temporary accommodation, residential or supported housing by another local authority will not normally be considered as having met the local residency qualification.

Time spent away from the main principle home being in Havering due to periods of study such as at university will count as time in the borough.

## Exception

- a) The residency qualification criterion will not be applied to the groups specified in *The Allocation of Housing (Qualification Criteria for Armed Forces)(England) Regulations 2012*:
- Members of the Armed Forces and former Service personnel, where the application is made within five years of discharge.
  - Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner.
  - Serving or former members of the Regular or Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service.
- b) Homeless households where a full rehousing duty has been accepted by Havering Council under section 193 of the Housing Act 1996. However, they will be placed in the Reduced Priority Band (RP) until this condition is satisfied.
- c) People who are under-occupying their current social housing.
- d) Emergency cases where homes are damaged by fire, flood or other disaster - where it is not possible to repair the existing home, or if any work to repair is to take such a long period of time that there will be serious disruption to family life.
- e) Cases nominated under the Police Witness Protection Scheme or other similar schemes that the Council has agreed to be part of.
- f) Households who need to move to the Borough and where failure to meet that need would cause exceptional hardship to themselves or to others. Hardship grounds include:
- Applicant needing to move under the Right to Move scheme where there is a genuine intention of taking up an offer of work.
  - The need to move to specialist facilities where they receive care
  - The need to move to receive or give care/support (which could otherwise result in higher care costs or even the use of residential care for those who cannot move)
- (g) People who qualify for assistance through Housing Moves (Pan London Mobility Scheme)
- (h) Cases with exceptional need that is not covered in the Allocations Scheme. For example, where child or public protection issues require rehousing or for domestic abuse where all other options to remain in the home have been considered.

- (i) Applicants who the Head of Housing Services has decided, and at the very least one other statutory agency has agreed, are unable to access suitable accommodation other than by being given an offer of council or housing association accommodation.

#### **4.2.3. Tenure qualification criterion: An applicant must not be the owner of a residential property.**

People who singularly, jointly or part-own a property in this country or abroad which is reasonable to continue to occupy will not qualify to join the housing register.

People who have previously owned a property and have sold it within the last 5 years will be asked to provide proof of the sale, together with evidence of the proceeds received from the sale and what has become of them. Unless they are not able to meet their housing needs from their own resources **and** require an adapted or supported housing they will not qualify to join the housing register.

The tenure qualification will not apply to:

- Applicants where, at Housing Service's discretion, the Service is satisfied that the homeowner has exceptional circumstances, such as, though not limited to, instances where they have a serious medical condition **and** they are no longer able to remain in the property **and** are unable to afford suitable accommodation in the private market.
- Applicants aged over 60 years and have been assessed as being unable to meet their housing need from their own resources (asset rich but cash poor). The options for them will include the offer of being rehoused into sheltered or extra care accommodation and in turn agree to lease their property to the Council to use as temporary accommodation.

A decision on whether a property, in this country or abroad, is suitable and available to occupy will be made by a senior officer of Housing Services. An applicant may ask for this decision to be reviewed if they disagree with it.

**Note:** We will also carry out our own checks to satisfy ourselves the applicant does not own a property.

#### **4.2.4. Financial qualification criterion: An applicant must not have enough income to be able to rent privately in the borough:**

Applicants whose income, savings and assets are above the level set by the Council will not be able to join the Housing Register as they will be expected to meet their own housing needs. This is because of the severe shortage of social and affordable rented properties in the Borough.

The income threshold is set at £36,000 (2016/17), the level at which an applicant can afford to rent a private property with average rents in the borough. This will be reviewed annually.

We will ask applicants about their income and savings and other assets when they apply to join the Housing Register. We have to assess whether they can afford to privately rent in the borough.

Income assessments will take into account the incomes of both the main applicant and their partner, (or joint applicants). The income used will include both gross earned income and income from benefits (excluding disability benefits). Households will not normally be placed on the Housing Register or offered social housing if their total income is above the income level set.

Applicants who deliberately deplete savings or move them into the accounts of other family members may be disqualified under the financial qualification criteria.

An applicant who chooses not to complete the savings and income questions on the application form will be treated as having sufficient resources to rent privately in the Borough and will not be accepted on to the Housing Register.

### **Verifying your household income**

We will ask applicants to provide evidence of their household income, for example:

- Employed applicants – their last six months' payslips
- Self-employed applicants – their last 18 months audited accounts

We will ask applicants to provide evidence of their savings and details of any assets owned, this includes:

- Bank current account statements
- Building society, post office or any other savings accounts statements
- Details of any other financial assets (such as stocks and shares, premium bonds etc.).

**If an applicant cannot provide satisfactory evidence of their household income or savings and assets, they will not be able to join the housing register.**

### **Exception**

For members/former members of the armed forces, where financial compensation has been received due to injury sustained on active service, this will be disregarded from any financial assessment.

An applicant may have very exceptional circumstances where there is a real emergency need to move. Exceptions will be taken into account on a case by case basis. Decisions will be made by the Head of Housing in liaison with other partners.

### **4.2.5. Unacceptable behaviour: An applicant must not have un-tenant like behaviour:**

Applicants who have been guilty of unacceptable behaviour which makes them unsuitable to be a tenant will not be able to join the Housing Register. This is behaviour which, if the person



concerned were a secure tenant, would entitle the Council to take formal action against them. Such behaviour includes:

- Any person convicted of housing or welfare benefits related fraud where that conviction is unspent under the Rehabilitation Offenders Act 1974. Any person caught by this may re-apply once this conviction is spent.
- Any person found guilty of sub-letting a Council or Housing Association property.
- A person who obtains a tenancy by deception.
- A person who threatens or uses violence towards Council employees, Contractors or Members. This includes behaviour where there is persistent abusive or racist language directed at Council staff, Members or other partner associations.
- Anti-social behaviour which causes nuisance by the applicant or a member of his or her household.
- Racial harassment
- Transfer applicants who have caused damage or not looked after their property.

The Council will normally only decide that an applicant has been guilty of unacceptable behaviour where the Council, or a current or former landlord of the applicant, has taken formal action against the applicant or a member of the applicant's household in respect of conduct, under any of the above headings by:

- the applicant,
- a member of his or her household,
- or a visitor to the applicant's property.

This formal action will have taken place within the period of 2 years before their application to join the Housing Register.

Formal action includes:

- the obtaining of any legal remedy;
- the service of a notice of seeking possession or any like notice or a pre-action protocol letter or other letter before claim;
- the entry into an agreement for the purpose of avoiding, or settling legal proceedings, including an acceptable behaviour agreement, and an agreement to undertake works

All applicants who do not qualify under this criterion may submit a new Housing Register application if their circumstances change and there has been a sustained period of change for at least the past year. Where, however, the applicant has not complied with the terms of the formal action taken, (such as complying with a suspended possession order, or with an agreement to avoid or settle legal proceedings), or where new unacceptable behaviour has, in the Council's view, arisen, (whether or not further formal action has been taken in respect of it), the Council will normally continue the disqualification.

## **Applicants already on the Housing Register**

If an applicant is already on the Housing Register when formal action is taken against them on one of the grounds set out above, any offer made to them will be withdrawn, any offer that would otherwise be made to them will be bypassed, and their application will be removed from the Housing Register.

### **Exception**

The Council recognises that there may be exceptional circumstances where the only way an exceptional housing need can be resolved is through the use of discretion. In the interests of fairness to all these applicants these circumstances are kept to a minimum. Before the Council will use its discretion in this way, the applicant will need to have demonstrated, as a minimum, that there is good reason for the Council to believe that the unacceptable behaviour will not be repeated. This could be seen in a change of circumstances or a change of the composition of the household. The Council is unlikely, however, to consider that the demonstration of this factor alone will be sufficient to amount to exceptional circumstances.

The discretion to waive this criterion in exceptional circumstances will be approved by the Head of Housing or delegated appropriate officer.

A person who is not permitted to join the Housing Register, or if they are removed from the Housing Register for these reasons, will have a right of appeal. Details on how to appeal can be found in Section 32.

### **4.2.6. Demonstrable housing need: An applicant must meet one of the housing need criteria.**

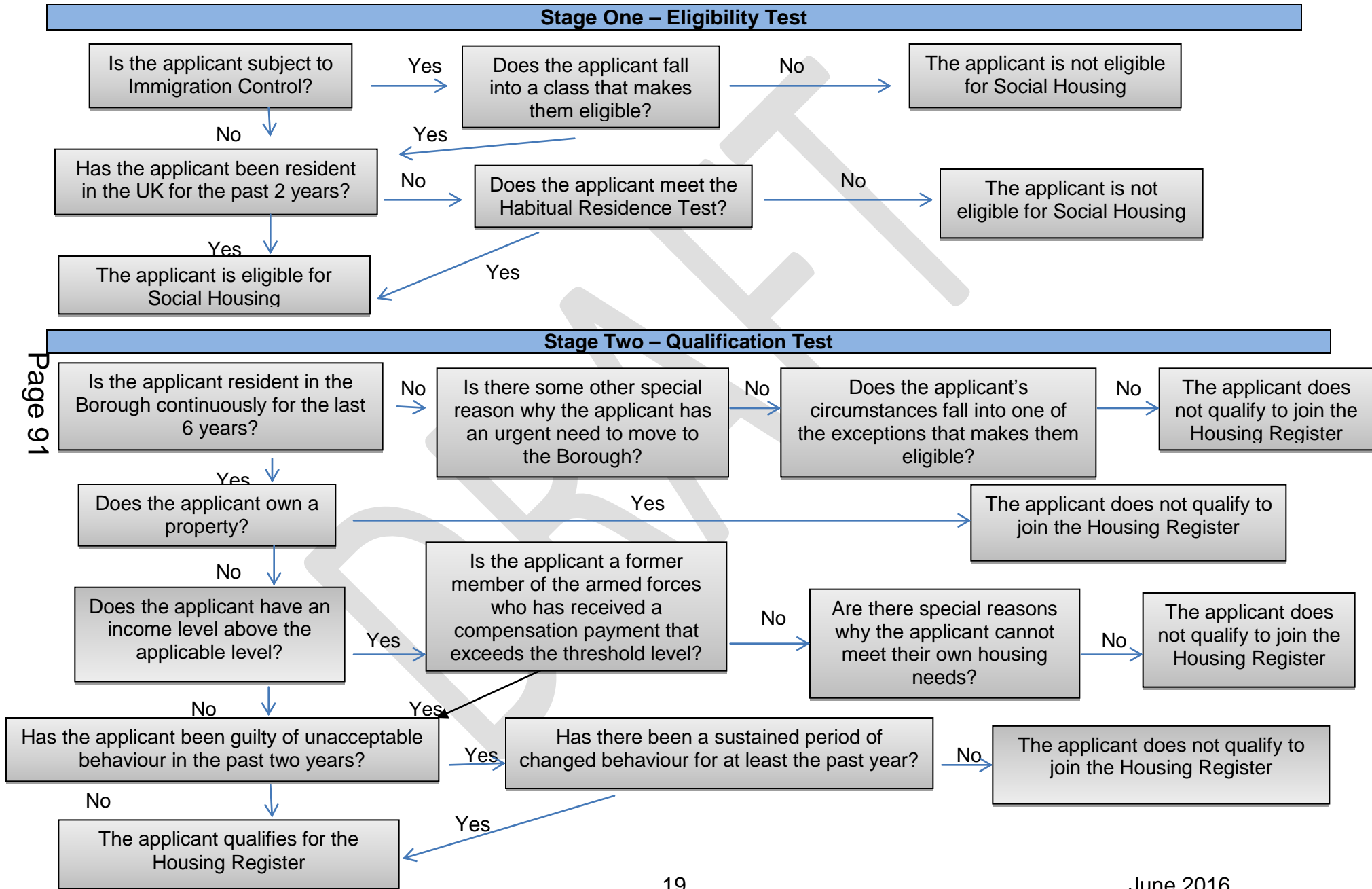
Applicants who are considered not to have housing need as set out in section 5.1 will not qualify to join the housing register.

It will help in managing unrealistic expectations as there will be little or no prospect of being allocated accommodation. They will be signposted and given relevant information and advice to solve their housing situation.

### **Exception**

Applicants who are eligible for sheltered housing.

### 4.3: Summary Flowchart of Eligibility and Qualification Process



## 5. HOUSING NEEDS CRITERIA:

The third assessment the Council makes is to determine whether an applicant has a housing need.

Havering Council's Housing Allocation Scheme has been framed to ensure that 'reasonable preference' is given to people with high levels of assessed housing need. Additional preference (priority) is given to applicants who are making a community contribution.

The housing banding system determines who will be prioritised for housing in the Borough and is summarised below with full details of the characteristics of individual cases:

a) Emergency Rehousing Band (ER)

People with an urgent need to move, this can include applicants with life threatening health or medical needs, fleeing domestic abuse, with critical safeguarding issues and housing in serious disrepair.

b) Community Contribution Reward 1 Band (CCR1)

People with an identified housing need **plus** Community Contribution for working. This includes an applicant who is in employment, ex-service personnel, or a council tenant wishing to downsize due to welfare reform impact.

c) Community Contribution Reward 2 Band (CCR2)

People with an identified housing need **plus** Community Contribution for fostering, adopting or volunteering, or council tenants needing to downsize, those caring for a Havering resident and disabled applicants unable to participate in work related activities.

d) Home-seeker Band (H)

People with an identified housing need but do not qualify for Community Contribution Reward.

e) Reduced Priority Band (RP)

- Accepted homeless households who do not meet the local residency criteria
- Other confirmed homeless households with no priority need or intentionally homeless.

**5.1: SUMMARY GUIDE OF THE HOUSING NEEDS CRITERIA**

<b>1. Emergency Rehousing Band (ER): People who have an urgent need to move</b>	
<b>Summary Guide of Criteria</b>	
<p><b>Emergency medical or disability</b> (Reasonable preference category S.166A(3)(d))</p>	<ul style="list-style-type: none"> <li>• An applicant in hospital or residential care who cannot return home due to unsuitability of the property</li> <li>• An applicant or someone in their household's condition is expected to be terminal within a period of twelve months and rehousing is required to provide a basis for the provision of suitable care.</li> <li>• An applicant or someone in their household's condition is life threatening and their existing accommodation is a major contributory factor.</li> <li>• An applicant or someone in their household's health is so severely affected by the accommodation that it is likely to become life threatening (Domestic abuse, management transfer).</li> <li>• The applicant or someone in their household has severe mobility issues, is housebound and is unable to leave their accommodation save with assistance that will result in high risk to the applicant or their carer. They will have an assessed need to move to accommodation that meets their needs.</li> <li>• The applicant needs to move to suitable adapted accommodation because of a serious injury, medical condition or disability which they, or a member of their household, has sustained as a result of service in the Armed Forces</li> <li>• The applicant or someone in their household is a wheelchair user and unable to use the wheelchair within their current accommodation and they have an assessed need to move to wheelchair suitable accommodation.</li> <li>• The applicant's accommodation is directly contributing to the deterioration of their health such as severe chest condition requiring intermittent hospitalisation as a result of chronic dampness in the accommodation and the condition of the property cannot be resolved within a reasonable period of time – usually 6 months.</li> <li>• Where overcrowding in the property leaves the applicant or someone in their household at risk of life threatening infection.</li> </ul>
<p><b>Hardship and Welfare Criteria</b> (Reasonable preference category S.166A(3)(e))</p>	<ul style="list-style-type: none"> <li>• There are circumstances or a combination of circumstances considered exceptional and the applicant's need to move is supported by health professionals, the Council's Housing and Social Services and/or a senior Police Officer or MARAC.</li> </ul>

<p><b>(a) Leaving care</b> (Reasonable Preference category s166A(3)(c))</p>	<ul style="list-style-type: none"> <li>• The applicant has been accommodated by Havering Council's Children and Young Adults Services and it has been confirmed by the service that they are now ready to move into independent or supported accommodation.</li> <li>• The applicant has been assessed as having the life skills to manage a tenancy including managing a rent account and the necessary support package is in place.</li> </ul>
<p><b>(b) Move on from specialist accommodation</b> (Reasonable Preference category s166A(3)(c))</p>	<ul style="list-style-type: none"> <li>• The applicant is moving on from specialist accommodation provided by Havering Council's Social Services Team, North East London Foundation Trust (NELFT) or another registered supported housing provider in line with an agreement with Havering Council's Housing Service.</li> <li>• The applicant has been nominated as part of an agreement with a single homeless accommodation provider in Havering where they are in need of settled accommodation and unable to secure it yourself.</li> <li>• The applicant has been assessed as having the life skills to manage a tenancy including managing a rent account and the necessary support package is in place.</li> </ul>
<p><b>(c) Management transfer</b></p>	<ul style="list-style-type: none"> <li>• The applicant is an existing social tenant with a need to move because there is demonstrable evidence to support imminent personal risk to the applicant or their family as a result of violence or harassment if they remain in the property OR</li> <li>• The applicant has had to leave their current home to move to a place of safety in temporary accommodation allocated by the Council and supported by a senior Police Officer.</li> </ul>
<p><b>(e) Reciprocal arrangement</b></p>	<ul style="list-style-type: none"> <li>• The Council will only agree to reciprocal requests from other authorities and Registered Providers where they can demonstrate that there is imminent personal risk to the tenant or their family and accommodation is required in Havering, and that the reciprocal property being offered will be beneficial to Havering residents with high priority to move.</li> </ul>
<p><b>Homeless households owed a full homeless duty under section 193(2) or 195(2).</b> (Reasonable Preference categories s166A(3) (a))</p>	<ul style="list-style-type: none"> <li>• The applicant is accepted as homeless and in severe need.</li> <li>• Where it is in the overriding interest of the Council to prioritise an allocation in order to make best use of Havering's resources as approved by Head of Housing (Move on).</li> <li>• Where the landlord wants the temporary accommodation property back <b>AND</b> you have been in temporary accommodation for 3 years <b>AND</b> the council cannot find alternative suitable temporary accommodation (End of lease).</li> </ul>

<p><b>Statutory Overcrowded</b> (Reasonable preference category S.166A(3)(c))</p>	<ul style="list-style-type: none"> <li>The applicant is considered to be statutorily overcrowded according to the relevant legislation.</li> </ul>
<p><b>Unsanitary conditions where the conditions pose an ongoing and serious threat to health</b> (Reasonable preference category S.166A(3)(c))</p>	<ul style="list-style-type: none"> <li>The applicant is an owner occupier or private tenant and the Council's Environmental Health Team has determined that the property poses a category 1 hazard under the Housing Health and Safety Rating System (e.g. crowding and space, excessive cold or risk of falls) and the Council are satisfied that the problem cannot be resolved by the landlord within 6 months, and as a result continuing to occupy the accommodation will pose a considerable risk to their health. This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, and there is no prospect of the problems being remedied within a 6 month time period.</li> <li>The applicant is an owner occupier or private tenant where a statutory notice has been issued by the Environmental Health Team that an unfit property is to be demolished under the Housing Act 2004.</li> </ul>
<p><b>Release of adapted property</b> (Reasonable preference category S.166A(3)(e))</p>	<ul style="list-style-type: none"> <li>The applicant is a Havering Council tenant who is willing to transfer to a suitable non-adapted property and is releasing an adapted house or designated older persons property.</li> </ul>
<p><b>Decants - Major works or demolition</b> (Reasonable preference category S.166A(3)(c))</p>	<ul style="list-style-type: none"> <li>The applicant is a Havering Council tenant required to move because their current home is due to be (a) sold, and/or (b) demolished or (c) have extensive works completed or (d) refurbishment or conversion work which means that they you need to move out either permanently or temporarily whilst the works are completed.</li> </ul> <p>NOTE: This does not apply to PSL properties.</p>
<p><b>Service tenants where there is a contractual obligation</b></p>	<ul style="list-style-type: none"> <li>The applicant is a Havering Council employee who has been living in tied accommodation provided to them as part of their work but needs to move out due to (a) retirement or (b) redundancy or (c) the Council is changing the terms of your employment or (d) because the property is due to be (i) sold and/or (ii) demolished, or (iii) have extensive works completed or (iv) refurbishment or conversion work which means that they need to move out either permanently or temporarily while the works are completed.</li> </ul>

<b>Succession rights where property is not suitable</b>	<ul style="list-style-type: none"> <li>The applicant lives in Havering Council property and has the right of succession following the death of the tenant, but the property is too large, has adaptations that they do not require and/or there is an age restriction which renders them ineligible to hold the tenancy of the property.</li> </ul>
<b>Council tenants with a fixed term tenancy coming to an end</b>	<ul style="list-style-type: none"> <li>Where the Council intends to grant a new tenancy of their current property but has decided to grant a tenancy of an alternative property.</li> <li>Refer to the tenancy policy</li> </ul>
<b>2. Community Contribution Reward 1 Band (CCR1): People who have a need to move AND are given increased priority for their positive Community Contribution as a result of working, being an ex-service personnel or council tenant wishing to downsize due to welfare reform impact.</b>	
<b>Summary Guide of Criteria</b>	
<b>Working</b>	<ul style="list-style-type: none"> <li>The applicant is a working household (<i>this will not disadvantage applicants who may be unable to work for example, due to disability as this is considered under other criteria stated in the policy</i>)</li> <li>The applicant needs to move to take up (or continue) with an employment opportunity that is not available elsewhere and they do not live within reasonable commuting distance (Right to Move applicants).</li> </ul>
<b>Ex- armed forces and reserve forces personnel</b>	<ul style="list-style-type: none"> <li>The applicant is a member of the Armed Forces and former Service personnel, where they have made the application within five years of discharge.</li> <li>The applicant is a bereaved spouse and civil partner of a member of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner.</li> <li>The applicant is a serving or former member of the Regular or Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of service.</li> </ul>
<b>Under-occupation (PSL excluded)</b> (Reasonable preference category S.166A(3)(e))	<ul style="list-style-type: none"> <li>The applicant is a Havering Council tenant who wishes to downsize because otherwise they would be liable for part of their rent under the size criteria for housing benefit/universal credit.</li> </ul>



**3. Community Contribution Reward 2 Band (CCR2): People who have a need to move AND are given increased priority for their positive Community Contribution as a result of fostering and adopting, volunteering, a carer for a Havering resident or wishing to downsize.**

**Summary Guide of Criteria**

<p><b>Foster carers referred by the Council's Children's Service</b> (Reasonable preference category S166A(3) (d) or (e))</p>	<ul style="list-style-type: none"> <li>The applicant is a foster carer approved by the Council and lack of housing prevents them from being able to start, or continue to provide foster care or adopt.</li> </ul>
<p><b>Volunteer</b> (Reasonable Preference category s166A(3) (c) and (d))</p>	<ul style="list-style-type: none"> <li>The applicant is a volunteer in Havering with an identified housing need.</li> </ul>
<p><b>Carer</b> (Reasonable Preference category s166A(3) (c) and (d))</p>	<ul style="list-style-type: none"> <li>The applicant gives care to a Havering resident that is substantial and on-going.</li> </ul>
<p><b>Under-occupation (PSL excluded)</b> (Reasonable preference category S.166A(3)(e))</p>	<ul style="list-style-type: none"> <li>The applicant is a Havering Council tenant who wishes to release a home with more bedrooms by moving to a property with fewer bedrooms than they currently have.</li> <li>The applicant is a Housing Association tenant who wishes to release a home with more bedrooms <b>and</b> their landlord agrees that the vacated property can be used for a nomination by the Council.</li> </ul>
<p><b>Disabled Households</b></p>	<ul style="list-style-type: none"> <li>The applicant is a disabled applicant under retiring age who has been assessed as eligible for the support element of Employment and Support Allowance due to a permanent disability which prevents them from participating in work related activities.</li> </ul>

**4. Home seeker Band (H): People who have a need to move BUT do not qualify for Community Contribution Reward.**

**Summary Guide of Criteria**

<p><b>Homeless households owed a full homeless duty under section 193(2) or 195(2).</b></p>	<ul style="list-style-type: none"> <li>The applicant has been deemed homeless by Havering Council within the meaning of Part 7 of the Housing Act 1996.</li> </ul>
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(Reasonable Preference categories s166A(3) (a)	
<b>Overcrowding</b> (Reasonable Preference category s166A(3)(c)	<ul style="list-style-type: none"> <li>The applicant is living in a property with a bedroom or more short of the bedroom standard.</li> </ul>
<b>Applicants living in unsatisfactory housing lacking basic facilities</b> (Reasonable Preference category s166A(3)(c)	<ul style="list-style-type: none"> <li>The applicant is living in a property without access at all to any of the following facilities:- <ul style="list-style-type: none"> <li>❖ a bathroom or kitchen</li> <li>❖ an inside WC</li> <li>❖ hot or cold water supplies, electricity, gas or adequate heating</li> </ul> </li> <li>The applicant lives in private property which is in disrepair or is unfit for occupation and is subject to a Prohibition Order and recovery of the premises is required in order to comply with the Order as defined by Section 33 of the Housing Act 2004.</li> <li>Applicants who only have access to shared facilities in shared accommodation will not qualify under these criteria.</li> </ul>
<b>Moderate medical grounds</b> (Reasonable Preference category s166A(3)(d)	<ul style="list-style-type: none"> <li>The applicant's housing is unsuitable for severe medical reasons or due to their disability, but they are not housebound or their life is not at risk due to their current housing, but the housing conditions directly contribute to causing serious ill-health.</li> </ul>
<b>Hardship and Welfare Criteria (Reasonable preference category S.166A(3)(e)</b>	
<b>(a) Foster carers and adoptive parents</b> (Reasonable preference category S166A(3) (e)	<ul style="list-style-type: none"> <li>The applicant is a foster carer or adoptive parent approved by the Council and lack of housing prevents them from being able to start, or continue to provide foster care or adopt.</li> </ul>
<b>(b) Need to move for care or support</b> (Reasonable Preference category s166A(3) (c) and (d)	<ul style="list-style-type: none"> <li>The applicant needs to move to receive care that is substantial and ongoing.</li> <li>The applicant needs to move in order to access social services facilities, and is unable to travel across the Borough.</li> <li>The applicant wishes to move to a certain locality where not doing so would cause hardship (Includes those approved under Right to Move Scheme).</li> </ul>
<b>Under-occupation</b> (Reasonable preference category S.166A(3)(e)	<ul style="list-style-type: none"> <li>The applicant is a Havering Council tenant who wishes to release a home with more bedrooms by moving to a property with fewer bedrooms than they currently have.</li> <li>The applicant is a Housing association tenant who wishes to release a home with</li> </ul>

	more bedrooms <b>and</b> their landlord agrees that the vacated property can be used for a nomination by the Council.
<b>Housing for older people</b> (Reasonable Preference category s166A(3)(d))	<ul style="list-style-type: none"> <li>• Older or disabled residents seeking sheltered or extra care housing</li> <li>• Older owner occupiers who are not able to meet their housing need from their own resources (asset rich but cash poor) with agreement to lease their property to the Council to use as temporary accommodation.</li> </ul>
<b>5. Reduced Priority Band (RP): People who have a need to move as a result of homelessness.</b>	
<b>Summary Guide of Criteria</b>	
Applicants in this band have reduced priority. <i>They are likely to wait longer for an offer and may be helped to find a home in the private rented sector.</i> Includes:	
<ul style="list-style-type: none"> <li>• Households who are accepted as homeless but do not meet the residency criteria (Reasonable Preference category s166A(3) (a))</li> <li>• Households found intentionally homeless (Reasonable preference category S166A(3)(a))</li> <li>• Households assessed as homeless but have no priority need (Reasonable preference category S166A(3)(a))</li> </ul>	

## **6. ASSESSMENT OF HOUSING NEED AND DETERMINING PRIORITY**

As the need for housing in Havering is very high and the supply of social housing available is only sufficient to meet a proportion of that need, we have to assess and determine which applications are considered to be in housing need.

When an applicant applies to join the Housing Register, we will ask them questions about where they are living, how big their current accommodation is, what facilities it has, any health problem or disability the applicant may have, whether their housing is making it worse, and any other reasons they may need to move. These questions help us assess whether the applicant has a housing need and what 'priority band' to place their application in.

The following paragraphs set out how the information we take into account in determining housing need priority.

### **6.1. MEDICAL GROUNDS**

A medical assessment does not examine how severe an applicant's medical condition or disability is. It looks at how their current accommodation affects the health or disability of a household member. The assessment is based on whether the applicant's health or a member of their household's health would improve by moving to alternative accommodation.

Therefore, medical priority will be awarded according to the extent to which the health or welfare of one or more members of the applicant's household is affected by their housing conditions and the expected benefits of providing suitable alternative settled housing.

Applicants will complete a Medical Assessment Form to provide details of the medical condition and other supporting information. If additional information is required before a decision can be made, this will be obtained at the cost to the Council.

Applications for medical priority will be considered by the Housing Assessment Officers using information supplied by the applicant and as a result of further necessary enquiries. They will assess the extent to which the applicant's health is affected by their housing conditions and the expected benefits of providing suitable alternative housing. In some cases the application may be referred to the Council's Medical Advisor or Occupational Therapy team depending on what you have put in your application for assessment.

Extra information may be sought from landlords, housing officers, doctors, occupational therapists, health visitors and other parties.

#### **Mental Health**

Applicants purporting to have a severe and enduring mental illness will need to demonstrate that they are or have recently used Havering Mental Health Services. Their current accommodation should be presenting an evidenced high risk to their mental wellbeing. This can be evidenced by:

- People, requiring urgent/same day assistance such as those at risk of hospital admission whose present accommodation is detrimental to their mental wellbeing and/or physical/emotional/psychological needs or who pose an immediate risk/danger to themselves/others/carers;
- People who are in a crisis situation are highly vulnerable in mental health terms and for example are being discharged from hospital where their home is not suitable for them to return to.
- People experiencing repeated admissions to hospital as a direct result of their current accommodation being detrimental to their mental wellbeing;
- People currently residing in a supported housing/supported lodgings placement, or other residential setting, including mental health in-patient rehabilitation services.
- Applicant households with children receiving intervention from Council's Children Services or a looked after child in the household, where current accommodation has a significant impact on mental wellbeing and or family functioning.

Depending on the circumstance medical priority can be awarded under the Emergency Rehousing or Homeseeker Bands.

#### Emergency Rehousing Band

Applicants who have an urgent need to move because they have a critical medical condition or very serious disability that is being made much worse by their current housing will be placed in the Emergency Rehousing Band.

Although each application for medical priority is assessed on its individual merits, below are examples of the type of situation in which an applicant may be assessed as having a critical medical and therefore awarded Emergency Rehousing Band. This is because it is considered that the applicant or a member of the applicant's household has a life threatening condition that is seriously affected by their housing OR the applicant's current housing conditions are having a major adverse effect on the medical condition of the applicant or a member of the applicant's household. Examples include:

- The applicant's life is at risk
- The applicant medical condition is expected to become terminal within a period of 12 months and re-housing is needed to provide a basis for the provision of suitable care
- The applicant is housebound, or unable to go out without help, and moving to alternative accommodation would allow you to go out
- The applicant re unable to move around their current accommodation, and cannot access kitchen or bathing facilities
- The applicant has a terminal illness and alternative accommodation would allow for suitable care to be provided
- The applicant has a severe medical condition which is exacerbated by poor housing conditions, and their accommodation cannot be repaired within the next six months
- The applicant has a medical condition that reduces their ability to resist infection( such as TB or AIDS), and they are overcrowded

- The applicant is in hospital or residential care and cannot be discharged because their current accommodation is unsuitable for their needs, following an accident or illness.

Home-seeker Band

If we agree that the applicant needs to move because the current accommodation is having a moderate or variable adverse effect on the medical condition of the applicant or a member of the applicant's household, the application will be placed in the Home-seeker Band. Examples of this would be:

- The accommodation directly contributes to their medical condition , an example can be where the applicant has a severe chest condition that requires intermittent hospitalisation as a result of chronic dampness in their accommodation
- The applicant's child has a severe condition (e.g. cerebral palsy) and their long term needs cannot be met in their current accommodation
- A member of the applicant's household is disabled or has restricted mobility and they need to move into housing that is suitable for their needs
- A member of the household is severely disabled and needs substantial adaptations to help meet their needs, but they cannot be carried out in the applicant's current accommodation
- The applicant has a terminal illness or long term debilitating condition and their quality of life would significantly improve if they moved to alternative accommodation
- The applicant has a mental health problem which would significantly improve if they moved to alternative accommodation

If we agree that the applicant has a medical condition but that this is not being significantly worsened by their current housing, no medical priority will be awarded and their application will not be placed on the Housing Register.

Medical priority may also be awarded if the applicant is asking to be rehoused so they can receive care or specialist support.

Accepted homeless applicants in temporary accommodation which is detrimental to their health will be assisted by being transferred to more suitable temporary accommodation in order to have a positive effect on their health.

The table below is used as a guide to medical priority:

MEDICAL PROBLEM	EFFECT OF CURRENT HOUSING ON APPLICANT'S HEALTH		
	Severe 1	Moderate 2	Low 4
Serious	Emergency Rehousing Band	Home-seeker Band	No medical priority
Moderate	Home-seeker Band	Home-seeker Band	No medical priority

### Request for separate bedrooms

- Where a 24 hour carer is required where the level of functioning has been assessed and funding agreed.
- Specialist equipment is required in the bedroom and this is impossible due to the lack of space.
- The management of a person with behaviour problems, due to a recognised medical condition where there is a confirmed diagnosis, is made more difficult due to the present accommodation, such as a child with ADHD, Autism or similar requiring their own bedroom. The criteria is as follows: where a child has a confirmed diagnosis of ADHD or Autism and their behaviour is such that another person within the family would be at risk if a bedroom was shared and there are no other arrangements that can be reasonably made within the accommodation.

## **6.2. HARDSHIP AND WELFARE GROUNDS**

Priority can be awarded under two headings for hardship or welfare reasons based on individual circumstances.

### Emergency Rehousing Band

Emergency Rehousing Priority will be awarded to applicants needing to move on welfare grounds in the following circumstances:

#### **6.2.1. Leaving Care**

If a young person has been looked after by Havering Council and they are ready to move into their own accommodation, they may be considered for housing on welfare grounds. This includes those placed out of the Borough. To qualify, the young person must have been a relevant child under the Children (Leaving Care) Act 2000, which means she/he would have been looked after by the Council for a certain period of time and have had a pathway plan drawn up.

In most cases young people leaving care will be ready to move into independent living with the support of Children Services. If the young person is ready to move-on and has developed the required life skills, such as managing a budget, cooking, cleaning, the Council will support her or him to find suitable private rented accommodation.

However, some young people are more vulnerable than others when leaving care and accommodation in the private rented sector would have a detrimental effect on their transition to independent living. Such applications will be considered by a Panel, (Care Leavers Panel), who will determine whether to award priority for social housing.

The Care Leavers Panel will consist of senior officers from Housing Services and Children Services. The panel assesses each referral individually to ensure the needs of any particularly vulnerable or at risk young person is addressed.

To be considered for social housing, the care leaver must meet one or more of the following criteria:

- Young person who has been a relevant child under the Children Leaving Care Act 2000, which means you have been looked after by Havering Council for a certain period of time and have had a pathway plan.
- Young people with moderate learning difficulties or disability, or those who are subject to a statement of educational needs or a psychological assessment.
- Young people with significant mental health issues – who have had involvement with Mental Health Team for a period of three months or longer and are continuing to receive treatment.
- Young people with complex needs placed in high cost placements where they no longer require that degree of support.
- Young people with significant offending behaviour, which limits access to other types of suitable accommodation.
- Young people leaving care who are also parents and also meet one other criteria listed (e.g. they or their baby are especially vulnerable).
- Those with other mitigating circumstances.

We will work together with social services and other agencies looking at supply and demand to identify clients currently in supported housing who are ready for independent living.

### **6.2.2. Move-on from specialist or supported accommodation**

In collaboration with Social Services and other agencies, residents placed in supported housing who are ready for independent living will be considered for move-on accommodation. This includes people in institutional care, for example, group homes and other forms of supported housing to help them achieve independence.

Applicants referred for move-on to independent accommodation will be considered for the full range of provision available, including private sector accommodation to meet their housing need. Only cases with a demonstrable need for long term settled accommodation will be prioritised for social housing. The referral will explain the current living arrangements and the impact it is having on the individual's transition to independence.

Move-on from specialist or supported accommodation relates to people receiving social care services for:

- a mental health problem
- a physical disability
- learning disabilities

### **6.2.3. Management transfer**

A management transfer will be considered for an existing social tenant where there is demonstrable evidence to support imminent personal risk to the tenant or their family as a result of violence or harassment if they remain in the property. The transfer will only be approved where the Council is satisfied that all other ways of resolving the problem have been exhausted and that it would not be reasonable to expect the tenant to continue living in their home.



The size of the accommodation offered will be the same as their previous tenancy, or a size that meets their needs under the terms of this policy, whichever is smaller.

#### **6.2.4. Reciprocal agreement**

Other housing associations and local authorities sometimes request rehousing on a reciprocal basis. The following criteria will be applied:

- The nominated person would be at risk in their present property, and
- The referring organisation is unable to intervene to mitigate the risk or to house the nominated people themselves.

Once accepted for housing, assistance will be on the following basis:

- Havering Council will have nomination rights to the resulting vacancy or another property of similar type or size;
- The application will be placed in the Emergency Rehousing Band as an exceptional case and be made one reasonable offer;
- The accommodation will be of a similar size and type to that occupied at present;
- The offer of accommodation will be at a safe distance to the present accommodation.

#### **Home-seeker Band**

Home-seeker Band Priority will be awarded to applicants needing to move on welfare grounds in the following circumstances:

#### **6.2.5 Foster carers and adoptive parents**

If the applicant is registered as a foster carer or an adoptive parent with Havering Council and they need to move to larger accommodation in order to accommodate a child looked after by Havering Council or a child who was previously looked after by Havering Council.

#### **6.2.6. Need to move to receive or provide care**

If an applicant needs to move to receive or provide care and support that is substantial and on-going and where not doing so would cause hardship.

People approved under the Right to Move Scheme will be covered within this provision.

### **6.3. HOMELESS HOUSEHOLDS**

This applies to people who are homeless within the meaning of Part 7 of the 1996 Act (amended by the Homelessness Act 2002).

The Council's first priority is to prevent people from becoming homeless by helping them to remain in their current accommodation or facilitate a move to alternative private rented accommodation. Where the Council believes that potential applicants are able to access market housing, such as private rented or low cost home ownership, the Council will provide advice as necessary.

The Localism Act 2011 has given local authorities the power to discharge duty to homeless households into the private sector and outside of local boundaries where possible. Therefore, the Council will use suitable and affordable private rented sector to discharge its homelessness duty. This will apply to homeless applicants who applied after 9<sup>th</sup> November 2012.

Where the Council has been unable to prevent homelessness and the main homelessness duty has been accepted, applicants will be placed in one of the following bands:-

#### Emergency Rehousing Band

##### **6.3.1. Applicants for whom Havering Council has accepted a rehousing duty under the homelessness legislation and are in severe need**

An 'accepted' homeless household will be regarded as being in 'severe need and may be placed in the Emergency Rehousing Band if any of the following situations applies to the applicant or a member of their household:

- They have a terminal or life-threatening illness
- They are permanent wheelchair users
- They are frail and elderly
- They have severe mental health problems and/or have been 'sectioned' under the Mental Health Act and have been unable (or are likely to be unable) to cope with living in temporary accommodation
- They have a critical medical or welfare need, including situations where there are critical safeguarding implications
- They are especially vulnerable and the Council is unable to provide them with suitable temporary accommodation.

##### **6.3.2. Make best use of resources through a 'move on' programme.**

This is when it is in the overriding interest of the Council to prioritise an allocation to an 'accepted' homeless household in order to make best use of Havering's resources as approved by Head of Housing Services.

##### **6.3.3. End of lease management.**

Where the landlord wants the temporary accommodation property back **AND** an 'accepted' homeless household have been in temporary accommodation for 3 years **AND** the Council cannot find alternative suitable temporary accommodation.

#### Home-seeker Band

##### **6.3.4. Applicants for whom Havering Council has accepted a rehousing duty under the homelessness legislation**

All homeless households for whom the Council has accepted a rehousing duty (which has not yet been discharged) under Part 7 of the Housing Act 1996 and meet Havering Council's 6 year residency criteria will be placed in the Home-seeker Band.

### Reduced Priority Band

#### **6.3.5. Other homeless households**

- All other homeless households for whom the Council has accepted a rehousing duty (which has not yet been discharged) under Part 7 of the Housing Act 1996 but do not meet Havering Council's 6 year residency qualification criteria.
- Other homeless applicants (including those who have no fixed address) or threatened with homelessness within 28 days who are not owed a rehousing duty under Part 7 of the Housing Act 1996 are still entitled to 'reasonable preference'. Therefore applicants who are not considered to be in priority need or found to have made themselves intentionally homeless will be placed in this priority band.

#### **6.4. OVERCROWDING**

When assessing overcrowding, the Council will only take into account those people who are part of an applicant's household.

If applicants need an extra room for medical reasons, they will instead be assessed for medical priority.

Where an applicant is pregnant and will be entitled to a larger property, priority will only be given for overcrowding when the baby is born.

Where the applicant is not the main person who cares for the children named on their housing application, the children may not be taken into account in the assessment of overcrowding.

The applicant's living room and kitchen will not be counted as bedrooms. However, if their accommodation has more than one living room, only one of the living rooms will be counted as a living room and the others will be counted as bedrooms.

If the applicant has a very small bedroom - less than 4.6 square meters (50 square feet) – it will not be taken into account when making the assessment.

Based on the level of overcrowding, the applicant will be placed in one of the following bands:-

#### Emergency Rehousing Band

If an inspection by Havering Council's Environmental Health Team has determined that an applicant is statutorily overcrowded at the dwelling.

#### **6.4.1. The statutory overcrowding standard**

There are two standards in Part X of the *1985 Housing Act*, (which have remained unchanged since 1935), that are used to assess whether a home is 'statutorily overcrowded.' If either or both of these standards are breached a dwelling will be statutorily overcrowded.

### ***The room standard***

Section 325 of the *Housing Act 1985* provides that there is overcrowding wherever there are so many people in a house that **any two or more of those persons, being ten or more years old, and of opposite sexes, not being persons living together as husband and wife, have to sleep in the same room.** For these purposes children under ten may be disregarded and **a room means any room normally used as either a bedroom or a living room.**

A kitchen can be considered to be a living room provided it is big enough to accommodate a bed. When interpreting this definition a local authority looks at how the sleeping arrangements within the premises *could* be organised rather than how they *are* actually organised. Thus, a couple, with two children of opposite sexes and aged ten years old or more, with two living rooms (e.g. bedrooms), are not statutorily overcrowded because the couple could occupy separate rooms, with one each of the children (of the appropriate sex). There is no limit on the number of people of the same sex who can live in the same room although there may be a contravention of the space standard (see below).

### ***The space standard***

This standard works by the calculating the permitted number of people for a dwelling in one of two ways. The lower number thus calculated is the permitted number for the dwelling. One test is based on the number of living rooms in the dwelling (disregarding rooms of less than 50 square feet):

- One room = two persons
- Two rooms = three persons
- Three rooms = five persons
- Four rooms = seven and a half persons
- Five rooms or more = ten persons plus two for each room in excess of five rooms.
- A child below the age of one does not count and a child between the age of one and ten counts as a half person.

The other test is based on floor areas of each room size:

- Less than 50 square feet = no one
- 50 to less than 70 square feet = half a person
- 70 to less than 90 square feet = one person
- 90 to less than 110 square feet = one and a half persons
- 110 square feet or larger = two persons.

*Extract from House of Commons Standard Note on Overcrowding SN/SP/1013  
published on 26 July 2011  
Home-seeker Band*

#### **6.4.2. Overcrowding based on bedroom standard**

If an applicant is living in overcrowded accommodation and needs more bedrooms than they currently have based on the bedroom standard, their application will be placed in the Home-seeker Band.

To work out if an applicant is overcrowded we will need details of the size of the rooms in their current accommodation. But, as a rule of thumb an applicant can work out how much space their household needs by applying the property criteria in Section 11.

Based on the level of overcrowding, they will be placed in one of the following bands:-

#### **6.5. HOUSEHOLDS LIVING IN UNSANITARY OR UNSATISFACTORY HOUSING CONDITIONS.**

Havering has a large private housing stock and the majority is in good condition. Some however, are in poor condition. We will not be able to offer alternative accommodation to everybody living in poor quality housing, and in fact most people prefer to carry out repairs to their current accommodation than to move.

Landlords are required by law to carry out repairs to their tenants' homes and to ensure they are safe and in a satisfactory condition. Sometimes tenants are worried that asking for work to be done will make the relationship with their landlord difficult and that they may be asked to leave. The Council will give advice about this and can offer help in working with the landlord.

The Council's aim is to ensure that repairs are carried out and that tenants can remain in their property. Wherever possible, any repairs problems identified in applications will be dealt with by working with the person with the responsibility to make sure that repairs are carried out. In limited circumstances, a household may be rehoused due to disrepair problems.

Any complaint about disrepair in homes managed by the Council or a Registered Provider must be reported to the Repairs Service of the applicant's landlord.

A tenant is living in unsanitary housing if their current accommodation does not have:

- a bathroom or a kitchen
- an inside toilet
- hot or cold running water

A tenant is living in unsatisfactory housing their current accommodation:

- does not have electricity
- does not have gas
- does not have adequate heating
- is in disrepair
- is unfit for human habitation

The condition of their current accommodation will be verified by a member of our Environmental Health Team and must have at least one category 1 hazard that cannot be resolved by your landlord within 6 months. Examples of where this would apply include where your current accommodation:

- Has severe damp,
- Has a major structural defect including subsidence, flooding, collapsed roof

- has been issued with a notice of statutory nuisance by an environmental health officer
- Has been declared unfit for human habitation and is due to be demolished under the Housing Act 2004

Following inspection by the Environmental Health Team and based on their assessment, the application will be placed in one of the following priority bands:-

Emergency Rehousing Band

If the applicant lives in private sector accommodation that is unsanitary or unsatisfactory and it poses a severe on-going and serious threat to their health.

Home-seeker Band

If an applicant lives in private sector accommodation that is unsanitary or unsatisfactory that has an on-going moderate effect on their health, but does not pose an on-going and serious threat to their health.

If an applicant applies for housing and they are assessed as having a housing need as above due to the condition of their current accommodation, their application will be reassessed once any repairs have been carried out. The application will then be placed in the appropriate band, or cancelled if they are assessed as no longer having a housing need.

If an applicant's current accommodation only requires minor repairs we will provide advice about how they can work with their landlord, but we will not assess their application as having a housing need and we will not place your application on the Housing Register.

**6.6. RELEASE OF ADAPTED PROPERTY**

We have a small number of properties that are specifically adapted for disabled people. These properties are in short supply and we want to make sure they are given to people who really need them. We want to encourage council tenants who are currently living in adapted accommodation but no longer need it to move to suitable non-adapted accommodation. The application will be placed in the emergency Rehousing Band.

**6.7. DECANTS - MAJOR WORKS TO EXISTING SOCIAL HOUSING PROPERTIES**

Decants occur when the Council has decided that a transfer to alternative accommodation offers the best way of ensuring that development, modernisation, conversion or essential repair works go ahead without causing huge disruption or hardship to the tenants.

When reaching a decision on whether or not a tenant should be offered another property, the Council will consider the likely impact of the planned repairs and improvements and whether they will be so disruptive that it would be unreasonable to expect the tenant to remain in the property while the works are carried out.

It will also be considered whether or not, for technical or safety reasons, it is feasible for the tenant to remain in their home while the works are carried out around them.

For the tenant to be awarded decant priority, the Council will need to be satisfied that the work is so disruptive that it cannot be completed with the tenants remaining in occupation and either:

- The work is likely to take more than 3 months to complete; or
- The health of the tenant or a member of their household will be severely affected if they have to leave their home and then move back again at a later date.

### **Temporary decant**

If the work is estimated to take less than three months but cannot be completed with the tenants in occupation, the tenant will be expected to move into temporary accommodation and to return to their permanent home after the work has been completed.

In the event of the tenant refusing a reasonable offer of temporary accommodation, their decant priority will be removed and possession proceedings will be commenced.

If the work is estimated to take less than three months but then runs on for longer, the tenant will be awarded permanent decant priority.

### **Permanent decant**

If the work is likely to take more than 3 months to complete and/or it would not be reasonable for the tenant to have to leave their home and then move back again at a later date, the tenant may be awarded priority for a transfer to suitable alternative accommodation.

If a tenant does not want to be permanently decanted to alternative accommodation, they have the right to return to their existing home.

### **Decant Moves (for redevelopment/regeneration)**

Tenants that need to be decanted from their homes on a permanent basis as a result of redevelopment or regeneration will be moved in a planned way. Each redevelopment/regeneration scheme will be subject to consultation, equalities impact assessment and approval by Cabinet.

Once decant status is authorised tenants will be placed the Emergency Rehousing Band on a phased basis to bid for an alternative home. If the tenant has not bid for and been offered accommodation within twelve months prior to the Council requiring vacant possession, the Council will reserve the right to make a direct offer of accommodation to the tenant. If this offer is refused a further offer of accommodation will only be considered in exceptional circumstances and if none exist the Council may decide to take possession proceedings.

Under this allocations policy, existing secure tenants whose homes are due to be demolished will have priority for the new replacement homes being provided on their estate in accordance with the provisions agreed for each estate, before they are made available to any other applicants.

Note: This does not apply to PSL tenants

## **6.8. UNDER-OCCUPYING SOCIAL HOUSING TENANTS**

We know there are quite a lot of family sized social homes only occupied by one or two people. While council tenants have the right to continue to live in a property even if it is too large for them, we want to encourage people to move, to make these homes available to younger families who need somewhere to bring up their children. For older under-occupiers, we also encourage you to move to somewhere which will suit your needs for the longer term.

We want to encourage council and housing association tenants who are currently under-occupying a family sized homes, particularly those affected by the introduction of reductions in housing benefit for working age social tenants under-occupying, to move into smaller accommodation.

If an applicant is a council or housing association tenant who is under-occupying by one or more bedrooms and they are willing to move to a property with fewer bedrooms we will accept their application.

## **6.9. SERVICE TENANTS - IN TIED ACCOMMODATION WHERE THERE IS A CONTRACTUAL OBLIGATION**

Employees of Havering Council who have a service tenancy associated with their employment may be re-housed in the following circumstances where the council has a contractual obligation to do so:

- on retirement
- redundancy or
- the council is changing the terms of their employment
- the property is due to be sold and/or demolished or have extensive works completed or refurbishment or conversion work is necessary which means they need to move out either permanently or temporarily whilst the works are completed.

## **6.10. SUCCESSION RIGHTS WHERE A PROPERTY IS NOT SUITABLE**

Where a person lives in a Havering Council property and has the right of succession following the death of the tenant, but the property is:

- Too large
- Has adaptations that you do not require and/or
- There is an age restriction which renders them ineligible to hold the tenancy of the property.

If an 'under age' spouse living in sheltered accommodation succeeds the tenancy on the death of the tenant, they must agree to move to non sheltered accommodation.

In exceptional circumstances, and at least where one other statutory agency agrees, the Head of Housing Services may decide that there are good reasons to grant a tenancy of the property currently occupied.

## **6.11. COUNCIL TENANTS WITH A FIXED TERM TENANCY COMING TO AN END**

Applies where the Council has decided not to grant a new tenancy of the tenant's current home but has decided to grant a tenancy of an alternative accommodation.



## **6.12. HOUSING FOR OLDER PEOPLE**

In Havering, there are 2 types of supported housing for older people – Sheltered and Extra Care Accommodation. The main difference between them being the facilities and the level of support provided:

### **Sheltered housing schemes**

For people who require a medium or high level of support due to frailty, ill-health or restricted mobility. Communal facilities include a lounge and laundry, and a dedicated scheme manager provides residents with advice and support.

In order to be eligible for these schemes applicants must meet all of the following criteria:

- 60 years and over; or
- Aged 55 to 59 years and in receipt of Personal Independence payments
- Single or joint applicants with no children
- In need of the housing support provided by the scheme

In addition, applications may be considered from owner-occupiers aged over 60 and who have been assessed as being unable to meet their housing needs from their own resources (asset rich, cash poor). The Council can assist by offering supported accommodation on the basis that the owner agrees to lease their property to the Council to be used as temporary accommodation.

Applicants will be visited and assessed to ensure that they can live independently (with a care package, if required).

If the applicant's accommodation and support needs are considered too high for sheltered accommodation, the application will be referred for consideration for Extra Care Accommodation (see section 24.3)

### **Transfer within Sheltered housing**

Where an applicant lives in Council owned sheltered accommodation, on the first or higher floor without a lift, priority can be awarded to facilitate a move to the ground floor due to medical needs.

The assessment is carried out by the Housing Assessment Team, in conjunction with information provided by the Scheme Sheltered Housing Officer and any medical information provided by the applicant. The decision to award the priority is made by the Housing Register Manager.

Applicants should identify why they need to move to a lower level – this will typically be as a result of deteriorating health and mobility issues. Where an urgent move is necessary, a medical assessment will be carried out in line with the criteria for Medical Priority.

### **6.13. PEOPLE LIVING IN MOBILE HOMES, HOUSEBOATS OR CARAVANS**

People living in a caravan, mobile home or houseboat will not qualify for inclusion on the Housing Register if there is no other housing need, reflecting parity with other private sector applicants.

### **6.14. EXCEPTIONAL CIRCUMSTANCES**

If having gone through all the different housing need categories an applicant does not believe that any of the categories apply to them, but they still believe that they should have an identified housing need, we will consider an application. If an applicant does not have any needs, we will not register them, but if they have an exceptional need that is not covered by this policy, the Head of Housing Services has the authority to award priority for housing where the application merits it.

## **7. DETERMINING 'EFFECTIVE DATE'.**

The 'effective date' of application is the date we will use when ranking the applicant's priority for housing. This will be used to compare the applicant's bid through Havering Council's Choice Homes choice-based lettings scheme against other bids.

The 'effective date' is the date that the applicant joined the Housing Register once they are approved.

If the application is re-assessed and the applicant achieves the Community Contribution Reward, they will be given a new effective date to reflect the date that they were given the Community Contribution Reward. This date will continue if the applicant successfully reapplies for a Community Contribution Reward. However, should the application be re-assessed and the applicant qualifies for Homeseeker only, the date will revert back to effective date the applicant had before being given the Community Contribution Reward. The applicant has a right to an appeal if they disagree with the changes made to their effective date.

## **8. COMMUNITY CONTRIBUTION REWARD: HOW PRIORITY IS AWARDED**

### **Community Contribution**

The Council believes that people who make a community contribution should have greater priority for accommodation allocated by the Council than those who do not. The Community Contribution priority scheme is a Havering Council policy which gives an applicant increased priority for housing.

An applicant can apply for a Community Contribution Reward when they make their application to join the Housing Register or at any time once they have been placed in the Homeseeker Band on the Housing Register including the 6 year residency. It will be their responsibility to apply for the reward and to provide proof to demonstrate that they meet the qualification criteria. Please refer to the table below.

A Community Contribution Reward will give you a priority over those in the Homeseeker Band without the Community Contribution Reward and those in the Reduced Priority Band when you come to bid for a property. You will be rewarded with the Community

Contribution Reward for 12 months. After 12 months, you will automatically join or rejoin the Homeseeker Band unless you successfully apply for another Community Contribution Reward before the end of the 12 months.

The Community Contribution Reward will only be given to applicants who also meet the Housing Register qualification criteria. Verification will be sought at point of application as well as point of offer under the same terms. These applicants can access increased priority for housing in the following eight ways:

## **Community Contribution Reward 1**

### **Reason 1: Working Households**

This policy aims to support the economic growth of Havering. We want to encourage people, who can, to work and want to raise levels of aspiration and ambition. We will offer increased priority to applicants who are working but are on a low income and might therefore find difficulty in accessing outright home ownership or low cost home ownership. Applicants who have reasonable preference can receive increased priority by virtue of their "working" status.

### **Definition of Working Households**

Households where the applicant or their partner is in employment.

For the purposes of this Allocations Scheme employment is described as having a written contract. Employment is defined as having a permanent contract, working as a temporary member of staff or being self-employed. It does not include employment on a casual basis.

- Applicants will qualify if the worker has worked for at least 16 hours per week for 6 out of the last 12 month.
- Applicants aged 70 years or above who work for at least 5 hours per week for 6 out of the last 12 months.
- Applicants who are on maternity leave or paternity leave but remain in employment can also qualify for this award.
- An applicant who is self-employed and can demonstrate that they have been so for at least 12 months the applicant must provide proof of their self-employed status.

Where an applicant loses employment they will no longer qualify for the Reward.

However, if further employment is gained within the next 6 months, the application can be reinstated with no loss of accrued waiting time.

### **Evidence required for working households**

Applicants must provide contract of employment, payslips, last P60, bank statements or a verifying letter on headed paper in order to qualify.

The Council will usually consider as satisfactory evidence a minimum of 12 months continuous documented tax returns containing reference to the self-employed activity. In case of maternity leave, we will need written evidence of statutory maternity pay.

## **Reason 2: Ex-Services Personnel**

The sole or one of the joint applicants who have served in the British Armed Forces at any time in the two years prior to making an application or are close to leaving at present will qualify for a community contribution award automatically, with the exception of those who have been dishonorably discharged. This includes people who have served in the Royal Navy, Royal Air Force and British Army.

### **Evidence required for ex-services personnel**

Original Certificate of Cessation of Entitlement to Occupy Service Living Accommodation will need to be provided.

Service with the armed forces will be confirmed with the Royal British Legion.

## **Reason 3: Downsizing due to welfare reform**

If the applicant is a Havering Council tenant holding a secure tenancy who wishes to move to a property with fewer bedrooms because they otherwise would be liable for part of their rent under the size criteria for housing benefit/universal credit.

Note: This does not apply to Private Sector Leased (PSL) tenants

### **Evidence required for downsizing due to welfare reform**

Confirmation of receipt of discretionary housing benefit payment.

## **Community Contribution Reward 2**

### **Reason 4: Foster carers and adoptive parents**

We recognise foster carers and adoptive parents are making a special contribution to our communities.

If an applicant makes a sole or joint application and has been accepted and registered as a foster carer or adoptive parent by Havering Council and they need larger accommodation to accommodate a child that is being looked after, (or has been looked after) by Havering Council, they will qualify for increased priority.

### **Evidence required for foster carers and adoptive parents**

A letter from Havering Council's Children and Young Adult Service stating that the applicant(s) will be accepted as a foster carer(s) or adoptive parent(s) and will only be able to adopt or foster a child (and or children) if they move to another property.

## **Reason 5: Volunteering**

The sole or one of the joint applicants is currently volunteering within Havering for at least 16 hours per week. Volunteers must have been volunteering for a continuous period of at least 6 months up to the point of application and continuously until the point of offer.

If the sole or one of the joint applicants is aged 70 years or above the time requirement is 5 hours per week for a continuous period of at least 6 months up to the point of application and continuously until the point of offer.

Volunteering must be for a not-for profit organisation that is recognised by the Council, or a charity that is registered with the Charity Commission or Havering Volunteer Centre (HAVCO) or is funded by the Council.

#### **Evidence required for voluntary work**

A letter on the organisation's headed paper from the manager responsible for volunteers confirming the applicant's involvement and the hours volunteered. This person must not be related to the applicant in any way.

#### **Reason 6: Carers**

An applicant who is providing full time care,(minimum of 35 hours per week), to an elderly person or disabled child and is in receipt of full carers' allowance, (except where carers' allowance is not payable because of the age of the carer or other benefit restriction, in which case, evidence will be required to prove the applicant's status).

#### **Evidence required for voluntary work**

Confirmation of receipt of carers' allowance or other evidence from a statutory agency.

#### **Reason 7: Downsizing**

- The applicant is a Havering Council tenant holding a secure tenancy who wishes to move to a property with fewer bedrooms.

Note: This does not apply to Private Sector Leased (PSL) tenants

*or*

- the applicant is a housing association tenant living in Havering who wishes to move to a property with fewer bedrooms

*or*

- the applicant is a housing association tenant not living in Havering who wishes to move to a property with fewer bedrooms *and Havering Council has a pre-existing nomination agreement with your landlord that enables the Council to nominate to your property if and when you move out. NOTE: So long as Havering Council has a pre-existing agreement to nominate someone to your property, you do not need to meet the residency in Havering qualification criterion to join the Housing Register and be given the Community Contribution Reward. Should you no longer need to downsize, the residency qualification criterion will apply again and you will not be able to stay on the Housing Register.*

#### **Reason 8: Disabled Households**

A disabled applicant under retiring age who has been assessed as eligible for the support element of Employment and Support Allowance due to a permanent disability which prevents them from participating in work related activities.

#### **Evidence required for disabled households**

A letter from Department of Work and Pensions confirming receipt of Employment and Support Allowance.

## 8.1: SUMMARY GUIDE OF THE COMMUNITY CONTRIBUTION REWARD

Community Contribution Reward 1	Definition	Verification – evidence you will need to provide as part of your application for Community Contribution Reward
<b>Working households</b>	<p>The sole or one of the joint applicants:</p> <ul style="list-style-type: none"> <li>• Works at least 16 hours per week for 6 out of the last 12 months.</li> <li>• For those aged 70+ years, works at least 5 hours per week for 6 out of the last 12 months.</li> <li>• Has a permanent contract, temporary contract, or</li> <li>• Is self-employed and can demonstrate that they have been for at least 12 months.</li> </ul> <p><b>Breaks in employment</b></p> <p>Where an applicant loses employment they will no longer qualify for the Reward.</p> <p>However, we recognise that in the current economic climate, people can lose their job from time-to-time. If further employment is gained within the next 6 months, the application can be reinstated with no loss of accrued waiting time</p> <p><b>Pregnancy and maternity/paternity leave</b></p> <ul style="list-style-type: none"> <li>• Applicants who are on maternity leave or paternity leave but remain in employment can also qualify for this award.</li> </ul>	<p>Original contract of employment, payslips, P60, bank statements or a verifying letter on headed paper, or can prove that you are registered at Company House in order to qualify.</p> <p>If the applicant is self-employed, we will need to see a minimum of 12 months continuous documented tax returns containing reference to the self-employed activity.</p> <p>In the case of pregnancy and maternity, we will need written evidence of statutory maternity pay.</p>

<b>Ex-services personnel</b>	<p>The sole or one of the joint applicants:</p> <ul style="list-style-type: none"> <li>• Who have served in the British Armed Forces at any time in the two years prior to making an application or</li> <li>• Are close to leaving at present and</li> <li>• Was not dishonorably discharged.</li> </ul> <p>This includes people who have served in the Royal Navy, Royal Air Force and British Army.</p>	<p>Original Certificate of Cessation of Entitlement to Occupy Service Living Accommodation will need to be provided.</p> <p>Service with the armed forces will be confirmed with the Royal British Legion.</p>
<b>Downsizing due to welfare reform</b>	<ul style="list-style-type: none"> <li>• The applicant is a Havering Council tenant holding a secure tenancy who wishes to move to a property with fewer bedrooms because otherwise you would be liable for part of your rent under the size criteria for housing benefit/universal credit.</li> </ul>	<p>Confirmation of receipt of discretionary housing benefit payment.</p>
<b>Community Contribution 2</b>	<b>Definition</b>	<b>Verification – evidence you will need to provide as part of your application for Community Contribution Reward</b>
<b>Fostering or Adopting</b>	<p>Applicants living in Havering Borough who would like to foster or adopt a child (and or more children) but are unable to as they currently live in an inappropriate property. The property must be considered inappropriate either due to the property size or the tenure type. The applicant must have the support of Havering Council's Children and Young Adult Service and they must confirm that your current home is barring you from adopting or fostering a child (and or more children).</p>	<p>A letter from Havering Council's Children and Young Adult Service stating that the applicant(s) will be accepted as a foster carer(s) or adoptive parent(s) and will only be able to adopt or foster a child (and or children) if they move to another property.</p>
<b>Volunteering</b>	<p>The sole applicant or one of the joint applicants volunteers:</p>	<p>An original letter on the organisation's headed paper from the manager responsible for volunteers</p>

	<ul style="list-style-type: none"> <li>• For a minimum of 16 hours a week</li> <li>• For those aged 70+ years, for a minimum of 5 hours a week</li> <li>• For a not for profit organisation or group, including a charity, or community or faith group recognised by Havering Council's Active Living programme <b>or</b> registered as a charity with a premises in Havering <b>or</b> registered with Havering Volunteer Centre (Havco).</li> <li>• For a continuous period of at least 6 months up to the point of application and continuously until the point of offer.</li> <li>• Within the London Borough of Havering.</li> </ul>	confirming the applicant's involvement in the minimum hours per month of voluntary work for the past 12 months. This person must not be related to the applicant in any way.
<b>Carers</b>	<p>An applicant who is:</p> <ul style="list-style-type: none"> <li>• Providing full time care (minimum of 35 hours per week) to an elderly person or disabled child and</li> <li>• Is in receipt of full carers' allowance</li> <li>• Where carers' allowance is not payable because of the age of the carer or other benefit restriction, evidence will be required to prove the applicant's status</li> </ul>	Confirmation of receipt of carers' allowance or other evidence from a statutory agency or relevant medical practitioners.
<b>Downsizing</b>	<ul style="list-style-type: none"> <li>• The applicant is a Havering Council tenant holding a secure tenancy who wishes to move to a property with fewer bedrooms. NOTE: this does not apply to Private Sector Leased (PSL) tenants, <b>or</b></li> <li>• The applicant is a housing association tenant living in Havering who wishes to move to a property with</li> </ul>	<p>A reference from the landlord (either the Council or a housing association) confirming that the applicant is living in a property that is too large for their needs.</p> <p>If you are a housing association tenant not living in Havering, we must have the association's agreement</p>



	<p>fewer bedrooms, <b>or</b></p> <ul style="list-style-type: none"> <li>The applicant is a housing association tenant not living in Havering who wishes to move to a property with fewer bedrooms and Havering Council can nominate someone to their current property if they move.</li> </ul> <p>If the applicant want to downsize you must move to a property with fewer bedrooms.</p>	that we can nominate to your property if you move.
<b>Disabled Households</b>	A disabled applicant under retiring age who has been assessed as eligible for the support element of Employment and Support Allowance due to a permanent disability which prevents them from participating in work related activities.	A letter from Department of Work and Pensions confirming receipt of Employment and Support Allowance.

## 9. STATEMENT ON CHOICE FOR APPLICANTS

We aim to maximise the choice of accommodation open to those wishing to rent a social or affordable home in Havering by operating a choice-based lettings system called Havering Council's Choice Homes.

All those who are registered on the waiting list will be able to 'bid' for the home they are interested in. The 'bidding' system does not involve a payment for a property – placing a bid merely indicates that an applicant would like to be considered for that property

Although there may be circumstances when an applicant will not be allowed to bid if we are making them assisted offers – see section 15 for more details.

## 10. CHOICE-BASED LETTINGS AND OFFERING YOU A HOME

### 10.1. How will we decide who is offered each property?

When a property becomes vacant we will do the following:

- (a) Check whether the property is suitable for someone who needs an assisted offer. If it is, we will offer the property directly to someone without advertising it through Choice Homes
- (b) If we do not need to give anyone an assisted offer of the property, we will advertise it through Havering Council's Choice Homes choice-based lettings system.

### 10.2. Advertising available homes

The majority of council and housing association rented homes to which the Council has nomination rights will be advertised on the internet at [www.ellcchoicetohomes.org.uk](http://www.ellcchoicetohomes.org.uk). The means of advertising properties may change from time-to-time.

The Council will label the advertised homes in a way that provides as much information as possible about the property and which applicants are eligible to express an interest.

Advertisements will include:

- a description of the home like the size, type of property, the floor level, the type of heating
- the rent and/or service charge
- special facilities or adaptations
- and any other relevant information

In the advertisement, the home will be labelled to show whether it is restricted to any particular group of applicants. In choosing which property to bid for, an applicant should look at the details as some properties advertised may have restrictions such as:

- Properties subject to a local lettings plan (see section 23.2)
- Properties subject to a sensitive let (See section 23.3)
- Properties adapted for disabled applicants (See section 24.1)
- Properties designated for people over a certain age e.g. older people accommodation or sheltered housing (See sections 24.2).
- Pets - whether pets are allowed.

### **10.3. Helping applicants to make successful bids**

To be considered for an available home, applicants must bid for the home by the publicised deadline and meet the labelling criteria.

Applicants will generally be able to make expressions of interest each advertising cycle. The bidding cycle will be weekly. In each bidding cycle, applicants will be able to express an interest in up to two properties for which they are eligible.

Support will be offered to applicants who require assistance in using the scheme.

Applicants will be able to place a bid for a property by several methods:

- By telephone
- By Smartphone app
- By using the website
- By text (using a mobile phone)

For applicants with support needs and unable to bid, Council staff can set an 'auto-bid' so that the system can place bids on your behalf for all properties that have the number of bedrooms that you require.

To help applicants:

- The system will tell that applicant at the time of bidding how many other people with a higher priority have bid for the same property
- The applicant can withdraw their bid at anytime during the bidding cycle

Bids are not prioritised on a first come first served basis. They are prioritised by band, firstly Emergency Rehousing, then Community Contribution Reward 1, then Community Contribution Reward 2, then Homeseeker and then Reduced priority with applicants having the longest waiting time coming first in the band.

### **10.4. Auto-bidding**

The auto-bid system can place an automatic bid on properties for applicants who are considered to be vulnerable and may not be able to bid themselves.

The applicant specifies the area and type of property they are interested in and staff can set up the bidding system to automatically place bids on up to 2 properties matching their description every week.

### **10.5. Can an applicant bid for a home that is smaller than they need?**

Sometimes people are so keen to move that they say they will accept a property with fewer bedrooms than they qualify for. We urge applicants to think very carefully about this.

If an applicant bids for a property that is smaller than they need, we will normally offer that property unless one of the following applies:

- the applicant would become statutorily overcrowded in the new property – this is because this is against the law
- the only reason we have accepted an applicant on the Housing Register is because their current home is too small and an applicant bids for a property that is the same size as the one they are currently living in.

If an applicant wishes to move to a home which is smaller than one they are entitled to and (having considered the issues listed above) we agree to the move, the applicant must confirm in writing that they are willing to accept the offer of accommodation.

When an applicant accepts an offer, their application on the Housing Register will be cancelled and they will not be able to re-apply simply because they are overcrowded, unless their circumstances change.

**11. BEDROOM SIZE ENTITLEMENT**

The size and type of property an applicant could have will depend on the size of their household.

There will be no difference between existing Havering Council tenants and new applicants.

The table below sets out which types of household would be suitable for which sizes of property.

Please note that where we refer to a child in the table below, this can be a son or daughter of any age.

<p><b>1 bedroom property or studio</b></p> <p>Single person or couple with no children</p>
<p><b>2 bedroom property</b></p> <p>Single person / couple with any of the following:</p> <ul style="list-style-type: none"> <li>• one child of any age</li> <li>• two children of different sexes where both are under 10 years</li> <li>• two children of same sex where both are under 16 years</li> <li>• one other person (not the lead tenant’s partner or child) or couple</li> </ul>
<p><b>3 bedroom property</b></p> <ul style="list-style-type: none"> <li>• Single person / couple with any of the following:</li> <li>• two children of different sexes, at least one of which is 10 years or over</li> <li>• two children of the same sex where one is 16 years old or over</li> <li>• three children of any sex or age</li> <li>• four children of the same sex</li> <li>• four children with 2 girls of any age and 2 boys of any age</li> <li>• four children with 3 of the same sex and one of the opposite sex, where one girl</li> </ul>

and one boy are both under 10 years

- one person (not the lead tenant's partner or child), with or without a partner plus one child, or two children of different sexes who are both under ten, or two children of the same sex regardless of age

#### ***4 bedroom property***

- Single / couple with any of the following:
- four children where the need for a 3 bedroom property does not apply
- five children of any sex or age
- six children of the same sex regardless of their age
- six children with five of the same sex and one of the opposite sex where there is one girl and one boy both aged under 10 years
- six children with four of the same sex, two of the opposite sex regardless of the age of the children
- six children with three girls and three boys where all the bedrooms available to the children can be shared by either a girl and boy under 10 years or the same sex children of any age can share
- one of the reasons for being eligible for a three bedroom property plus one person (not the lead tenant's partner or child), with or without a partner

#### ***5 bedroom property***

Single / couple with any of the following:

- six children where the rules for a 4 bedroom home do not apply
- seven children of any sex or age
- eight children all of the same sex
- seven of the same sex and one of the opposite sex where one girl and one boy are both under 10 years
- eight children with five of the same sex and three of the opposite sex, where all four bedrooms available for the children can be shared by either a girl and boy who are both under 10 years or two children of the same sex regardless of age
- eight children with four girls and four boys
- one of the reasons for being eligible for a four bedroom property plus one person (not the lead tenant's partner or child), with or without a partner

### **11.1. Shared care of children**

Council accommodation is a scarce resource, and therefore ensuring that properties are not being under occupied is important.

Where an applicant shares the care of children, such as; he/she does not live with the applicant 100% of the time), a calculation will be made to determine whether or not the children will be included in the household for the assessment of bedrooms.

### **Less than 50% shared care**

Where an applicant has shared care of one or more children, and that care is for less than 50% of the week, the child/children will not be included in the assessment for bedroom entitlement.

### **50% or more shared care**

Where an applicant has shared care of one or more children, and that care is for at least 50% of the week, the Council will further assess whether or not the child/children will be included in the assessment for bedroom entitlement.

The starting point will be to determine whether or not the Council is already adequately accommodating the child/children in another of its properties or if they are adequately housed in private accommodation. "Adequately accommodating" means that the child either has his/her own bedroom or is sharing appropriately in line with the Bedroom Standard.

Where the child/children are already adequately accommodated the applicant may bid for one extra bedroom only, regardless of the number of children. This will enable the child/children to stay over whilst still being principally housed with the other parent.

If it is established that the child/children are not already adequately housed the child/children can be counted as part of the bedroom entitlement.

In all cases, applicants will need to provide evidence of the shared care of any child/children. Acceptable evidence includes:

- A copy of the child's birth certificate **and**
- Evidence of parental responsibility for the child/children **and**
- Proof of a Court Order or written agreement by the sharing parent evidencing shared care **and** evidence of benefits received for the children e.g. Child Benefit or Child Tax Credits. It is expected that parents with shared care will also share any State Benefit provided for the child.

When assessing an application, officers will need to inspect original documentation relating to the residence of the children. It may be necessary to interview the applicants and make further enquiries with other agencies.

## **12. SHORTLISTING OF INTERESTED APPLICANTS**

Once the advert deadline has passed, a shortlist of applicants expressing an interest in the home will be produced from those who are eligible and meet the labelling criteria.

We will:

- a) look at all applicants who have bid for the property
- b) list all the bids in the following order:
  - first, bids from applicants with the Emergency Rehousing Band, in descending order of effective date, that is, the bid with the oldest effective date is listed first, then

- second, bids from other applicants in the Community Contribution Reward 1 in descending order of effective date, then
  - third, bids from applicants in the Community Contribution Reward 2 in descending order of effective date, then
  - fourth, bids from applicants in the Home-seeker Band in descending order of effective date, then
  - fifth, bids from applicants in the Reduced Priority Band in descending order of effective date
- c) offer the property to the bidder at the top of the list – so long as they are eligible for the size and type of property.

**To be absolutely clear, for each property advertised applicants with the Community Contribution Rewards 1 and 2 will always have a priority for housing over others in the Homeseeker Band without Community Contribution Reward unless no households with a Community Contribution Reward have bid for that property.**

### **13. MAKING OFFERS OF ACCOMMODATION**

#### ***If an applicant has bid for the property through Havering Council's Choice Homes choice-based lettings system***

If an applicant has been successful through Havering Council's Choice Homes and we wish to make an offer, we will contact the applicant by telephone to arrange for them to view the property. This will be followed by a formal offer letter. The applicant must let us know whether they are going to accept the offer on the day of viewing or by no later than 10.00am the following day.

#### ***If we are making an assisted offer (direct let) to an applicant***

We will contact the applicant by telephone giving you the details of the property that is being offered to you and making an arrangement for you to view it. This will be followed by a formal offer letter. You must let us know whether you are going to accept the offer on the day of the viewing or by no later than 10.00am the following day.

#### ***If an applicant has housing-related debts***

If an applicant owes any amount of rent arrears or other housing debts, they will not be made an offer of accommodation. This includes temporary accommodation arrears, former tenant's arrears, council tax arrears and the costs of any repairs that have been recharged to them for damage caused to a former social housing property.

We can make an exception for example if you pay your rent in arrears and only owe one month's rent.

We may also disregard the arrears or debt if there are exceptional circumstances (including but not limited to):

- There is a threat to the life of the applicant or a member of the household
- A social housing tenant who is under occupying, and finding it difficult to meet the rent payments due to reductions in housing benefit entitlement. We will expect

the tenant to agree a plan with the landlord to stop the arrears from increasing too quickly, and to be flexible about where they can move to.

- A private sector leased temporary accommodation tenant who is in employment and following a review of their circumstances, it is determined that the property is unaffordable.

If an applicant is made an offer with housing debts, they must make arrangements to maintain a clear rent account in future, including signing a direct debit mandate for paying your rent.

#### **14. TRANSFER INSPECTIONS**

Transferring tenants will be expected to give notice on their current tenancy and Havering council tenants will be required to pass a tenancy inspection before any new tenancy agreement is signed. Failure to pass the inspection will result in the offer being withdrawn.

Registered Provider tenants may also need to undergo an inspection and should advise their housing officer as soon as an offer is made.

#### **15. MULTIPLE VIEWING OF AVAILABLE PROPERTIES**

Following production of the shortlist, arrangements will be made by the relevant landlord (Havering Council or a Registered Provider), for the shortlisted applicants to see the property as soon as possible.

The Council will operate multiple viewing which means that a number of bidders will be invited to view the property at the same time. The number will be specified in the advert for the property.

Applicants must let us know before leaving the viewing whether or not they would accept the property if offered. If the applicant does not give us their decision during the viewing or do not come to the viewing, we will judge that they are no longer interested in the property or as a refusal.

Please note that when an applicant tells us they would accept the property it does not guarantee that we will offer them the property. We will offer the property to the highest ranking bidder among those who tell us before or at the viewing that they would accept the property if offered.

If no applicant accepts the property, we will make the offer to the eligible applicant who is highest in the bidding shortlist. The selected applicant will have up to 24 hours to make up their mind as to whether or not to accept the offer. In exceptional circumstances, this period of time may be increased.

During the viewing, applicants will be given further information about the property, the repairs to be carried out, the date when the property is expected to be available and any special conditions of tenancy.



## **16. ASSISTED BIDS - ALLOCATION OUTSIDE CHOICE BASED LETTINGS**

Most properties will be advertised through Havering Council's Choice Homes letting system. However in certain circumstances, the Council may allocate some properties through an assisted bid, which means that the Council will make a direct offer of that accommodation to someone who meets the requirement.

The list below gives some examples of where the Council might make an assisted bid (direct let). This list is not exhaustive:-

- Where a household urgently requires an adapted property
- Where vulnerable applicants are unable to participate effectively in the bidding system, or where they have specific accommodation needs.
- Where there is a recommendation from the police, social services or other professional agency for a specific type of accommodation to meet an individual need
- Where an applicant has been unfairly bypassed for a property.
- Where a household have succeeded to a tenancy but are under-occupying or do not need adaptations or specialised accommodation.
- Where a management transfer has been agreed. The size of the accommodation will be the same as their previous tenancy, or a size that meets their needs under the terms of this policy, whichever is smaller.
- Where a reciprocal arrangement has been agreed.
- Service tenancies
- Where an applicant needs to move immediately, for example, tenants being decanted to enable a major repair to the property to be carried out.
- Where a homeless household where the lease on their temporary accommodation has ended has failed to bid successfully and there is no alternative accommodation.
- Where it is in the overriding interests of the Council to prioritise an allocation of housing to a particular household as approved by the Head of Housing.
- Where no successful bids are received for an advertised property.
- Where service tenants entitled to re-housing have not bid successfully for a suitable home by the time they are required to leave their accommodation.
- Where special allocation arrangements through local lettings plan on new developments are in place in order to achieve a balanced community.
- Extra care housing

## **17. HOW MANY OFFERS AM I ENTITLED TO?**

All applicants are entitled to receive one offer of housing under this scheme. The majority of applicants we are able to make offers to have significant housing needs and must move urgently and we will therefore only make one offer of housing to all applicants.

## **18. SITUATIONS WHERE AN OFFER MAY BE WITHDRAWN.**

Written offer of accommodation can only be withdrawn from an applicant (before the tenancy agreement is signed) where one or more of the following situations applies:

### **18.1. Unacceptable behaviour**

We may withdraw an offer if at the point of offer we discover that:

- the applicant or others on their housing application are, or have been, guilty of unacceptable behaviour,
- and**
- the unacceptable behaviour is of a type and severity that would have entitled the Council to have obtained a possession order had we been the landlord.

### **18.2. Breaches of tenancy**

We may withdraw an offer if at the point of offer we discover that an applicant has breached a tenancy with the Council or another landlord owing through:

- fraudulent behaviour
- causing serious damage to property.

### **18.3. Fraudulently obtained tenancies**

We may withdraw an offer if at the point of offer we discover that an applicant has previously gained a tenancy, or attempted to do so, by means of:

- knowingly or recklessly giving false information in respect of any matter relating to their application
- withholding information or failing to notify us of any changes in their circumstances may affect their eligibility, qualification and/or priority for housing.

### **18.4. Incorrect offer**

The property details available at the time that the written offer was made were incorrect and it was subsequently discovered that the size and type of the property did not, in fact, match the applicant's needs.

**18.5.** The appropriate Officer decides that, taking all factors into account, the property should not have been offered to the applicant.

## **19. WHAT HAPPENS IF AN APPLICANT REFUSES AN OFFER OR DOES NOT TURN UP TO VIEW THE PROPERTY?**

There is very high demand for council and housing association properties in Havering. If an applicant does not turn up to view a property without telling us beforehand, we will assume that they have refused the property.

When an applicant has been made an offer, they will be asked to view the property and then to sign the tenancy agreement. If they do not consider the property is suitable for themselves or their household, they will be asked to complete a form setting out their reasons for refusing the offer. Please note that an applicant can ask for a review of the suitability of the accommodation offered regardless of whether they accept the offer or not.

If an applicant refuses an offer of social housing, they must explain why they are refusing it. We will consider their reasons for refusing the property offered and will either

confirm the offer was reasonable or that the offer was unreasonable. If the offer is unreasonable the applicant will be entitled to a further offer.

If we look again and decide that it was a reasonable offer of suitable accommodation, depending on the applicant's circumstances, the Council's rehousing duty will end or their application will be cancelled and the applicant will be disqualified from reapplying for housing for 12 months.

### **19.1. Refusing an offer on the grounds of its condition**

- Social landlords are required to maintain their properties to at least the decent homes standard, and most will ensure that any vacant property is refurbished to a certain "lettable" standard before it is offered to an applicant. We will not consider it reasonable to refuse an offer if the property meets the decent homes standard and meets the council's or housing association's lettable standard unless there are exceptional circumstances.

### **19.2. Refusing an offer on the grounds of the rent charged**

- Social housing rents are considerably cheaper than market rents. Social housing "target" rents are around half the equivalent market rent, and new affordable rents are at least 20% cheaper than the equivalent market rents. We will not consider it reasonable to refuse an offer if the property is charged at a social housing "target" rent or at an affordable rent unless there are exceptional circumstances that justify the refusal.

### **19.3. Refusing an offer on the grounds of its location**

- We have a limited supply of social housing to offer and in some areas of the Borough social housing hardly ever becomes available to offer. As far as possible, we will take account of the applicant's choices as to the type of housing, area and landlord. However, in general we will not consider it reasonable to refuse an offer on the grounds of the location of the property unless there are exceptional circumstances that justify the refusal.

## **20. HOUSING CIRCUMSTANCES AND CONSEQUENCES OF REFUSING A REASONABLE OFFER**

Applicants must think carefully about whether to accept or refuse an offer as this could have a big impact on whether, and/or when we will make an applicant another offer.

The property will not usually be held vacant while the reasons for the refusal are considered – it will normally be offered and let to another applicant unless the offer is to an applicant that the Council is ending its rehousing duty to, for example, a homeless household, management transfer tenant etc. In such cases, the offer may be held for a short period, (usually no longer than 48 hours), while the reasons for the refusal is considered. The applicant will be advised of the possible consequences and given a chance to reconsider their decision to refuse.

The consequences of refusing an offer of accommodation depend on the circumstances in which the offer is made as shown in the table below.

<b>Housing circumstances</b>	<b>Consequence</b>
Homeless household	<p>Following refusal of a reasonable offer, the Council's duty to accommodate the applicant under Part 7 of the Housing Act 1996 will cease.</p> <p>This means that, subject to the outcome of any review, the Council will stop providing the applicant with temporary accommodation. As well as losing their priority for housing (based on them being homeless), the applicant will have to make their own arrangements for housing.</p>
Management transfer	<p>Given the urgency of the situation, it is essential that the transfer takes place quickly. For this reason, the Rehousing Officer and the relevant tenancy management officer will work closely with the tenant to ensure they fully consider their options before refusing a reasonable offer.</p> <p>Following refusal of a reasonable offer, the tenant's high priority will be removed and if assistance is still required, they will be placed in the appropriate priority 'band' on the waiting list, for example, as a homeless applicant. The relevant housing manager will be informed</p>
Reciprocal arrangements	<p>Following refusal of a reasonable offer, applicants will be advised that the council has fulfilled its reciprocal agreement to offer suitable re-housing. The applicant will be advised to seek help from their own provider/landlord.</p>
Decants	<p>Following refusal of a reasonable offer, the relevant housing manager will be advised to commence possession proceedings.</p>
Service tenants	<p>Following refusal of a reasonable offer, the applicant will be advised to make their own housing arrangements and eviction proceedings from the tied accommodation will be started.</p>
Succession	<p>Following refusal of a reasonable offer, the relevant housing manager will be advised to commence proceedings to recover possession, as allowed for in Schedule 2 of the Housing Act 1985.</p>
All other circumstances	<p>Following refusal of a reasonable offer, your application will be cancelled and you will be disqualified from reapplying for housing for 12 months.</p> <p>When an applicant reapplies to go on the housing register, their application will be assessed and placed in a band that</p>

	reflects their housing need at that time. No previous waiting time will be carried over to their new application.
Other transfers: Pan-London mobility scheme housingmoves	This is a London-wide scheme helping existing social tenants to transfer to other parts of London. All London Boroughs have adopted this scheme and it operates separately to our choice based lettings scheme. Details on the scheme, including adverts and how to bid for a property can be found at <a href="http://www.housingmoves.org">www.housingmoves.org</a>
Other transfers: Seaside and Country Homes	<a href="#">Seaside &amp; Country Homes scheme</a> is for households where the eldest member is 60 years of age or older. A link to the Seaside & Country Homes Scheme can be found at <a href="http://www.housingmoves.org">www.housingmoves.org</a>

If an applicant refuses a reasonable offer of housing we will write to the applicant to:

- Explain why we considered the offer was suitable for the applicant's needs and their refusal was unreasonable.
- Confirm that their application is cancelled and that the applicant will be disqualified from reapplying for housing for 12 months **or**
- Confirm that we have no further duty to provide accommodation in relation to the application.
- Explain that the applicant has a right to request a review of this decision and how to exercise this right.

## 21. FEEDBACK ON LET PROPERTIES

The Council will publish feedback on the outcomes of the bids it has received in respect of the social housing advertised through the choice based lettings scheme.

For each letting, the Council will provide the following information:

- The size, type and location of the home
- The number of applicants who bid for the property
- The band and effective date of the successful bidder

In order to ensure transparency, the feedback will also include any homes that were let as 'direct lets' and were not advertised through the choice based lettings scheme.

Feedback is important because it helps applicants to assess their housing prospects and make informed choices about their future housing.

## 22. BIDDING ACTIVITY MONITORING

The Council will undertake monitoring of bidding activity. If an applicant fails to bid for suitable properties that have been advertised for six months from the date they are accepted on the housing register, we will contact the applicant to find out the reasons for not bidding and ensure that they understand their application can be suspended on the

housing register for a period of six months. The applicant will be notified when this decision is made.

In making the decision whether to suspend an application we will take into account whether there have been no suitable properties advertised, or there are special circumstances for the applicant not bidding. In such cases, the application will not be affected.

### **23. TYPES OF TENANCIES OFFERED**

We will offer most applicants a fixed term flexible tenancy. Fixed term tenancies allow landlords to review the tenant's needs and situation with regularly. Details can be found in the Council's Tenancy Strategy/Policy available at [www.havering.gov.uk](http://www.havering.gov.uk)

#### **Joint tenancies**

The Council will normally only offer joint tenancies to applicants (including existing tenants) who have satisfied the Council of their intention to live together on a long term basis.

The Council cannot offer a joint tenancy including an ineligible person as one of the joint tenants.

There is no right to a joint tenancy and a request for one will not be agreed in the following cases:

- Where there is a current Notice of Seeking Possession or Notice to Quit against the proposed joint tenant;
- Where the Council is contemplating serving or reserving a Notice of Seeking Possession or Notice to Quit upon the proposed joint tenant;
- Where there are management problems such as nuisance or anti-social behaviour on the part of the tenant or someone living with or visiting them;
- Where the proposed joint tenant is not maintaining an acceptable agreement in respect of rent arrears.

### **24. THE EFFECT OF CHOICES ON WAITING TIMES**

The length of time which an applicant can wait before getting an offer is affected by the choices they make on their housing application. It depends on how many properties become available, how the application has been assessed and how many other people bid for the properties that the applicant is interested in.

Some properties are in higher demand than others. This means that more people are likely to bid for them. Whether an applicant chooses to wait longer for a high demand property, or is willing to bid for a property that comes up more quickly in an area that is in lower demand, the applicant's decision. Applicants should be aware that there are implications for them if they make a bid, are offered a property and then refuse it. Please read section 19 very carefully.

When an applicant sees a property that they are interested in, we strongly recommend that they visit the road, neighbourhood and consider local schools, shops, parks and

other amenities (as appropriate) before placing their bid by the deadline. This will help an applicant decide whether they want to bid for the property. As with any decision about moving home, sometimes a compromise needs to be reached.

We will assist applicants in making an informed choice by providing information on the number of properties we let last year and where in the Borough the properties were located including average waiting times. This information will be published on the Council's website

**Note:** the average waiting time will be reviewed annually as it is likely to change depending on supply.

## **25. LOCAL LETTINGS POLICIES AND SENSITIVE LETTINGS**

### **25.1. Introduction**

It is important that, in most circumstances, priority for accommodation goes to those households in greatest need. Consideration needs to be given, however, to:

- Achieving a balance between meeting the housing needs of existing tenants and new applicants; and
- Promoting more sustainable and balanced communities by ensuring a mix of households and widening the opportunities for those who are not in greatest housing need.

In exceptional circumstances, the Council and its partners may decide to allocate properties on a slightly different basis from normal, in the interests of building strong and sustainable communities or to deal with particular local issues. This is done through a Local Lettings Policy.

### **25.2. Local lettings policy**

Local lettings schemes can be put in place for a specific area or estate on new developments which is agreed with the Provider in response to particular local circumstances. They will include a clear commitment to equality of opportunity, the provision of clear and accurate information to applicants and an appeals mechanism.

The aim of local lettings schemes is to work towards more balance within local communities to result in outcomes that reflect the wider community and address issues such as child density and the proportion of households in employment in any one area or estate.

Working towards more balanced communities may mean housing a mix of:

- a) Different household types;
- b) Households of different ages and/or with children of different ages;
- c) People who are in paid employment and those who are not in paid employment;
- d) Families which have one parent and those which have two parents;
- e) Households that have previously had a tenancy and those that have not;



The precise approach to be adopted will reflect the particular problems of an area or estate.

In order to implement the policy we may have to select applicants for an offer of social housing who are in a lower band than we would usually offer to.

We may also make targeted offers in order to identify suitable applicants in particular circumstances in order to implement a local lettings policy. In such cases the offer will be made to the applicant with the earliest priority date in the highest band that will meet the criteria within the local lettings policy.

### **25.3. Sensitive lettings**

On occasions it will be in the interest of residents and tenants that an individual property is let sensitively in light of the experience of neighbouring tenants. Where a request for a sensitive let is sought, this will be considered.

Sensitive lets will only be agreed where it can be demonstrated that:

- The neighbouring tenants have experienced either harassment, noise nuisance or un-tenant like behaviour over a period of time or of an excessive nature and
- Incidents have been recorded and
- Action has been taken by the landlord or
- There is a public protection issue that must be managed.

## **26. SPECIALIST ACCOMMODATION**

### **26.1. ACCESSIBLE HOMES - ADAPTED PROPERTIES**

Vacancies which are adapted or which are suitable for adaptation for applicants with a substantial disability may be advertised or offered directly to the most appropriate applicant. Where the housing has significant adaptations or is wheelchair accessible, this will be on suitability alone and outside any strict date order.

For homes which are not adapted, or have limited adaptations, there may be several applicants who could “fit” the vacancy, and we will allocate in band and then date order.

**This may, depending on the characteristics of the property, include cases where a ground floor flat or other suitable dwelling becomes available and an applicant with very high priority requires such accommodation. Rather than select an applicant with general needs to be offered the property the council reserves the right to allocate to a high priority applicant in need of such accommodation.** If the property is advertised, we will use three categories to identify the needs of those people who require a home with adaptations and as a guide to how accessible a property is likely to be.

The categories used are in line with the categories described by the London Accessible Housing Register (LAHR). The LAHR has been developed to help make better use of accessible homes and to enhance the choice of homes for people with mobility needs.






## **Mobility Categories**

### **Assessment of Mobility Need**

A household's mobility needs will be assessed based on these categories and qualifying applicants will be advised of their mobility category in writing. A housing need band maybe given before a mobility category, to enable bidding for homes while mobility need is assessed.

People with mobility needs can have very different requirements for adaptations to a home. As a guide to help people make informed choices about bidding for suitable available homes, the Council will use the following categories to identify the mobility needs of those using Havering's Choice Homes website and to show the types of adaptations in homes:

<b>Mobility Category</b>	<b>Description of Person Category</b>	<b>Example of Adaptations (Not exhaustive)</b>
Mobility A 	The household has a member with significant mobility needs and who uses a wheelchair indoors and outdoors at all times	<ul style="list-style-type: none"> <li>• Level access</li> <li>• No stairs</li> <li>• Property adapted to a wheelchair standard</li> <li>• Level platform at main entrance</li> <li>• No changes in level throughout (inside and outside), or adapted to include lift/ramp access</li> </ul>
Mobility B 	The household has a member with mobility needs who mainly uses a wheelchair outside and cannot manage steps or steep gradients	<ul style="list-style-type: none"> <li>• With level access throughout (inside and outside), or adapted to include lift/ramp access</li> <li>• Wide Main/Communal door/s</li> <li>• Bathroom containing toilet, basin and accessible bath/shower.</li> </ul>
Mobility C 	The household has a member with some mobility needs who is able to manage up to two steps to access the home	<ul style="list-style-type: none"> <li>• On the ground floor with up to 2 steps access</li> <li>• Pathway/driveway/ramp from pavement level or parking space, no steep gradients</li> <li>• Bathroom suitable size to be adapted</li> </ul>

### **26.2. SHELTERED HOUSING**

If an applicant is over retirement age, we may be able to help them find a flat or bungalow in one of the Council's, or a housing association's, sheltered housing

schemes. This allows an applicant to have their own flat and be as independent as they like.

Many of these schemes have a common room, which means residents can socialise with their neighbours if they wish. Sheltered housing is not a nursing or a residential home so it will not be suitable for those who need a high level of care. All our supported accommodation has access to our 24 hour Telecare Service to make sure help is always at hand.

### **26.3. EXTRA CARE HOUSING**

The purpose of Extra Care Housing is for people who require a substantial amount of personal care and housing support, and who might otherwise have to move into residential care.

Applications for extra care housing can be made direct to the Council's Social Care or Housing Teams

Extra Care housing is allocated outside of the Choice Based lettings process. A separate eligibility criteria and process applies.

## **27. MOBILITY WITHIN AND ACROSS THE COUNCIL'S BOUNDARY.**

### **27.1.**



**Housingmoves** (known previously as the pan-London Mobility Scheme) is designed to enable social housing tenants to move around the capital for work, training or education, to free up larger homes or to care for a family member or friend. There is considerable pent-up demand for cross-borough moves and the scheme is designed to make this easier.

Our qualification rules do not allow someone to go on the housing register if they have not lived in Havering for at least six years. **However, we have made an exception for applicants that apply through *housingmoves*.**

To be eligible for the ***housingmoves*** scheme, an applicant must:

- be a current social housing tenant(s) with an assured or a secure tenancy, or a fixed term flexible or assured shorthold tenancy
- be resident (irrespective of landlord) in a borough that is contributing properties to the housingmoves scheme (Havering contributes to the scheme)
- be the sole tenant or both tenants (if the tenancy is joint)
- not be on an introductory or starter tenancy
- not be the subject of a Notice of Seeking Possession or Notice to Quit
- have had a clear rent account for the last 12 months, both at the point of application and at the point of letting, and

- not have, or be part of a household containing, individuals who have an on-going record of antisocial behaviour

*housingmoves* is delivered by the Greater London Authority and further information and an online registration form can be found at the *housingmoves* website <http://www.housingmoves.org> .

## **27.2. SEASIDE AND COUNTRY SCHEME**

Havering Council participates in the Seaside & Country scheme operated by the Greater London Authority (GLA) which enables social tenants in London to move out to desirable seaside and countryside towns.

## **27.3. HOMESWAP SCHEME**

Homeswap enables existing social housing tenants, (this means tenants of councils and housing associations) the opportunity to swap their home with another, often called 'mutual exchanges'. Such schemes help tenants to be closer to new places of work and/or friends and family. The Council supports the Government's 'Homes Swap Direct' initiative, bringing together the range of mutual exchange regimes that exist. The Council will make available facilities at its principal office to enable applicants wishing to review housing options using the 'homeswap' mechanism as well as promoting the initiative more widely.

Social housing tenants can also register on Homeswapper to find details of other households who they may be able to swap homes with: <http://www.homeswapper.co.uk>

## **27.4. MUTUAL EXCHANGE SCHEME**

A mutual exchange is when two or more tenants swap homes once they have the permission of all landlords involved, whether Havering Council, a housing association or another council. Given the demand for and the shortage of social housing in Havering, The waiting time for a transfer can be lengthy and therefore, for many tenants a mutual exchange is their best prospect for moving.

Havering Council Tenants can register for a mutual exchange. A council tenant can advertise their property and search for prospective exchange partners. Full details will be displayed of matches found. Please contact us for details of schemes that are available.

We will only say no to a request to exchange for a limited number of reasons, which are defined by law (The Housing Act 1985 and the Housing Act 2004) these include, but are not limited to that:

- either tenant is moving to a home that is inadequate for their needs, for example on health grounds, or that it would be too small
- either tenant is moving to a home that is substantially too large for their requirements
- there is a current order for possession made by the Court in respect of any of the tenancies involved
- any of the properties are adapted, sheltered, warden-controlled or other special needs unit and the tenant moving in to the property is not eligible for or does not need it

- the accommodation is tied, that is it is given to the tenant as a consequence of his/her employment and the right to occupy the accommodation ceases upon the employment coming to an end
- any of the tenants has been issued with a Notice of Seeking Possession.
- A full list of reasons for not giving consent for a mutual exchange is available from the Housing Register Team. If we are unable to give consent for your mutual exchange, we will give the full reasons for this.

Due to the shortage of social housing we are unable to allow exchanges that would result in under occupation of accommodation. Therefore please refer to section 11 about the bedroom size entitlement. This will assist tenants in identifying their eligibility before they submit their request for an exchange. However, where a Havering tenant has registered to downsize to smaller accommodation, they will be permitted to exchange to accommodation that has one room in excess of their requirements.

A tenant may not be able to swap tenancies straight away if, for example, they owe rent, or there are repairs needed to the property that the tenant has to carry out. However, once these matters have been sorted out, the tenant should be able to move, so long as the factors listed above do not apply.

If we say no to the mutual exchange request, we will tell the tenant in writing the reasons for this. The tenant has the right to appeal this decision if they disagree in the first instance. They also have a further right to refer the decision to the County Court if they disagree with our appeal decision.

#### **27.5. SHARED OWNERSHIP SCHEME**

If residents are interested in buying a home but are on a low income, we may be able to help.

These schemes are available through housing associations.

Shared ownership is where a person can buy a share of a property, paying a mortgage on that share and rent on the remaining share. If someone is on a low income, this can give them a chance to own their own home in stages. When their income increases, they can buy further shares in the property until they own all of it. For more online information, please use the following link to access the First Steps website <http://www.firststepslondon.org/>

#### **27.6. OTHER LOW COST HOME OWNERSHIP SCHEMES**

Section 166A(6) of the Housing Act 1996 enables local housing authorities to allocate particular accommodation to people of a particular description whether or not they are considered to be in housing need (fall within the reasonable preference categories). This enables the Council to set aside homes on a particular estate, or certain types of properties across the stock, for applicants who meet a certain criteria.

The eligibility and process by which applicants for the Council's shared ownership sales are prioritised as follows:

- Existing social tenants in Havering, serving and former military personnel
- Existing Havering residents
- Eligible applicants who work but do not reside in the Borough

## **27.7. DOWNSIZING INCENTIVE SCHEME**

The Council has a 'Downsizing Incentive Scheme' to enable council tenants to move to smaller accommodation that meets their needs. This will help meet the increasing demand from people living in overcrowded conditions who are on the housing register. This scheme is subject to change from time to time. Please contact the Housing Register Team for a copy of the scheme details on 01708 434343.

## **27.8. PRIVATE RENTING OPTIONS**

To help us keep up with the increasing demand for housing, we can help some people move into a home in the private sector. In recent years, we have been offering local landlords more-and-more incentives through a range of different schemes to rent or lease their properties to us which we can use to accommodate people who are in housing need or just struggling to find a home.

Residents can obtain more information by contacting the Housing Advice and Homelessness Team on 01708 434343.

## **28. APPLYING FOR HOUSING**

Residents can apply for housing online by filling in a housing application form on our website: [www.havering.gov.uk](http://www.havering.gov.uk)

Residents unable to access the internet at home can get free access at the Council's Public Advice and Service Centre (PASC) as well all council libraries in Havering.

The self-assessment questionnaire will ask some simple questions, including:

- Are you are homeless?
- Are you are experiencing domestic violence or harassment?
- Are you are currently sharing accommodation with someone else or renting privately?
- Are you are overcrowded in your current accommodation?
- Do you have a medical condition or disability which is made worse by your current accommodation?

### **28.1. Help with making an application**

If an applicant needs help to apply for housing, or a translation service they should contact the Housing Register Team on 01708 434343 and they will help an applicant to complete the application.

### **28.2. Who can be included on an application?**

The following people should be included on an application:

- The applicant's spouse, civil partner or partner
- Any close adult relative living with the applicant that is dependent on them or provides care and support to them
- The applicant's children, as long as they are aged under 18 and normally live with the applicant
- The applicant's carer, if they need to live with the applicant because they provide overnight support

The applicant will be asked to provide evidence that any child included on the housing application is their responsibility, for example child benefit notification, or a court order showing the applicant has caring or parental responsibility.

### **28.3. Who should not be included on an application?**

The applicant should **not** include any of the following people currently living with them on your application:

- Other adult relatives
- Friends or visitors
- Lodgers
- Sub-tenants
- Anyone else sharing the applicant's current accommodation
- Anyone who falls within legislation prohibiting them from having recourse to public funds.

### **28.4. Joint applications**

An applicant can make a joint application with their spouse, civil partner or partner or with another close family member that they have been living with for 12 months or more AND meet the qualification criteria set out in this Scheme.

If an applicant makes a joint application we will offer them a joint tenancy when we make an offer of social housing.

### **28.5. Restricted persons**

Although an applicant may be eligible to go on the Housing Register because they are not subject to immigration control, it may be that one or more members of their household are not eligible for housing. They are known as "restricted persons" and we will not assess the application as having reasonable preference if this is as a result of "restricted persons".

## **29. WHAT EVIDENCE IS NEEDED TO SUPPORT AN APPLICATION?**

### **Verifying an application**

We will ask an applicant to provide supporting information, as follows:

#### **29.1. To prove eligibility for housing**

An applicant's eligibility for social housing will be checked during the application process. If their eligibility changes at any time during the process and they become ineligible for social housing the application will be cancelled. We will need to see:

- The applicant's passport
- Their spouse/partner's passport if the applicant is making a joint application
- Home Office documents confirming the applicant's immigration status (if relevant)
- The applicant's full birth certificate
- The applicant's spouse/partner's full birth certificate
- The applicant's children(s) full birth certificate(s)

## **29.2. To prove an applicant qualifies to go on the housing register**

- Tenancy agreements for properties the applicant has lived in over the past six years. If these are unavailable, the applicant can prove their previous addresses with bills, bank statements, credit card statements or other official documents such as benefit letters showing where they have lived over the past six years
- If employed, payslips for the past 12 months
- If self-employed, audited accounts for the past 18 months
- If on benefits, details of benefits received
- If receiving out of work or disability benefits, your proof of entitlement to benefits.

Where an applicant is considered to have sufficient resources to access low cost home ownership or other intermediate housing option, they will be offered advice or assistance, on home ownership products and offered the opportunity to join the Council's Home Buy Register.

## **29.3. To demonstrate housing need**

- Details of any medical condition, physical disability or sensory impairment that is affected by the applicant's current accommodation.
- The name and practice of the applicant's GP, or hospital consultant, if they are claiming medical or disability priority.
- The name and address of their social worker, key worker or therapist if relevant to their application.
- A certificate of discharge/service (Army form 108 or equivalent) or a statement of service from the British Armed Forces (if applicable)

All supporting information should be provided promptly. Any delays in providing the information will mean your application will not be placed on the housing register.

You will be notified of the outcome of your application within 28 days of receiving a completed application with all the supporting information required.

This letter will:

- Confirm what Housing Needs Band the applicant has been placed in. Some assessments (such as those relating to medical conditions) may take longer and may result in a change in banding)
- Confirm the size (and, if applicable, the type) of property the applicant is eligible for
- Confirm the applicant's effective date
- Include a reminder about informing the Council of any change in the household's circumstances
- Provide a registration number and unique pin number
- Provide details of the appeal and review process
- Explain the requirement for annual re-registration
- Provide information on how to apply for the community Contribution Reward Priority.



### **30. CHANGE OF CIRCUMSTANCES**

Once placed in a priority band, applicants should notify the Council in writing of any material change in their circumstances that will affect their priority for housing, for example:

- a change of address, for themselves or any other person on the application.
- any additions to the family or any other person joining the application
- any member of the family or any other person on the application who has left the accommodation.
- any change in income and/or savings.
- any medical or mobility need which will affect the type of accommodation being offered deemed suitable

Applications may be temporarily suspended while the Council assesses the information provided by the applicant and completes further enquiries that may be necessary.

The Council will carry out an assessment of each applicant's entitlement to and priority for re-housing on the basis of information which has been provided by the applicant or otherwise received in connection with the applicant. Where the Council believes that information about the applicant's personal circumstances have been deliberately withheld or misleadingly presented, then the Council will reserve the right to withdraw any priority or offer of accommodation

#### **30.1. What happens if applicant does not notify us about a change?**

If the Council find an applicant's circumstances have changed as a result of the annual review of their application, or as part of the pre-offer verification checks and they have not notified us about the change, their application will be suspended from bidding while we investigate how the changes affect the applicant's eligibility and housing priority.

#### **30.2. Why do I need to provide details about my gender, ethnicity or religion?**

We have a legal duty to ensure that our housing allocations scheme does not discriminate against any applicant on the grounds of their sex, pregnancy or maternity, race, ethnicity, disability, age, religion or faith, marital status, sexual orientation or gender reassignment. This also applies to how we help people to apply for housing, as well as the decisions we make about whether people are eligible, whether people qualify for reasonable preference for housing, what priority an applicant gets, and which applicants we choose for an offer of social housing.

We need all applicants to provide equality information so we can monitor how fair we are being in administering the scheme, in the decisions we make and who we choose to offer social housing on the grounds of age, sex, ethnicity, disability and other relevant equality information.

#### **30.3. Will you share the information on my application with anyone else?**

We treat the information included on your housing application as strictly confidential. We will ask your consent to share some information with a landlord who is considering offering you a property.



The information included on your housing application is also protected by the Data Protection Act 1998. This means we cannot share the personal information provided on your application form without your consent, except in specific exceptional circumstances.

We can share personal information without your consent in the following exceptional circumstances:

- Where data sharing is allowed under the Crime and Disorder Act 1998
- Where there is a serious threat to council staff or to one of our contractors
- Where the information is relevant to the management or support duties of the proposed landlord or support organisation to ensure the health and safety of the applicant, a member of his or her household, or a member of staff

### **31. ANNUAL REVIEW OF APPLICATIONS**

It is important we keep our housing register list up to date and regularly check applicant's need for social housing. It is important that we have an accurate picture of the overall housing need in Havering and we use this to inform our housing strategy and in particular the need for new social housing.

We will review all application every year on the anniversary of the application to join the Housing Register.

We will write to applicant's informing them that their application is due for review; asking them to complete a form to confirm either:

- that their housing circumstances have not changed, or
- their housing circumstances have changed; applicants will need to provide the details of the change

If an applicant fails to reply to our review letter within 28 days of receiving it we will assume that they no longer need social housing and we will cancel their application. We will write to the applicant explaining that we have cancelled their application because they failed to respond to our review letter.

After a renewal request has been issued, a reminder letter will be sent after 14 days. If an application is not renewed within 28 days of the issue of the renewal letter, the application may be cancelled without further notice.

### **32. CANCELLING AN APPLICATION**

We will cancel a housing application for the following reasons:

- If the applicant asks us to cancel the application
- If the applicant's circumstances change and they are no longer eligible under the scheme
- If the applicant's circumstances change and they no longer qualify under the scheme.
- If the applicant fails to respond to an application review within the specified time limit

- If the applicant has refused the offers of social housing that they are entitled to under this scheme. These are set out in section 19.
- If the applicant has accepted an offer of social housing under this scheme.
- If the applicant has been found to have made a false statement on their housing application.

Applicants will be notified in writing if the Council intends to remove them from the Housing Register and will be given reasons for their removal.

### **33. REINSTATING A CANCELLED APPLICATION**

Sometimes applications are cancelled where the household has a valid reason for not providing the information the Council has asked for or for not responding to a request. In cases where a household's application has been cancelled, as long as the applicant makes contact within 28 days from the date of the cancellation **AND** provides a valid supporting evidence, their application will be reinstated on to the housing register.

If an application is cancelled but the household does not make contact within 28 days from the date of cancellation, the application will not be reinstated. If the household still wants to remain on the housing register, they can make a new application which will be assessed based and if relevant, a new banding and priority date will be given.

### **34. GENERAL INFORMATION AND APPEALING HOUSING DECISION**

#### **34.1. General information**

An applicant has the right to request general information about making an application for housing and in particular about:

- how their application will be treated and whether they will be given any preference under the scheme
- whether housing accommodation appropriate to their needs is likely to become available and how long they will have to wait for an allocation of such accommodation

#### **34.2. Decisions and appeals**

Applicants have the following further and specific rights to information about decisions and rights of review of decisions including:

- the right, on request, to be informed of any decision about the facts of their case which has been, or is likely to be, taken into account in considering whether to make an allocation to the applicant
- the right, on request, to review a decision concerning eligibility for housing, qualifying to go on the register, whether an offer was suitable and whether a refusal of an offer was reasonable, and the right to be informed of the decision on the review and grounds for it.

Applicants have the right to information about certain decisions, which are taken in respect of their application, and the right to review those decisions.

### **34.3 Appeal procedure**

#### Stage 1 - Notification in writing

An applicant will be notified of the decision in writing.

The notification will give clear grounds for the decision and must be based on the relevant facts of the case.

Where a notification is sent to an applicant at the given contact address, but the applicant does not receive it, it can be treated as having been received if a copy is available on the applicant's file

Where an applicant has difficulty in understanding the implications of a decision, the Council will make arrangements to advise the applicant verbally.

#### Stage 2 - 21 Days to Appeal

The notification letter will advise the applicant that they have 21 days of being notified of a decision to appeal the decision.

Applicants who are unhappy with a decision made under this policy should in the first instance contact the housing officer who has dealt with their case and explain why they think that the decision is unreasonable. The applicant will be notified whether the decision still stands and the reasons for this usually within 48 hours

All requests for a review should be made in writing. Emails can be sent to:  
[housingapplicationappeal@havering.gov.uk](mailto:housingapplicationappeal@havering.gov.uk) .

Alternatively, a letter of appeal can be sent to:

Appeals Officer,  
Housing Register Team  
Housing Demand Service  
Mercury House  
Mercury Gardens  
Romford, RM1 3DT

In exceptional circumstances, we will extend this period. Any extension to the time limit and the reasons for it will be notified to the applicant.

We will determine the review **within 56 days** of the request being received. This may take longer where an applicant agrees that a longer period is appropriate given the complexity of the decision and their case.

Applicants may want to take independent legal or specialist housing advice, for example the Citizens Advice Bureau or other agency. Where an applicant cannot make a request in writing, they can ask someone else to do this on their behalf, or ask us to hear their case orally.

It will also be possible for a representative to submit an appeal on behalf of the applicant –.

### Stage 3 - Reviewing Officer

An officer who is senior to the original decision maker will carry out the review of the decision. The review will be considered based on the Allocation Scheme, legal requirements and all the relevant information. Relevant information may include further information that was not available at the time of the original decision.

### Stage 4 - Notification of the outcome

We will notify the applicant of the outcome of the review including the reasons for confirming the original decision, or why the original decision should be changed.

There is no further mechanism to review the review decision; however, an applicant can take legal action to challenge the Council's decision through judicial review proceedings. An applicant may also complain to the Housing Ombudsman if they consider the Council's actions amount to maladministration.

Should an applicant's circumstances change, they will be able to make a fresh application but the onus will be on the applicant to outline the changed circumstances.

#### **34.4. The right to review an offer of accommodation to statutory homeless**

If the Council has accepted a full statutory duty to house an applicant under Section 193 of the Housing Act 1996 (homelessness legislation), and they have refused a suitable property offered to them, (including an offer of private rented accommodation), the Council will end its statutory duty. The applicant can request a review of the decision to end the statutory duty and/or the Council's decision that the property is suitable – this is a right given by Section 202 of the Housing Act 1996. The applicant should request a review by writing to the Council within 21 days of receipt of the offer of accommodation, setting out why they think the property is unsuitable.

If an applicant makes a review request under s.202, the Council will aim to deal with it within eight weeks (56 days). All decisions will be given in writing.

Where a formal review is available to an applicant under s.202, greater detail about their right to review will be provided to them in the correspondence making the offer of accommodation. A formal review will be considered by a senior officer who was not involved in the original decision.

**If an applicant is dissatisfied with the Council's decision on review, or no decision has been made within the 56 days (unless there has been an agreed extension), the applicant may appeal to the County Court under section 204 of the Housing Act 1996 on a point of law. In outline, an appeal should be made to the County Court within 21 days of the applicant being notified of the review decision (or the date when you should have been notified). Appeals to the County Court, including the procedure and time limits are technical, and the applicant may wish to seek independent legal advice (e.g. from the Citizens Advice Bureau or from a solicitor) before doing so**

*Please note: Under the Housing Act 1996 (as amended), not all decisions are subject to the review process. If, for any reason, the right of review does not apply to the matter which is raised in a request, we will write and explain the reasons and advise of any other options available.*

### **35. FILE COPIES**

The Data Protection Act 1998 (DPA) provides individuals with a right to request access to any of their personal data held by the Council, and a right to know where the data came from, how it is used and why it is held. Such a request is called a “subject access request” and applies to personal data in housing files.

Subject access requests should be made in writing and must describe the information sought. Applicants must state their name and provide proof of their identity, such as a copy of a passport, driving license, or recent utility bill.

Any applications made by third parties on behalf of an applicant (for example by a lawyer acting for a client) must be accompanied by written evidence of authority to act. If this is not possible by reason of disability then the Council should be contacted in order to make alternative arrangements.

The Council may charge a £10 fee to handle a subject access request. There is no charge for students, pensioners, staff, benefit claimants and those on Income Support.

Once the Council has received the information, documentation and fee (if charged), it must begin processing the request and respond within 40 calendar days. There is a limited range of exemptions from the right of subject access.

Under the DPA applicants may also have the right to challenge the information held on them and may request the correction of records which they believe to be inaccurate. Such challenges should be made in writing and addressed to the Head of Housing.

### **36. TACKLING FRAUD**

The Council recognises its duty to protect the public resources it administers. Detailed enquiries about applications will therefore be made in order to guard against misrepresentation and fraud. Such enquiries will be made in all cases where applicants appear to have sufficient priority for an offer of accommodation, and in other cases as resources allow. The enquiries will be made at any time and it can be at the time of application or subsequently, including after any grant of tenancy. Applications will be suspended if there is evidence of misrepresentation or fraud until enquiries are completed. These checks may involve cross referencing information provided by applicants when they apply to the housing register with other data the Council holds, including information on housing and council tax benefit and the electoral roll.

Any applicant seeking to obtain accommodation by making a false or misleading statement or by withholding relevant information or by failing to inform the Council of any material change in circumstances is liable to have his/her application cancelled. Prosecution will be considered where it appears to the Council that a criminal offence has been committed. Proceedings for possession will be taken to recover any tenancy granted in consequence of a fraudulent application for housing.

For the reasons set above, the Council is keen to ensure that information submitted to support a housing registration application is truthful and accurate.

Section 171 makes it an offence for anyone seeking assistance from a housing authority under Part 6 of the 1996 Act to:

- Knowingly or recklessly give false information, or
- Knowingly withhold information which the housing authority has reasonably required the applicant to give

It is for individual housing authorities to determine when these provisions apply and when to institute criminal proceedings. However, the circumstances in which an offence is committed could include:

- Any false information given on an application form for social housing
- Any false information given in response to subsequent review letters
- Any false information given or submitted by applicants during the proceedings of a review

Ground 5 in Schedule 2 of the Housing Act 1985, (as amended by s 146 of the 1996 Act), enables a housing authority to seek possession of a tenancy granted as a result of a false statement by the tenants or a person acting as the tenant's instigation.

Any tenancy fraud that may occur after the grant of a tenancy (such as tenancy passed on to a third party such as subletting of a tenancy); will be approached in a similar fashion.

In both instances - at application stage and tenancy stage – the Council will support and work with all Registered Providers to reduce and eliminate tenancy fraud.

### **37. CONFIDENTIALITY**

**The Council will take disciplinary action against any employee who makes use of any information obtained in the course of their employment for personal gain or benefit, or who passes it to others who might use it in such a way. A report to the police will be made if it appears that a criminal offence has been committed.**

The disclosure of information about any housing application to a third party is prohibited except on a “need to know” basis in the following circumstances:

- to plan and provide assistance jointly with health and social services agencies in appropriate cases.
- for the purpose of fraud detection, the prevention of crime, and the promotion of community safety.
- to enable efficient administration of offers of re-housing, lettings, housing association nominations, and rent and benefit accountancy etc.
- where disclosure is a legal requirement.

### **38. APPLICATIONS FROM MEMBERS OF STAFF, BOARD MEMBERS OF RELEVANT ORGANISATIONS, COUNCIL MEMBERS AND RELATIVES**

This policy is designed to ensure that Havering Council, (and any relevant organisation), is transparent and equitable when letting homes to staff or board members or their relatives, or other people who live with them.



The Housing Allocations Scheme is open to any eligible applicant and there are stringent checks in place that all applicants must follow.

Staff, board members, council Members and their relatives are treated as any other applicant and must be seen to not be gaining any advantage or disadvantage or any preferential treatment in the course of their application.

Therefore, the following procedure must be undertaken to ensure that any letting can be subject to a high level of scrutiny.

- a) An applicant who a member of staff, board member, council member or related to or living with one of these people, must have no direct input into any decisions regarding their rehousing. This includes not inputting the original application onto the register system or adding any priority at any time onto the application.
- b) Staff members must also not have any involvement in the inputting of the application or awarding of priority for any relative or other people they live with.
- c) Applications should be clearly marked on the housing management system to identify that the application is that of a staff member, board member, council Members or relative.
- d) When an offer is to be made, a 'record of interest' form must be completed and signed off before any offer of a property is made. The details of the offer must be detailed on the form, checked and signed off by the Head of Housing Services, or for allocations to council Members or their relatives, by the Group Director of Children, Adults and Housing.
- e) Attached to the form must be copies of the computer screens of all the appropriate information from the housing management system including the shortlist from which the applicant is being offered, together with reasons for any applicants above them not being made the offer.

Applications where no disclosure is made will be referred to the council's Fraud investigations team for investigations and where appropriate, legal action will be taken.

### **39. COMPLAINTS**

We are committed to responding quickly and effectively to any complaints and comments, and to use these and any compliments about the service to review and improve ways of working.

Where an applicant feels that we have not lived up to our own commitments to residents, they must tell the member of staff that they are dealing with or their supervisor. Often, that is the quickest and easiest way of dealing with things when we do get it wrong. When applicants are unhappy with the response given, or feel uncomfortable doing this, they can make a complaint.

The Council's formal complaints procedures can be found at [www.havering.gov.uk/complaints](http://www.havering.gov.uk/complaints).

## **40. OTHER THINGS APPLICANTS NEED TO KNOW**

### **40.1. Community safety**

The Council works in partnership with the Police, the Probation Service and other housing providers to manage risk to the community when, for instance, re-housing offenders. Re-housing an ex-offender is likely to have implications for community safety; and they may be refused housing in certain areas and may only be offered accommodation in specific areas or have their registration suspended.

Suspending their registration would be temporary only and would be subject to on-going review.

### **40.2. Prisoners**

Where a tenant receives a prison sentence of over 12 months and they are a council or housing association tenant in Havering without other family, they will be unlikely to receive Housing Benefit. They may need to give up their tenancy and apply to go on the Housing Register. This means we can consider them for re-housing when you are released.

There are arrangements under the Community Safety Partnership protocol and these may mean that we may need to exclude people from the Housing Register.

### **40.3. Telecare Service**

Havering Council's Telecare Centre provides a range of careline and telecare services including installation of equipment and 24/7 call monitoring with an emergency response service which is available to everybody including vulnerable residents to aid independent living. There is a weekly charge for the service but clients assessed by Social Services as having a substantial need may receive the service free of charge. For further information contact the Telecare Team on 01708 756047 or email [rjc@haverling.gov.uk](mailto:rjc@haverling.gov.uk)

### **40.4. People with physical disabilities**

If a tenant, or a member of your family, has a physical disability then there are a number of ways we can help you.

For example, if a Council tenant lives in a house but can no longer manage the stairs, then we may be able to help with the necessary adaptations to their home.

Where an owner-occupier is unable to manage the stairs, they may require an adaptation to allow access around their house. Housing Services may be able to help them with a Disabled Facilities Grant. For more information, please call the Grants Team on 01708 434070.

If appropriate, they require a move, and Housing Services may be able to offer them a specially adapted Council or housing association property.

Applicants may be awarded a higher priority on the Housing Register because of the unsuitability of their current property or because they may need to move nearer to relatives for support.

### **40.5. People with mental health problems or a learning disability**

Where an applicant has always lived with their parents or carers but are now looking to move into their own accommodation, then we may be able to help assist. We may be



able to give the applicant additional priority on our Housing Register and make sure that any support they need is in place before you they move into their new home. It may be that they will need to move into more supported accommodation before they can move into their own flat. We will always work with Social Services to make sure that an applicant will eventually have the home that best suits your needs.

If an applicant needs housing with support, we will need to work with Social Services and other relevant agencies to make sure that they are allocated appropriate accommodation and an appropriate support package.

## **41. TRANSITION TO THE SCHEME**

### **41.1. Areas of effective implementation**

The scheme applies with immediate effect to the following:

- All new applicants
- Existing applicants – applications will be reassessed and moved into the revised priority band criteria.
- One offer policy will be applied.
- Assisted bidding – every applicant including those on the Emergency Rehousing Band will be able to bid for advertised properties.
- Homeless applicants who applied after 9<sup>th</sup> November 2012 – duty will be discharged into the private rented sector.

### **41.2. Transitional arrangements**

Existing applicants who will no longer qualify due to:

- (a) Not meeting the 6 year residency criteria
- (b) Not demonstrating a housing need – tenants who do not have a housing need but are on the housing register because they have been in their accommodation for 5 years

Will be given a transition period of 6 months from the date of implementation of the new scheme. This means that they will remain on the register with their relevant priority and continue to bid for alternative accommodation. If after 6 months, they have not moved, the priority will be removed and their application will be closed/removed from the housing register as they will no longer qualify to remain on the housing register.

## **42. CHANGES TO THE SCHEME**

The Council reserves the right to expand, change or alter any element of the scheme, as and when required, to meet changes in housing need, capacity, resources and legislation.

## **ANNEX 1: ELIGIBILITY**

i.) As a local housing authority we must consider all applications made in accordance with the procedural requirements of our allocation scheme (Housing Act 1996 sections 166(3) and 166A (14)). In considering applications, we must decide:

- if an applicant is eligible for an allocation of accommodation, and
- if he or she qualifies for an allocation of accommodation

### **Eligibility**

ii.) An applicant may be ineligible for an allocation of accommodation under s.160ZA (2) or (4). We will consider an applicant's eligibility at the time of the initial application and again when considering making an allocation to them, particularly where a substantial amount of time has elapsed since the original application.

### **Joint Tenancies**

iii.) Under s.160ZA (1) (b), we must not grant a joint tenancy to two or more people if any one of them is a person from abroad who is ineligible. However, where two or more people apply and one of them is eligible, we may grant a tenancy to the person who is eligible. In addition, while ineligible family members must not be granted a tenancy, we should take them into account in determining the size of accommodation which is to be allocated.

### **Existing Tenants**

iv.) The eligibility provisions do not apply to applicants who are already our tenants. Most transferring tenants fall outside the scope of the allocation legislation (s.159(4A)); while those who are considered to have reasonable preference for an allocation are specifically exempted from the eligibility provisions by virtue of s.160ZA(5).

### **Persons from abroad**

v.) A person may not be allocated accommodation under Part 6 if he or she is a person from abroad who is ineligible for an allocation under s.160ZA of the 1996 Act. There are two categories for the purposes of s.160ZA:

- a person subject to immigration control - such a person is not eligible for an allocation of accommodation unless he or she comes within a class prescribed in regulations made by the Secretary of State (s.160ZA(2)), and
- a person from abroad other than a person subject to immigration control - regulations may provide for other descriptions of persons from abroad who, although not subject to immigration control, are to be treated as ineligible for an allocation of accommodation (s.160ZA(4))

vi.) The regulations setting out which classes of persons from abroad are eligible or ineligible for an allocation are the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (SI 2006 No.1294) ('the Eligibility Regulations').

### **Persons subject to immigration control**

vii.) The term 'person subject to immigration control' is defined in s.13(2) of the Asylum and Immigration Act 1996 as a person who under the Immigration Act 1971 requires

leave to enter or remain in the United Kingdom (whether or not such leave has been given). 3.8 The following categories of persons do not require leave to enter or remain in the UK:

- British citizens
- certain Commonwealth citizens with a right of abode in the UK
- Irish citizens, who are not subject to immigration control in the UK because the Republic of Ireland forms part of the Common Travel Area (see paragraph 3.11 (iii) below) with the UK which allows free movement
- EEA nationals<sup>1</sup>, and their family members, who have a right to reside in the UK that derives from EU law. Whether an EEA national (or family member) has a particular right to reside in the UK (or another Member State) will depend on the circumstances, particularly their economic status (e.g. whether he or she is a worker, self-employed, a student, or economically inactive)
- persons who are exempt from immigration control under the Immigration Acts, including diplomats and their family members based in the UK, and some military personnel.

viii.) Any person who does not fall within one of the four categories in paragraph x.) will be a person subject to immigration control and will be ineligible for an allocation of accommodation unless they fall within a class of persons prescribed by regulation 3 of the Eligibility Regulations (see further below).

xi.) If there is any uncertainty about an applicant's immigration status, we will contact the UK Border Agency (UKBA). UKBA provides a service to housing authorities to confirm the immigration status of an applicant from abroad (non asylum seekers) by email at [LA@UKBA.qsi.gov.uk](mailto:LA@UKBA.qsi.gov.uk) . Where UKBA indicates the applicant may be an asylum seeker, enquiries of their status can be made to the Immigration Enquiry Bureau helpline on 0870 606 7766.

x.) Regulation 3 of the Eligibility Regulations provides that the following classes of persons subject to immigration control are eligible for an allocation of accommodation:

- a person granted refugee status: granted 5 years' limited leave to remain in the UK
- a person granted exceptional leave to enter or remain in the UK without condition that they and any dependants should make no recourse to public funds: granted for a limited period where there are compelling humanitarian or compassionate circumstances for allowing them to stay. However, if leave is granted on condition that the applicant and any dependants are not a charge on public funds, the applicant will not be eligible for an allocation of accommodation. Exceptional leave to remain (granted at the Secretary of State's discretion outside the Immigration Rules) now takes the form of 'discretionary leave'.
- a person with current leave to enter or remain in the UK with no condition or limitation, and who is habitually resident in the UK, the Channel Islands, the Isle of Man or the Republic of Ireland (the Common Travel Area): such a person will have

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<sup>1</sup> European Economic Area nationals are nationals of any EU member state (except the UK), and nationals of Iceland, Norway, Liechtenstein and Switzerland

indefinite leave to enter (ILE) or remain (ILR) and is regarded as having settled status. However, where ILE or ILR status is granted as a result of an undertaking that a sponsor will be responsible for the applicant's maintenance and accommodation, the person must have been resident in the Common Travel Area for five years since the date of entry - or the date of the sponsorship undertaking, whichever is later - to be eligible. Where all sponsors have died within the first five years, the applicant will be eligible for an allocation of accommodation.

- a person who has humanitarian protection granted under the Immigration Rules<sup>6</sup>: a form of leave granted to persons who do not qualify for refugee status but would face a real risk of suffering serious harm if returned to their state of origin (see paragraphs 339C-344C of the Immigration Rules (HC 395))

### **Other persons from abroad who may be ineligible for an allocation**

xi.) By virtue of regulation 4 of the Eligibility Regulations, a person who is not subject to immigration control and who falls within one of the following descriptions is to be treated as a person from abroad who is ineligible for an allocation of accommodation:

- a person who is not habitually resident in the Common Travel Area (subject to certain exceptions - see paragraph 3.14 below)
- a person whose only right to reside in the UK is derived from his status as a jobseeker (or his status as the family member of a jobseeker). 'Jobseeker' has
- 6 Inserted by the Allocation of Housing and Homelessness (Miscellaneous Provisions) (England) Regulations 2006 the same meaning as in regulation 6(1) of the Immigration (European Economic Area) Regulations 2006 (SI 2006/1003) ('the EEA Regulations').
- a person whose only right to reside in the UK is an initial right to reside for a period not exceeding three months under regulation 13 of the EEA Regulations
- a person whose only right to reside in the Common Travel Area is a right equivalent to one of the rights mentioned in (ii) or (iii) above and which is derived from EU Treaty rights

xii.) See Annex 2 for guidance on rights to reside in the UK derived from EU law.

Xiii.) The following persons from abroad are eligible for an allocation of accommodation even if they are not habitually resident in the Common Travel Area:

- an EEA national who is in the UK as a worker (which has the same meaning as in regulation 6(1) of the EEA Regulations)
- an EEA national who is in the UK as a self-employed person (which has the same meaning as in regulation 6(1) of the EEA Regulations)
- a person who is treated as a worker for the purposes of regulation 6(1) of the EEA Regulations, pursuant to the Accession (Immigration and Worker Authorisation) Regulations 2006 (i.e. nationals of Bulgaria and Romania required to be authorised

by the Home Office to work until they have accrued 12 months uninterrupted authorised work)<sup>2</sup>

- a person who is a family member of a person referred to in (a) to (c) above
- a person with a right to reside permanently in the UK by virtue of regulation 15(c), (d) or (e) of the EEA Regulations f) a person who left Montserrat after 1 November 1995 because of the effect of volcanic activity there
- a person who is in the UK as a result of his deportation, expulsion or other removal by compulsion of law from another country to the UK. This could include EEA nationals, if the person was settled in the UK and exercising EU Treaty rights prior to deportation from the third country. Where deportation occurs, most countries will signal this in the person's passport.

xiv.) A person who is no longer working or no longer in self-employment will retain his or her status as a worker or self-employed person in certain circumstances. However, accession state workers requiring authorisation will generally only be treated as a worker when they are actually working as authorised and will not retain 'worker' status between jobs until they have accrued 12 months continuous authorised employment. 'Family member' does not include a person who is an extended family member who is treated as a family member by virtue of regulation 7(3) of the EEA Regulations (see annexes 2 and 3 for further guidance).

xv.) The term 'habitual residence' is intended to convey a degree of permanence in the person's residence in the Common Travel Area; it implies an association between the individual and the place of residence and relies substantially on fact.

xvi.) Applicants who have been resident in the Common Travel Area continuously during the two year period prior to their housing application are likely to be habitually resident (periods of temporary absence, e.g. visits abroad for holidays or to visit relatives may be disregarded). Where two years' continuous residency has not been established, housing authorities will need to conduct further enquiries to determine whether the applicant is habitually resident (see annex 4 for further guidance).

## **ANNEX 2: RIGHTS TO RESIDE IN THE UK DERIVED FROM EU LAW**

i.) EEA nationals and their family members who have a right to reside in the UK that derives from EU law are not persons subject to immigration control. This means that they will be eligible for an allocation of accommodation under Part 6 unless they fall within one of the categories of persons to be treated as a person from abroad who is

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<sup>2</sup> As of 1 May 2011, nationals of the 8 Eastern European countries (A8 nationals) which acceded to the EU in 2004 are no longer required to register with the Workers Registration Scheme in order to work in the UK. Regulation 4(2)(c) of the Eligibility Regulations no longer applies to applications from A8 workers as of that date. Rather applications from A8 workers should be considered on the same basis as those from other EU workers under regulation 4(2)(a).

ineligible for an allocation of accommodation by virtue of regulation 4 of the Eligibility Regulations.

## **General**

### **Nationals of EU countries**

ii.) Nationals of EU countries enjoy a number of different rights to reside in other Member States, including the UK. These rights derive from the EU Treaties, EU secondary legislation (in particular *Directive 2004/38*), and the case law of the European Court of Justice.

iii.) Whether an individual EU national has a right to reside in the UK will depend on his or her circumstances, particularly his or her economic status (e.g. whether employed, self-employed, seeking work, a student, or economically inactive etc.).

#### *Nationals of Bulgaria and Romania - the A2 accession states*

iv.) A slightly different regime applies to EU nationals who are nationals of Bulgaria and Romania which acceded to the EU on 1 January 2007. Bulgaria and Romania are referred to in this guidance as the A2 accession states. *The Immigration (European Economic Area) Regulations 2006*

v.) The *Immigration (European Economic Area) Regulations 2006* ('the EEA Regulations' – SI 2006/1003) implement into UK domestic law *Directive 2004/38*. Broadly, the EEA Regulations provide that EU nationals have the right to reside in the UK without the requirement for leave to remain under the Immigration Act 1971 for the first 3 months of their residence, and for longer, if they are a 'qualified person' or they have acquired a permanent right of residence. *Nationals of Iceland, Liechtenstein and Norway, and Switzerland*

vi.) The EEA Regulations extend the same rights to reside in the UK to nationals of Iceland, Liechtenstein and Norway as those afforded to EU nationals. (The EU countries plus Iceland, Liechtenstein and Norway together comprise the EEA.) The EEA Regulations also extend the same rights to reside in the UK to nationals of Switzerland. For the purposes of this guidance, 'EEA nationals' means nationals of any of the EU member states (excluding the UK), and nationals of Iceland, Norway, Liechtenstein and Switzerland.

### **Initial 3 months residence**

vii.) Regulation 13 of the EEA Regulations provides that EEA nationals have the right to reside in the UK for a period of up to 3 months without any conditions or formalities other than holding a valid identity card or passport. Therefore, during their first 3 months of residence in the UK, EEA nationals will not be subject to immigration control (unless the right to reside is lost following a decision by an immigration officer in accordance with regulation 13(3) of the EEA Regulations).

viii.) However, regulations 4(1) (b) (ii) and (c) of the Eligibility Regulations provide that a person who is not subject to immigration control is not eligible for an allocation of accommodation if:

- his or her **only** right to reside in the UK is an initial right to reside for a period not exceeding 3 months under regulation 13 of the EEA Regulations, or
- his or her **only** right to reside in the Channel Islands, the Isle of Man or the Republic of Ireland (the Common Travel Area) is a right equivalent to the right mentioned in (i) above which is derived from the EU Treaty

## **Rights of residence for 'qualified persons'**

ix.) Regulation 14 of the EEA Regulations provides that 'qualified persons' have the right to reside in the UK so long as they remain a qualified person. Under regulation 6 of the EEA Regulations, 'qualified person' means:

a jobseeker  
a worker  
a self-employed person  
a self-sufficient person  
a student

### **Jobseekers**

x.) For the purposes of regulation 6(1)(a) of the EEA Regulations, 'jobseeker' means a person who enters the UK in order to seek employment and can provide evidence that he or she is seeking employment and has a genuine chance of being employed.

xi.) Nationals of Bulgaria and Romania who need to be authorised to work do not have a right to reside in the UK as a jobseeker<sup>3</sup>. However, they may have a right to reside by virtue of another status, e.g. as a self-sufficient person.

xii.) Although a person who is a jobseeker is not subject to immigration control, regulation 4 of the Eligibility Regulations provides that a person is not eligible for an allocation of accommodation if:

his or her **only** right to reside in the UK is derived from his or her status as a jobseeker or the family member of a jobseeker, or  
his or her **only** right to reside in the Channel Islands, the Common Travel Area is a right equivalent to the right mentioned in (i) above which is derived from the Treaty establishing the European Community

### **Workers**

xiii.) In order to be a worker for the purposes of the EEA Regulations, a person must be employed. That is to say, he or she is obliged to provide services for another person in

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<sup>3</sup>Regulation 6(2) of the *Accession (Immigration and Worker Authorisation) Regulations 2006* (SI 2006/3317).

return for monetary reward and is subject to the control of that other person as regards the way in which the work is to be done.

xiv.) Activity as an employed person may include part time work, seasonal work and cross-border work (i.e. where a worker is established in another Member State and travels to work in the UK). However, case law provides that the employment must be effective and genuine economic activity, and not on such a small scale as to be regarded as purely marginal and ancillary.

xv.) Provided the employment is effective and genuine economic activity, the fact that a person's level of remuneration may be below the level of subsistence or below the national minimum wage, or the fact that a person may be receiving financial assistance from public benefits, would not exclude that person from being a 'worker'.

xvi.) A person who is a worker is not subject to immigration control, and is eligible for an allocation of accommodation whether or not he or she is habitually resident in the Common Travel Area.

#### *Retention of worker status*

xvii.) A person who is no longer working does not cease to be treated as a 'worker' for the purpose of regulation 6(1)(b) of the EEA Regulations, if he or she:

(a) is temporarily unable to work as the result of an illness or accident; or

(b) is recorded as involuntarily unemployed after having being employed in the UK, provided that he or she has registered as a jobseeker with the relevant employment office, and:

(i) was employed for one year or more before becoming unemployed, or

(ii) has been unemployed for no more than 6 months, or (iii) can provide evidence that he or she is seeking employment in the UK and has a genuine chance of being engaged; or

(c) is involuntarily unemployed and has embarked on vocational training; or

(d) has voluntarily ceased working and embarked on vocational training that is related to his or her previous employment.

#### *A2 state workers requiring authorisation who are treated as workers*

xviii.) By virtue of the *Accession (Immigration and Worker Authorisation) Regulations 2006* ('the Accession Regulations'), nationals of the A2 states (with certain exceptions) must obtain authorisation to work in the UK until they have accrued a period of 12 months continuous employment.

xix.) An A2 national requiring authorisation is only treated as a worker if he or she is actually working and:



- holds an accession worker authorisation document, and
- is working in accordance with the conditions set out in that document (regulation 9(1) of the Accession Regulations)

xx.) We may need to contact the employer named in the authorisation document, to confirm that the applicant continues to be employed.

### **Self-employed persons**

xxi.) 'Self-employed person' means a person who establishes himself in the UK in order to pursue activity as a self-employed person in accordance with Article 49 of the Treaty on the Functioning of the European Union.

xxii.) A self-employed person should be able to confirm that he or she is pursuing activity as a self-employed person by providing documents relating to their business. A person who is no longer in self-employment does not cease to be treated as a self-employed person for the purposes of regulation 6(1) (c) of the EEA regulations, if he or she is temporarily unable to pursue his or her activity as a self-employed person as the result of an illness or accident.

xxiii.) A2 nationals are not required to be authorised in order to establish themselves in the UK as a self-employed person.

xxiv.) A person who is a self-employed is not subject to immigration control and is eligible for an allocation of accommodation whether or not he or she is habitually resident in the Common Travel Area.

### **Self-sufficient persons**

xxv.) Regulation 4(1) (c) of the EEA regulations defines 'self-sufficient person' as a person who has:

- sufficient resources not to become a burden on the social assistance system of the UK during his or her period of residence, and
- comprehensive sickness insurance cover in the UK

xxvi.) By regulation 4(4) of the EEA Regulations, the resources of a person who is a self-sufficient person (or a student – see below) and, where applicable, any family members, are to be regarded as sufficient if (a) they exceed the maximum level of resources which a UK national and his or her family members may possess if he or she is to become eligible for social assistance under the UK benefit system or, if (a) does not apply, (b) taking into account the personal situation of the person concerned and, where applicable, any family members, it appears to the council that the resources of the person or persons concerned should be regarded as sufficient.

xxvii.) Where an EEA national applies for an allocation of accommodation as a self-sufficient person and does not appear to meet the conditions of regulation 4(1)(c) of the

EEA regulations, the housing authority will need to consider whether he or she may have some other right to reside in the UK.

xxviii.) Where the applicant does not meet the conditions of regulation 4(1) (c) but has previously done so during his or her residence in the UK, the case will be referred to the Home Office for clarification of their status.

xxix.) A person who is a self-sufficient person is not subject to immigration control, but must be habitually resident in the Common Travel Area to be eligible for an allocation of accommodation.

### **Students**

xxx.) Regulation 4(1)(d) of the EEA regulations defines 'student' as a person who : (a) is enrolled at a private or public establishment included on the Register of Education and Training Providers<sup>4</sup>, or is financed from public funds, for the principal purpose of following a course of study, including vocational training, and (b) has comprehensive sickness insurance cover in the UK, and (c) assures the Secretary of State, by means of a declaration or such equivalent means as the person may choose, that he or she (and if applicable his or her family members) has sufficient resources not to become a burden on the social assistance system of the UK during his or her period of residence.

xxxi.) A person who is a student is not subject to immigration control but must be habitually resident in the Common Travel Area to be eligible for an allocation of accommodation.

### **Permanent right of residence**

xxxii.) Regulation 15 of the EEA Regulations provides that the following persons shall acquire the right to reside in the UK permanently : (a) an EEA national who has resided in the UK in accordance with the EEA regulations for a continuous period of 5 years (b) a non-EEA national who is a family member of an EEA national and who has resided in the UK with the EEA national in accordance with the EEA regulations for a continuous period of 5 years (c) a worker or self-employed person who has ceased activity (see regulation 5 of the EEA Regulations for the definition of worker or self-employed person who has ceased activity) (d) the family member of a worker or self-employed person who has ceased activity (e) a person who was the family member of a worker or self-employed person who has died, where the family member resided with the worker or self-employed person immediately before the death and the worker or self-employed person had resided continuously in the UK for at least 2 years before the death (or the death was the result of an accident at work or an occupational disease) (f) a person who has resided in the UK in accordance with the EEA regulations for a continuous period of 5 years, and at the end of that period was a family member who has retained the right of residence (see regulation 10 of the EEA Regulations for the definition of a family member who has retained the right of residence). Once acquired, the right of permanent residence can be lost through absence from the UK for a period exceeding two consecutive years.

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<sup>4</sup> Now known as the Register of Sponsors and held by the UKBA.

xxxiii.) A person with a right to reside permanently in the UK arising from (c), (d) or (e) above is eligible for an allocation of accommodation whether or not he or she is habitually resident in the Common Travel Area. Persons with a permanent right to reside by virtue of (a), (b), or (f) must be habitually resident to be eligible.

## **Rights of residence for certain family members**

### **The right to reside**

xxxiv.) Regulation 14 of the EEA Regulations provides that the following family members are entitled to reside in the UK:

- a family member of a qualified person residing in the UK
- a family member of an EEA national with a permanent right of residence under regulation 15
- a family member who has retained the right of residence (see regulation 10 of the EEA Regulations for the definition)

xxxv.) A person who has a right to reside in the UK as the family member of an EEA 38 national under the EEA Regulations will not be subject to immigration control. The eligibility of such a person for an allocation of accommodation should therefore be considered in accordance with regulation 4 of the Eligibility Regulations.

xxxvi.) When considering the eligibility of a family member, we will consider whether the person has acquired a right to reside in their own right, for example a permanent right to reside under regulation 15 of the EEA Regulations.

### **Who is a 'family member'?**

xxxvii.) Regulation 7 of the EEA regulations provides that the following persons are treated as the family members of another person (with certain exceptions for students – see below): (a) the spouse of the person (b) the civil partner of the person (c) a direct descendant of the person, or of the person's spouse or civil partner, who is under the age of 21 (d) a direct descendant of the person, or of the person's spouse or civil partner, who is over 21 and dependent on the person, or the spouse or civil partner (e) an ascendant relative of the person, or of the person's spouse or civil partner, who is dependent on the person or the spouse or civil partner (f) a person who is an extended family member and is treated as a family member by virtue of regulation 7(3) of the EEA regulations (see below)

### *Family members of students*

xxxviii.) Regulation 7(2) of the EEA regulations provides that a person who falls within (c), (d) or (e) above shall not be treated as a family member of a student residing in the UK after the period of 3 months beginning on the date the student is admitted to the UK unless:

- in the case of paragraph 37(c) and (d) above, the person is the dependant child of the student, or of the spouse or civil partner, or
- the student is also a qualified person (for the purposes of regulation 6(1) of the EEA regulations) other than as a student

#### *Extended family members*

xxxix.) Broadly, extended family members will be persons who: (a) do not fall within any of the categories (a) to (e) in paragraph 37 above, and (b) are either a relative of an EEA national (or of the EEA national's spouse or civil partner) or the partner of an EEA national, and (c) have been issued with an EEA family permit, a registration certificate or a residence card which is valid and has not been revoked 39

### **Family members' eligibility for an allocation of accommodation**

#### *Relationship with other rights to reside*

xxxx.) This section concerns the eligibility of an applicant for an allocation of accommodation whose right to reside is derived from his or her status as the family member of an EEA national with a right to reside. In some cases, a family member will have acquired a right to reside in his or her own right. In particular, a person who arrived in the UK as the family member of an EEA national may have subsequently acquired a permanent right of residence under regulation 15 of the EEA Regulations, as outlined in paragraph 32 (a) – (f) above. The eligibility for an allocation of accommodation of those with a permanent right of residence is discussed at paragraphs xxxii.) and xxxiii.)

#### *Family members who must be habitually resident*

xxxxi.) For family members with a right to reside under regulation 14 of the EEA Regulations, the following categories of persons must be habitually resident in the UK, the Channel Islands, the Isle of Man or the Republic of Ireland in order to be eligible for an allocation of accommodation:

- a person whose right to reside derives from their status as a family member of an EEA national who is a self-sufficient person for the purposes of regulation 6(1)(d) of the EEA regulations
- a person whose right to reside derives from their status as a family member of an EEA national who is a student for the purposes of regulation 6(1)(e) of the EEA regulations
- a person whose right to reside is dependent on their status as a family member of an EEA national with a permanent right to reside
- a person whose right to reside is dependent on their status as a family member who has retained the right of residence

#### *Family members who are exempt from the habitual residence requirement*

xxxii.) A person with a right to reside under regulation 14 as a family member of an EEA national who is a worker or a self-employed person for the purposes of regulation 6(1) of the EEA regulations is exempted from the requirement to be habitually resident by regulation 4(2) (d) of the Eligibility Regulations. However, we note that an extended family member (see above) is not counted as a family member for the purposes of

regulation 4(2) (d) of the Eligibility Regulations (see regulation 2(3) of the Eligibility Regulations).

**Family members of UK nationals exercising rights under the EU Treaty**

xxxiii.) There are some limited cases in which the non-EEA family member of a UK national may have a right to reside under EU law. Under regulation 9 of the EEA Regulations, the family member of a UK national should be treated as an EEA family member where the following conditions are met:

the UK national is residing in an EEA State as a worker or self-employed person, or was so residing before returning to the UK, and  
if the family member of the UK national is his spouse or civil partner, the parties are living together in the EEA State, or had entered into a marriage or civil partnership and were living together in that State before the UK national returned to the UK

xxxiv.) Where the family member of a UK national is to be treated as an EEA family member by virtue of regulation 9 of the EEA Regulations, that person is not subject to immigration control, and his or her eligibility for an allocation of accommodation should therefore be determined in accordance with regulation 4 of the **Eligibility** Regulations.

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**London Borough of Havering Council**

**Draft Homeless Placements Policy**

**June 2016**

# Document Control

## Document details

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## Equality Impact Assessment record

Date	Completed by	Review date
<i>June 2016</i>	<i>Gemma Meeks</i>	<i>June 2017</i>



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# 1. Policy Summary

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## 1.1. Policy Overview

This is Havering Council's new Homeless Placements Policy which sets out the Council's approach for responding to homelessness in the borough in relation to procurement and placements (allocation) of temporary and settled accommodation. It covers both interim placements under Section 188 of the Housing Act 1996 whilst homeless enquiries are undertaken and longer-term placements into temporary accommodation or settled private rented sector accommodation under Section 193 of the Housing Act 1996.

It is the Council's aim to ensure that it has sufficient and suitable accommodation in Havering to meet its statutory duty towards people who are homeless or are at risk of homelessness. However due to the limited availability of affordable accommodation and increasing demand, it is no longer reasonably practicable to offer accommodation within the borough to all homeless households and the Council intends to increase supply of accommodation by procuring properties wherever available both within and out of borough.

This policy covers:

- Demand and supply of temporary and settled private rented sector accommodation
- The estimated shortfall in supply
- Ensuring sufficient supply of accommodation and the challenges
- Compliance with suitability of accommodation order
- Placements pathway including discharge of duty into private rented sector
- Consequences of refusing a reasonable offer of accommodation
- Support and resettlement.

## 1.2. Aims and Objectives

Recent case law and legislative developments have affected the way local authorities discharge their homelessness functions. This policy outlines Housing Service's objective:

- Secure accommodation to meet demand from homeless households
- Provide clear information on how decisions about placements are made
- Make best use of the Council's available accommodation resources
- Comply with the Homelessness Code of Guidance 2006, Homelessness (Suitability of Accommodation) Order 2012 and case laws including *Nzolameso v City of Westminster* 2015.

## 1.3. Policy Impact on Housing Services Delivery

There are five main areas covered by the introduction of a Placements Policy that will have an impact in the way the Housing Service delivers the homelessness service:

- Implementing the accommodation pathway for households seeking help under the homelessness legislation.

- Using the Council's powers under the Localism Act 2011 to discharge its homelessness duty by arranging for a private landlord to make a suitable offer of private rented for a period of at least 12 months.
- Reviewing the procurement approach to ensure that demand is met.
- Implementing the factors that will be taken into account when determining where households will be placed.
- Implementing the factors that will be taken into account where there is an identified need to transfer an existing applicant to alternative temporary or settled accommodation.
- Offering support and resettlement service

#### **1.4. Scope of the Policy**

This policy applies to the procurement and placement of homeless households into temporary accommodation and settled private rented sector accommodation. The policy does not cover tenancy management of the accommodation.

The policy applies to people presenting to the Council as homeless, who the Council has reason to believe may be homeless, eligible and in priority need as defined by homelessness legislation. This includes;

- Applicants placed under an interim duty to accommodation (Housing Act 1996 s188)
- Applicants placed under a housing duty to accommodate (Housing Act 1996 s193(2) and 195a)
- Applicants owed a housing duty and the Council intends to discharge the duty by way of a 'private rented sector offer' (PRSO) using the power granted to it (s193(7AA)-(7AC) Housing Act 1996 as amended by s.148(5)-(7) Localism Act 2011
- Applicants offered accommodation following a referral from Children or Adult Social Care in order to meet the Council's corporate duty.

Housing Services employees will have due regard to this policy in their day-to-day operation of the service. Complementary procedures to this policy will be developed for staff to refer to.

#### **1.5. Strategic and Legal Framework**

The Housing Act 1996 and the Homelessness Act 2002 placed statutory duties on local housing authorities to ensure that advice and assistance to households who are homeless or threatened with homelessness is available. A main statutory homelessness duty is owed to homeless applicants, where the authority is satisfied the applicant is eligible for assistance, unintentionally homeless and falls within a specified priority need group.

The priority need groups include households with dependent children, pregnant women or households who are vulnerable, for example because of mental illness or physical disability. In 2002, the Homelessness (Priority Need for Accommodation) Order extended the priority need categories to include applicants aged 16-17, those age 18-20 previously in care, those vulnerable as a result of time spent in care, custody or HM forces or vulnerable as a result of domestic violence (threat or actual).

Where a main housing duty is owed, the Council must provide suitable accommodation for the applicant and his or her household.

The policy takes into account the following legal requirements;

- The Housing Act 1996 specifically
  - Section 205 Discharge of Functions
  - Section 206 Discharge of functions by the local housing authority
  - Section 208 Discharge of function out of area placement
  - Section 210 Suitability of accommodation
- The Homelessness Act 2002
- The Localism Act 2011
- Homelessness Code of Guidance 2006
- Supplementary Guidance on Changes in Localism Act 2011 and Homelessness (Suitability of Accommodation) (England) Order 2012
- Children's Act 2004
- Care Act 2015
- Equality Act 2010
- Applicable and related Council policies including London Borough of Havering Housing Strategy and Housing Allocations Policy
- Recent case law surrounding homelessness and temporary accommodation including *Nzolameso v Westminster City Council* 2015

The Supreme Court case judgment in *Nzolameso v Westminster City Council* 2015 had significant ramifications for local authorities, who are advised to adopt policies as to the procurement and allocation of temporary accommodation. Care should be taken to ensure that the policies reflect the obligations under section 208, the 2012 Order and the associated statutory guidance and under section 11 of the Children Act 2004

#### **1.6. Timescales of Implementation**

The approved policy will be effective from July 2016 and will be continually reviewed. The policy in operation will be published on the Council's website.

#### **1.7. Performance Monitoring**

The effectiveness of this policy will be monitored over the implementation period. The Council will also monitor on-going changes in the private rental market to inform the development of accommodation products in order to meet prevailing demand.

#### **1.8. Equalities Statement and Monitoring**

Havering is home to a number of different communities. The Council is committed to delivering quality services to all by responding positively to the needs of all service users. Homeless applicants can make use of the Council's translation and interpretation services or other available communication services for the visually impaired, hard of hearing or disabled household.

## 2. Homelessness demand

- 2.1. The rising demand for TA and settled accommodation is rooted in wider national housing problems. The disparity between the pace of new build accommodation and availability of accommodation in the owner occupied sector has made home ownership increasingly out of reach for local people. The decline in house building has contributed to house price inflation and increasing reliance on the private rented sector, which in turn has increased market rents. Population growth, lack of affordable housing options and low turnover in the social rented sector has made the homelessness demand pressures particularly acute for all London Boroughs.
- 2.2. Recent analysis from the first and secondary quartiles of 2014-2015 and 2015-2016 highlights dramatic changes of rising homelessness, with the number of acceptances and decisions having almost tripled within one year. In 2015/2016 homeless applications doubled with a rate of 36% acceptances. Despite this, the total number of homeless placements into temporary accommodation has reduced from the number of lettings from the previous year; this indicates the difficulties in the limited availability and procurement of private rented accommodation. The supply of social housing in Havering is extremely limited; the Council is therefore reliant on the use of housing in the private rented sector to meet its obligations. As recent trends show, procurement in the private rented sector is becoming difficult and the waiting list from homeless people in need of temporary accommodation is starting to grow.
- 2.3. The demand for temporary and settled accommodation arises not only from new homeless applicants and statutory homeless cases but also from existing tenants of temporary accommodation with an urgent need to transfer into alternative temporary accommodation that is suitable for their household needs. For example this may include people needing to transfer because of threat to life, domestic violence, critical safeguarding, health or medical needs, due to the unsuitability of accommodation, under-occupation, overcrowding or when the landlord of the property requests the property back from the housing service. In addition, the Council works with Social Care to assist in meeting their care duties by arranging accommodation for some client groups including those with No Recourse to Public Funds.
- 2.4. Current demand in Havering is predominantly for one and two bedroom homes (79%) as have been the case for three years; however the demand for three-bed homes are starting to rise. 80% of the Council's stock of longer term temporary accommodation is of one and two bedrooms.
- 2.5. Changes to Local Housing Limits have meant that the Council has found it increasingly difficult to procure accommodation in the private rented sector at Local Housing Allowance rates (housing benefit levels) at which local people can afford, as the rents in London and Havering continue to increase. The difficulty in procuring longer-term temporary accommodation has resulted in limited move-on activity from interim accommodation. As a consequence there has been an increase in the use of emergency temporary accommodation (bed and breakfast accommodation) often at a cost that cannot be fully met through the housing benefit system, resulting in a pressure on the Council's General Fund budget that is unsustainable.

2.6. Over 2011-2012 to 2014-2015 the number of overall homelessness decisions and acceptances has dropped. However, recent trends from 2013-2014 to 2014-2015 show that homelessness acceptances have risen by 18%. Recent analysis from the first quartile of 2014-2015 and 2015-2016 highlights dramatic changes of rising homelessness, with the number of acceptances and decisions having almost tripled within one year.

Table 1 - P1E Homelessness Presentations and Acceptances in Havering (2011-2015)								
	2011-2012	2012-2013	2013-2014	2014-2015	Change 13-14 to 14-15	2014-2015 Q1	2015-2016 Q1	Change %
<b>Statutory Homelessness Acceptances (Eligible and Priority Need)</b>	226	202	163	191	(+) 18%	34	112	(+)258.8%
<b>Total decisions</b>	767	770	779	654	(-) 16 %	85	316	(+) 271.8%
<b>Total number in TA</b>								
<b>Q1</b>	559	490	517	617	19%	617	637	3%
<b>Q2</b>	536	574	486	624	28%			
<b>Q3</b>	511	598	599	637	6%			
<b>Q4</b>	526	617	623	649	4%			

### 3. Current supply of accommodation

The Council has an overall supply of 949 properties available to meet its homelessness responsibilities. This is used for placements in order to prevent homelessness, as interim and longer term temporary accommodation. Table 2 below provides a summary of the current supply of accommodation.

Table 2 – Current supply of Accommodation	
Type	Supply
Emergency Bed & Breakfast	10
Council owned hostel accommodation	95
Private sector leased accommodation	854
<i>* Of which in-borough</i>	796
<i>* Of which out of borough</i>	58
<b>Total</b>	<b>959</b>

\*As of 22/01/2016

#### 3.1. Emergency Bed & Breakfast

Bed and Breakfast is used as a last resort and on an emergency basis and to fill the temporary accommodation gap when the need arises. It is therefore spot purchased at a greater cost to the Council. There are also limited Bed and Breakfast providers in Havering and access is made more difficult due to increased competition from inner London Boroughs making block bookings of B&B's in Havering.

#### 3.2. Council-owned Hostel Accommodation

The Council has three hostel accommodation sites situated in the borough. There are 95 units across the three hostel sites, with mixed compositions of single and family rooms. Throughout 2015-2016, the Council has been fully occupied the rooms.

### 3.3. Private Sector Leased Accommodation

The Council has a current supply of 854 private sector leased properties, of which the vast majority (93%) are located in borough. The Council acts as a Social Lettings Agency by leasing the properties from private landlords, letting and managing them under a fixed term agreement of 3-5 years.

<b>Table 3 - Current Supply of Private Sector Leased accommodation</b>			
<b>Summary profile</b>	<b>In Borough Procurement</b>	<b>Out of Borough Procurement</b>	<b>Total PSL portfolio (current)</b>
<b>Bedroom size</b>			
1 bed	265 (33.3%)	22 (37.9%)	<b>287 (33.6%)</b>
2 bed	334 (43.2%)	22 (37.9%)	<b>366 (42.9%)</b>
3 bed	175 (22%)	12 (20.7%)	<b>187 (21.9%)</b>
4 bed	12 (1.5%)	2 (3.4%)	<b>14 (1.4%)</b>
Total properties (no.)	796 properties (93.21%)	58 properties (6.79%)	<b>854 Total Properties</b>
<b>Location of out of borough accommodation</b>			
	Thurrock Council	42 (72.41%)	
	Basildon Council	7 (12.07%)	
	London Borough of Barking and Dagenham Council	7 (12.07%)	
	Brentwood Council	2 (3.45%)	

\*As of 22/01/2016

Although the Council does not currently operate a Placements Policy for discharging its homelessness duty into the private sector outside of the borough it does place households into temporary accommodation outside the borough. This has been limited because the placements have been on a voluntary basis with the household's agreement.

## 4. Demand and supply

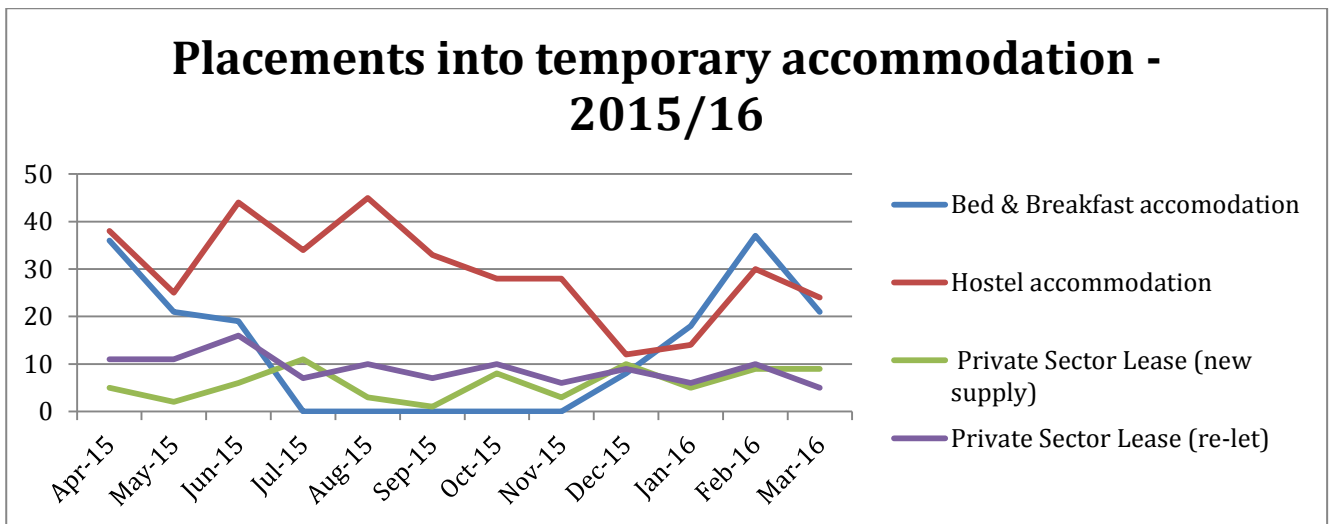
4.1. As can be seen in Table 5 below, the Council has consistently experienced high levels of demand in the borough over the period of 2015-2016. The level of demand has not been met by the amount of accommodation becoming available to let as there has been a total shortfall of 358 properties on an annual basis or 30 properties a month.

- Formal homeless applications are made at a monthly average of 92 applications. Of which the majority require temporary accommodation either on an interim or long-term basis.
- Placements into temporary accommodation are at a monthly average of 60.
- Supply is based on available stock from mainly hostel or private sector leased temporary accommodation and any shortfall is met through the use of Bed & Breakfast accommodation.
- New supply of private sector leased accommodation has drastically reduced to a monthly average of 6 properties.

- Therefore, there is a monthly average shortfall of 34 properties. This is usually managed through delayed homelessness by negotiating with an excluder to continue to accommodate the applicant either while enquiries are being conducted or while the council identifies a vacancy.

<b>Table 2</b>	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Total 2015/16	Monthly average
<b>Demand</b>														
Homeless approaches	133	242	207	166	132	130	204	176	150	115	167	206	2028	169
Formal homeless applications (PIE)	111	106	98	100	71	55	101	72	87	96	134	73	1104	92
Homeless acceptances	44	20	48	35	26	21	22	27	36	27	40	46	392	33
<b>Supply</b>														
Households placed into TA (total)	90	59	85	52	58	41	46	37	39	43	86	59	695	57.9
Of which placed in B&B	36	21	19	0	0	0	0	0	8	18	37	21	160	13.3
Of which placed in hostels	38	25	44	34	45	33	28	28	12	14	30	24	355	29.6
Of which placed in PSL (new procured supply)	5	2	6	11	3	1	8	3	10	5	9	9	72	6.0
Of which placed in PSL (re-let)	11	11	16	7	10	7	10	6	9	6	10	5	108	9.0
<b>Demand/Supply difference*</b>	<b>-21</b>	<b>-47</b>	<b>-13</b>	<b>-48</b>	<b>-13</b>	<b>-14</b>	<b>-55</b>	<b>-35</b>	<b>-48</b>	<b>-53</b>	<b>-48</b>	<b>-14</b>	<b>-409</b>	<b>-34.1</b>

\*This is the difference between the number of homeless applications and the available supply of temporary accommodation (total placements)



As shown in the graph above, the use of Bed & Breakfast accommodation increased from November 2015 to plug the supply gap.

It is projected that this level of demand will continue in 2016/17. Based on the shortfall of 34 properties, usually approximately half (17) can be delayed, leaving additional requirement of 17 properties a month if the use of Bed & Breakfast is continued at the current rate of 40 a month (average excluding July-Nov 2015). To eliminate use of Bed & Breakfast, we would require approximately 57 properties a month.



## 5. Procurement – ensuring sufficient supply of accommodation

This section sets out the current market challenges and how the Council intends to do in order to meet the on-going homelessness demand. The aim is to acquire sufficient units of accommodation to meet the projected demand for properties each financial year from homeless households.

### 5.1. The challenges

Havering Council is finding the procurement of self-contained rented properties at or below TA subsidy and local housing allowance (LHA) rates increasingly challenging. Reasons for this include:

- a) The overheated housing market in many areas of London, which is placing downward pressure on the availability of affordable accommodation. Rents are increasing as landlords exit the homelessness market for a variety of reasons, such as to attract different tenants or because of the perceived uncertainties relating to welfare reform
- b) As a result of the above, a difficulty in procuring properties given the current TA subsidy formula (currently 90 per cent of January 2011 LHA, plus a £40 management fee, for self-contained properties). Many boroughs in London are now routinely using the management fee element of TA subsidy to pay agent or landlord fees, and topping up the subsidy from the General Fund.
- c) The £26,000 per year cap on welfare benefits for households in London. This cap is due to be reduced to £23,000 per year (£20,000 per year outside of London). The use of discretionary housing payments (DHPs) to subsidise benefit-capped households in TA as has been the case is not sustainable.
- d) Landlords exiting Private Sector Leased scheme in favour of other products, and most notably nightly-paid models. Nightly-paid accommodation is often considerably more expensive for local authorities than longer-term accommodation.
- e) An increase in popularity of new property management models, such as guaranteed rental income. This offer is often reflected in an increased management fee in the private sector. In the context of reductions in public spending, this acts to limit our ability to compete with the market.
- f) A general lack of tenancy turnover in the private rented sector due to limited move-on options for tenants.
- g) The increase in competition for private rented accommodation across London given the increasing homelessness pressures.

### 5.2. Availability and affordability

Since 2010 the government has capped the levels at which it pays for housing benefit for households in the private rented sector. The going LHA rate falls significantly behind the rate of rent inflation which has meant more landlords can get higher rents on the open market than by letting to households on Housing Benefit.

The council pay landlords for the private sector leased properties used to accommodate homeless households. The costs are offset against the income the council receives in rent from the tenant. The level of rent set is related to the amount of housing benefit that the household is able to receive. Subsidy arrangements for the private sector leased properties are 90% of the LHA rate in the Broad Market Area BRMA for the size of the

property plus an element for management costs (£40 per week for authorities in outer London). A high proportion of homeless households are in receipt of housing benefit.

The London Borough of Havering is divided into two Broad Rental Market Areas (BRMA), which are used to calculate the LHA rates (Housing Benefit) and household entitlement. The Outer North East London BRMA and the South West Essex BRMA divide Havering. If the property location is out of borough, the cost is based on the BRMA LHA rates in operation in that area.

Whilst the amount the Council is able to receive from tenants in terms of income through housing benefit rates has remained static, the Council has to spend more to secure accommodation in a competitive market environment, as well as retain the existing stock.

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	Total increase	% change
Weekly	£69.73	£75.03	£81.20	£85.72	£91.49	£21.76	31%
Monthly	£302.16	£325.13	£351.87	£371.45	£396.46	£94.29	31%

\* Local Authority Average Weekly Rent Changes from 1998, ONS (accessed Jan 15)

Table 6 shows the rising cost of private rented accommodation in Havering over the past five years.

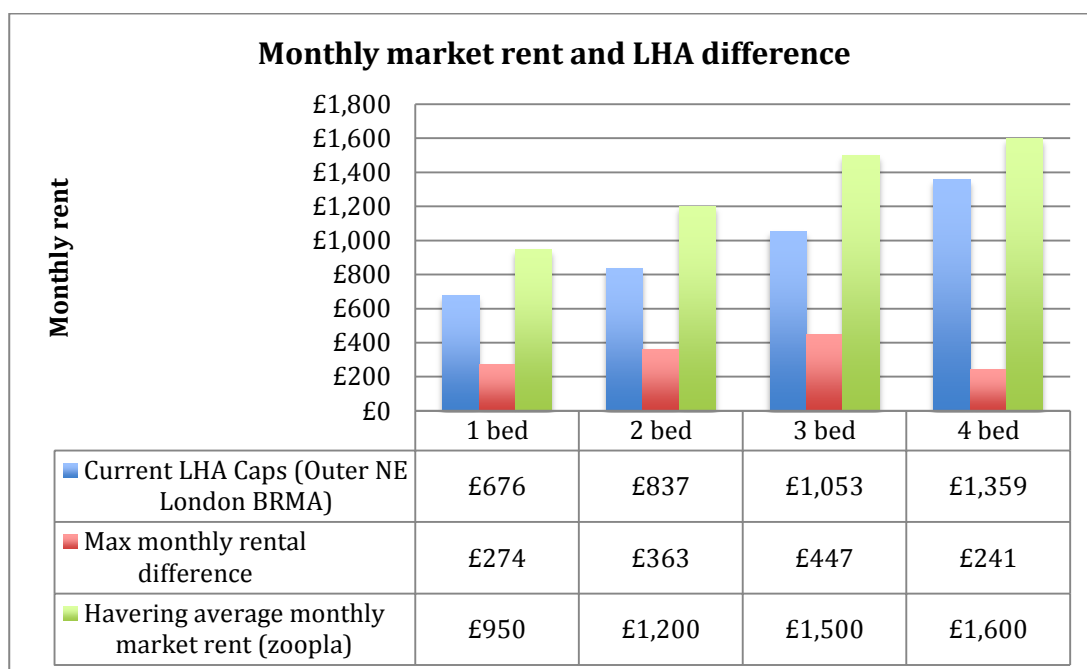
Household type example	Bed size	Average rent	Properties advertised	LHA weekly *Outer North East BRMA	LHA Monthly	Properties within LHA %
single u35/ shared room	shared room	£500	97	£75.15	£325.65	0%
single o35 and couples with children	1 bed	£950	97	£155.17	£672.40	0%
Families with children	2 bed	£1,200	149	£192.62	£834.69	0%
Families with children	3 bed	£1,500	100	£242.40	£1,050.40	0%
Families with children	4 bed	£1,600	36	£312.77	£1,355.34	0%

\*\*LHA has been calculated on location of the Outer North East BRMA.

\*LHA Rates from gov.co.uk, Average Rents & Availability extracted from Rightmove.co.uk

The analysis in Table 7 shows the lack of availability of properties that is within housing benefit rate (local housing allowance). Most of the properties advertised on the market are charged at the average market rent for each bedroom size and it shows that most accommodation in Havering is unaffordable for people on low income and/or on full housing benefit.

This will differ depending on the location within Havering, as some areas will still have supply of accommodation with lower quartile rents that can be affordable to people on benefits or on low income.



The chart above shows the difference between the local housing allowance and the average market rent that landlords expect to receive per bed size on a monthly basis. 79% of current demand from homeless households is for one and two bedroom homes and the demand for three bedroom homes is starting to rise. Therefore, the cost disparity is of a major concern which exacerbates the demand and supply pressure.

<b>Table 8 - Placements into Havering from other Local Authorities (April – Nov 15)</b>					
<b>Local authority</b>	<b>Numbers</b>	<b>%</b>	<b>Local authority (cont.)</b>	<b>Numbers</b>	<b>%</b>
Newham	178	39.9%	Hackney	1	0.2%
Kensington & Chelsea	46	10.3%	Haringey	2	0.4%
Barking & Dagenham	50	11.2%	Harrow	1	0.2%
Barnet	7	1.6%	Brent	2	0.4%
Redbridge	32	7.2%	<b>Total</b>	<b>446</b>	<b>100.0%</b>
Waltham Forest	61	13.7%			
Westminster	10	2.2%			
Hammersmith & Fulham	11	2.5%			
Lambeth	2	0.4%			
Lewisham	12	2.7%			
Wandsworth	1	0.2%	<b>Type of TA</b>	<b>Numbers</b>	<b>%</b>
Southwark	5	1.1%	PSL	143	32%
Tower Hamlets	19	4.3%	Hotel/B&B	96	22%
Bexley	1	0.2%	Other (Nightly/Annex)	206	46%
Islington	4	0.9%	Total	445	100%
Bromley	1	0.2%	<b>Type of TA</b>	<b>Numbers</b>	<b>%</b>

*\*Internal monitoring, data provided from East London Housing Partnership EHL P 2015*

Monitoring of procurement activity has shown an increase in 2015 of London's local authorities procuring accommodation in Havering at rental levels that are higher than Havering can offer. This has also affected the service's ability to secure the available supply of private rented accommodation.

### **5.3. Procurement options**

The Council already operates as a social lettings agency by procuring and managing private sector leased accommodation in order to compete with other private rented accommodation providers. It maintains competitiveness by:

- Operating from a high street shop in Hornchurch as a way of offering professional service to private landlords
- Offering leased and managed products to meet the individual requirements of landlords
- Offering intensive property management services and conducts inspections
- Offering guaranteed monthly fees of long leases (three to five years)
- Assisting with some costs of minor repairs
- Providing a tenant matching service
- Offering any available grant or initiative to attract landlords
- Undertaking commercial style advertising and marketing campaigns to promote the Council's profile as a viable alternative to local lettings agents. The Council uses newspaper and magazine press, radio, billboards, flyers, events.
- Providing support and housing advice services to both landlords and tenants
- Working collaboratively with the East-London Housing Partnership and at a Pan London level by sharing intelligence in order to maintain knowledge of procurement activity within its borough. This enables the Council to continuously adjust its procurement offer in line with market trends.

Given the difficulties of procuring sufficient units of temporary and settled accommodation at affordable prices in Havering, the Council intends to:

- Continue its procurement efforts as set out above in order to secure properties within the borough, in neighboring localities and further afield.
- Explore the viability of other accommodation products including the development of modular housing on available land.
- Identify existing under-used council accommodation that can be converted into hostel accommodation.
- Work with other accommodation providers in the market who can procure private sector accommodation.
- Develop other schemes to increase the level of prevention activities, for example, rent deposit schemes.

The Council aims to continue to operate within the Pan London Agreement on Inter-borough accommodation placements (IBAA) which is to ensure that where placing boroughs or their agents procure properties in receiving boroughs, they do not offer the landlord or agent for the property more than the receiving borough would. This is to prevent boroughs acting in competition with each other, a situation which could lead to price escalation.

Any decision made to procure further afield will be based on research relating to the affordability and availability of private rented supply in the proposed location. The Council will avoid acquiring accommodation in isolated locations.

- In making decisions on the acquisition of properties, the service will take into account the following factors:
  - the resources and community facilities in any area including health, medical, education, travel networks, religious sites and opportunities for employment (this list is not exhaustive)
  - the distance of the local authority area from Havering
  - the affordability of accommodation in any area
  - whether providing accommodation in any given area would be cost effective for the Council to deliver and properties acquired represent good value for money when considered in the context of the services overall expenditure on accommodation for homeless applicants
  - whether the acquisition links up to needs arising from homeless applications
  - the practicalities of acquiring and making placements in any location

## 6. Suitability of accommodation

The Policy sets out the key tests that will be used to ensure that the Council makes suitable offers of accommodation. These include:

- ensuring that a property meets the standards sets out the Suitability Regulations
- ensuring that the circumstances of the applicant have been considered in terms of the location of the property, and
- ensuring that the applicant is able to afford to live in the property taking into account their income once they have paid the rent. Accommodation may be located outside of the borough if this is more affordable.

This will apply to all offers of interim, longer term temporary or settled accommodation and officers will complete an assessment of all household members to inform placement decisions.

- 1 **Test one** - *Is the offer suitable based on the facts of the property itself – i.e. by meeting all requirements laid out in the Homelessness (Suitability of Accommodation) (England) Order 2012 Part 2 relating to property standards i.e. size, condition, space, and type of accommodation being offered?*
- 2 **Test two** - *Is the offer affordable for the applicant household?*
- 3 **Test three**- *Is the property suitable for that particular applicant household, having considered all possible impacts of property location and impact on education, health, employment and support? This will include an assessment of any subjective matters based on the applicant's circumstances*

## 5.1 Test One – Suitability of the property considerations

### • *Type of accommodation*

The Council will consider the type of accommodation available.

For temporary accommodation there may be some circumstances where hostel accommodation is limited and Bed & Breakfast accommodation may have to be used. Wherever possible the Council will limit the use of any emergency B&B placements for families with dependent children, 16-17 year olds and pregnant women. Where such applicants are placed in Bed & Breakfast accommodation with shared facilities, the Council will aim to move them to alternative self-contained accommodation within a period of 5 weeks as outlined within the transfer section of this document.

There may also be some circumstances where a property in the private rented sector may not be suitable for a household owed a statutory duty. Therefore, officers will consider:

- If an applicant requires supported accommodation or has significant health or medical needs and could not adequately sustain a private rented tenancy
- If the applicant requires significant disabled adaptations to make the property suitable and this cannot be arranged with a private landlord.

### • *Property Standards and Management*

The Homelessness (Suitability of Accommodation) (England) Order 2012 – Part 2 sets out a list of requirements relating to the property standards and its management that must be met in order for the property to be suitable. The local authority must be of the view that the accommodation is in reasonable physical condition fit for occupation.

The authority must also satisfy itself that the property is suitable in relation to:

- Certain electrical regulations & safety
- Fire Safety provision
- CO Poisoning – there must be adequate carbon monoxide alarms
- HMO licensing regulations
- Valid energy performance certificates EPC
- Gas safety records
- Written tenancy agreement
- The landlord is a fit and proper person to act as a landlord
- Elements of good management
- Household Health and Safety System legislation
- Equality legislation

If the property itself does not meet the property standards in relation to any of the above regulations or requirements, then the property and subsequent allocation of this property will be deemed unsuitable for occupation under Section 193 (F) of the Housing Act 1996.

To ensure temporary accommodation and accommodation in the private rented sector for use of a PRSO is suitable and fit for purpose, appropriate checks will be made by officers at the point of procuring and inspecting the property to ensure compliance with the Homelessness (Suitability of Accommodation) (England) Order 2012. A Housing Officer will assess suitability of the property before the applicant moves in.

- **Size of accommodation**

The Council will provide accommodation that is fit to inhabit with adequate space and room standards for households, taking into account relevant legislation. If accommodation is overcrowded, the Council will ensure that the household is moved to alternative accommodation.

Due to the emergency nature of interim temporary accommodation placements and limited availability of accommodation, households may need to be placed in accommodation one bedroom smaller than their needs with the expectation that the living room provides dual purpose as a living and sleeping area.

- **Property Condition**

The Council will ensure that all temporary and settled accommodation provided is of good standard, fit for living purpose and complies with relevant housing quality standards including health and safety, hygiene and fire safety regulations.

In determining whether the property is in reasonable condition, attention will be paid to signs of serious damp and mould and indications relating to structural defects or cold that would indicate unsuitability. The quality of the decoration/furniture, the layout/type of accommodation, provision of parking and lack of access to a garden will not be accepted as 'unsuitable' reasons for refusal.

## **5.2 Test Two – Suitability and affordability considerations**

The Council will always consider the affordability of any offer being made. For the property to be suitable it must be affordable under Homelessness (Suitability of Accommodation) Order 1996/2002. Therefore, the following steps will be undertaken:

- The Council will undertake an income and expenditure assessment on every applicant due to be offered temporary accommodation. The assessment will consider whether the applicant can afford their housing / living expenses without being deprived of essentials such as heating, other household bills, food, clothing, transport and other necessities
- Where an applicant has multiple or priority debts or the applicant has declared issues with budgeting, a referral can be made upon request to the Council's Money and Debt Advice service for support and assistance
- Consideration of the cost of the rent and any other expenditure relating to the property compared to the income available to the applicant, with or without LHA and other benefits. Where an applicant is on benefits and qualifies for LHA, benefits will be calculated with reference to the LHA/BRMA in the area the property is located.
- Where there is a shortfall between the rent required and the amount of benefit the applicant will receive through LHA, the Council will consider how the shortfall can be met by assisting with benefit applications i.e. DHP and making appropriate referrals for housing advice services.

Offer of accommodation or placement will be made based on the outcome of the assessment.

## **5.3 Test Three – Suitability and property location considerations**

Under Section 208 of the Housing Act, the Council is under an obligation so far as is reasonably practicable to provide accommodation in its district.

Due to the current mismatch against available supply and the level of demand due to the economic market conditions, it has become increasingly difficult for the Council to secure accommodation within Havering. Therefore, the Council will seek to increase supply by procurement and offering properties within and outside Havering.

The Council has due regard to The Homelessness (Suitability of Accommodation) (England) Order 2012 which sets out circumstances where an allocation of outer borough accommodation will not be considered suitable. In determining whether a location is suitable, the Council will consider the following factors;

- The particular needs and requirements of the applicant to remain in-borough
- Advantages that some applicants may have over others in being placed in accommodation out of borough
- Availability of affordable accommodation in Havering
- Health & Medical factors
- Welfare and support factors
- Education factors
- Employment factors
- Proximity to local community facilities and transport
- Any other special circumstances

Each of these is further explained below.

- ***Particular needs and requirements to remain in-borough***

If the applicant does not have a significant or specific need (health, medical, welfare, support, education, employment or other special circumstance) to remain in borough, this will be taken into account.

- ***Advantages some applicants may have over others in being placed in accommodation out of borough***

In some cases it may be more financially sustainable for a household to be placed in an affordable out of borough property as the lower rent would result in improved subsistence, household costs and reduced risk of getting into rent arrears.

Other circumstances where an out of borough accommodation may be considered suitable are to:

- Minimise risk of domestic violence
- Minimise risk of other violence
- Safeguard children
- Safeguard adults
- Promote wellbeing of any household member i.e. through breaking links with previous contacts who could exert negative influence
- Applicants who have their own preference and request to be placed out of Havering borough

- ***Availability of in-borough accommodation***



Availability is a just and appropriate consideration whilst deciding on the suitability of an accommodation offer. Considerations may be applied to prioritise households for in-borough accommodation only if there is an available supply of in-borough accommodation on the day of offer. In order to meet a household's need on the day that accommodation is required, they may be offered any available or suitable accommodation, inside or outside of the borough, temporary or settled private rented sector accommodation in discharge of the Council's specific duty.

If there has been an instance of limited availability and the placement made is deemed unsuitable for a household's continuing occupation then they will be transferred to an alternative accommodation as soon as a more suitable property becomes available.

- ***Health and Medical Factors***

If the applicant or any member of the household requires intensive or specialist treatment which can only be provided in Havering, this will be taken into account. This will include regard to health or medical treatments where a health professional would consider a move disruptive or detrimental to wellbeing.

If the applicant or a member of the household is citing medical grounds that were not identified during the initial homelessness assessment, the applicant will be asked to submit evidence of medical information within 24 hours.

The Council will have regard to the need to safeguard and promote the welfare of any children in the household in making an offer of accommodation.

- ***Welfare and Support needs***

If the applicant is in receipt of a significant package of care or a range of health care options that cannot be easily transferred or if the applicant is verified as the main carer for another person in Havering and the applicant cannot easily withdraw the care without significant detriment to the wellbeing of the other party, this will be taken into account.

- ***Education***

For households with children at key stages of their education or a child with Special Education Needs (SEN), proximity to schools in the area and accessibility of transport where the accommodation is being offered will be considered. This is to minimise disruption of the children's education.

- ***Employment***

The Council will consider the need of applicants who are in paid employment of more than 16 hours a week in terms of travelling distance to reach their normal workplace from the accommodation that is being offered. The decision will be based on a number of factors which when combined can cause hardship including the travelling time, route and the costs associated with this travel and the options of travel links available.

Every case will be considered on individual merit.

- ***Proximity to local facilities or amenities***

The Council will consider the need to be in a reasonable distance to any other community facility such as religious sites.

- ***Any other special circumstances***

Any other reasons put forward by the applicant that may affect the suitability of the location.

## 7. Placements (Allocations) of temporary and private rented sector settled accommodation

This section covers the management of demand from homeless households by ensuring that the council maximizes the use of available resources.

### 7.1. Housing Advice and Homelessness Prevention

It is the Council's aim to prevent homelessness in the first instance wherever possible in order to help homeless people to retain their current accommodation or provide them with alternative accommodation before they become homeless. Therefore, at first point of contact the Council will always provide homeless prevention assistance, including;

- **Mediation services** - including working with friends and family to prevent eviction or working with landlords or lenders to negotiate or intervene on issues that are expected to lead to eviction
- **Advisory services** – including money and debt or budgeting advice, which may assist homeless applicants to remain in their current accommodation or with finding affordable accommodation in the private sector. Advisors can help by exploring options to increase revenue or reduce expenditure.
- **Rent deposit schemes** – designed to assist a household into a private rented property of choice by assisting with cost of a deposit.
- **Pursue alternative housing options** – the Council can assist applicants with exploring alternative affordable housing options. For example because of restrictions to housing benefit, single homeless applicants can be offered shared accommodation into Houses of Multiple Occupation.

These options will be made available to all homeless applicants at any stage of the homeless process including when they are in temporary accommodation provided by the Council.

### 7.2. Placements pathway

Where the Council has not been able to prevent homelessness and a formal homeless application is triggered, the Council will aim to complete the necessary enquiry within 33 days in line with guidance and best practice. However, there are some circumstances where the decision may take longer to ensure that all relevant enquiries are thoroughly completed.

Where a homeless application is taken and there is a duty to provide temporary accommodation, the following guidelines will be applied:

#### 7.2.1. Offers of interim temporary accommodation under Section 188

Offers of interim temporary accommodation are made under section 188 of the Housing Act 1996. When a homeless household makes an application to the Council and there is reason to believe that the applicant may be eligible, homeless and in priority need, they will be provided with temporary pending the outcome of their homeless application.

- Only one offer of accommodation will be offered.
- The offer is likely to be in the following types of temporary accommodation:
  - **Council Owned Hostel** – The Council owns and manages three hostel sites, which comprise of mixed single and family rooms with shared facilities.
  - **Refuge Accommodation** - The Council will use refuge accommodation where available for women who are at risk of violence.
  - **Bed and Breakfast Accommodation Emergency (B&B) Placements** – As a last resort and where there is no vacancy in hostel accommodation, the Council will place households in Bed and Breakfast accommodation.

Wherever the Council places families with dependent children, pregnant women and young people aged 16 to 17 in non-self-contained bed and breakfast accommodation, the Council will aim to move them into self-contained accommodation within 6 weeks.

- **Temporary arrangements with family & friends (Delayed homelessness)** – The Council will continue to work with family and friends to negotiate continued accommodation on a temporary basis whilst a homelessness investigation is being completed to prevent the use of inappropriate temporary accommodation.

If the Council decides following completion of enquiries that there is no duty to assist with re-housing, either because the applicant is not considered to be in priority need or made themselves intentionally homeless, the applicant will be given reasonable notice to make their own accommodation arrangements and the temporary accommodation provided will be cancelled.

### **7.2.2. Offers of longer-term temporary accommodation**

If the Council decides following completion of enquiries that it has an on-going duty to accommodate the household, then they will be moved to longer-term temporary accommodation as soon as a suitable property becomes available.

- Only one offer of accommodation will be offered.
- The offer is likely to be in the following types of temporary accommodation:
  - **Private Sector Leased (PSL) accommodation** – this is accommodation that the Council leases from a private landlord and manages. It is normally a flat or a house which is let to homeless households on a non-secure tenancy agreement.
  - **Council owned general needs accommodation** – In exceptional circumstances where a household may have a specific accommodation need

that is not available through the private sector leased portfolio, the Council will consider offering a general need property as temporary accommodation on a non-secure tenancy agreement. An example may be where a household requires adapted property due to a disability which cannot be provided in a private sector leased property. Such cases will be at the discretion of the Head of Housing Services.

There is no limit to the length of time a household may stay in temporary accommodation. The Council will continue to provide temporary accommodation until one of the following happens to bring the duty to an end:

- You are no longer eligible for assistance
- You accept or refuse an offer of Council or Housing Association property
- You voluntarily cease to occupy accommodation
- You become homeless intentionally

### **7.2.3. Offers of private rented sector accommodation (PRSO)**

The Localism Act 2011 (sections 148 and 149) has amended the Housing Act 1996 by providing a new power to local housing authorities that allows suitable 'Private Sector Offers' to be used to end the main homeless duty, without requiring the applicant's agreement, provided this is done through an approved and published policy and a 12 month assured short-hold tenancy is offered.

Therefore a private sector accommodation can be made at any stage in the homeless assessment process, either to prevent homelessness or to discharge the main homelessness duty to those households who applied as homeless from 9<sup>th</sup> November 2012.

#### **Circumstances determining the private rented sector offer (PRSO) being made**

An offer of a private rented tenancy may be made to any statutory homeless household except in the following circumstances

- The household is particularly vulnerable by way of old age, physical disability, mental health/learning difficulty and in need of supported accommodation;
- There is no suitable private sector tenancy available that meets the household's needs, for example where there is a physical disability and the property is not accessible;
- In cases of violence where the property concerned is deemed to be too near the alleged perpetrator and could put the household at risk of harm.
- In cases of racial harassment/hate crime where the property concerned is deemed to be too near the alleged perpetrator and could put the household at risk of harm.
- Any other exceptions circumstances to be considered on a case by case basis.

#### **Selecting Households for Private Sector Properties (PRSO)**

Where there are more households owed the full homeless duty than properties available in the private rented sector to end the duty, applicants will be selected to be offered a PRSO using criteria set to meet the operational needs of the service and the financial impact on the authority.

Criteria may change subject to operational or financial circumstances and a copy of the current criteria used will always be available for any applicant, or member of the public, who requests a copy. Criteria may include (the following are examples and are for illustrative purposes only).

Example criteria for selecting applicants to be made a PRSO to fully discharge the homeless duty Include:

Applicants owed a full housing duty that:

- Have expressed a preference to live in a particular area. Area choice will be considered when making a PRSO but cannot be guaranteed.
- Has sufficient capital to meet 12 months' rent payments.
- Are in temporary accommodation where there is a cost to the council
- Are in temporary accommodation where due to the level of rent charged there is a cost to the applicant
- Are in temporary accommodation and require longer term accommodation as a matter of urgency.
- That have been accepted as being threatened with homelessness and owed a full housing duty and where a PRSO will avoid the need for the household to go into temporary accommodation.
- That are owed the full homeless duty and have been waiting longest
- That are owed the full homeless duty and have been waiting shortest

One or several criteria may apply at the same time. Regardless of the fact that an applicant has met the criteria for being considered for a PRSO offer the authority will still ensure that it only makes a PRSO after a full consideration of household's individual circumstances and the facts that apply to that case. Having undertaken this consideration if the council is then satisfied that it is appropriate to exercise the power given to it under the Housing Act 1996 (as amended) it will discharge its duty by arranging for a private landlord to make a suitable offer of an assured short-hold tenancy in the private rented sector for a period of at least 12 months.

#### **7.2.4. Other Provisions**

Revised standard letters will be issued to homeless applicants stating that any household that is accepted as homeless may have the homeless duty ended through one offer of a suitable private rented sector 12 month assured short hold tenancy. Applicants will be advised of their right to appeal regarding the suitability of the offer.

An applicant may re-apply to the Council should they become homeless again within a 2 year period from the date an offer of a private rented sector tenancy was accepted. Housing Options Officers will ensure that this date is recorded appropriately and the correct legal process is followed.

The statutory homeless duty automatically revives once and only if; an applicant remains eligible, regardless of whether the applicant has a priority need and becomes unintentionally homeless from their private rented tenancy within two years of accepting the tenancy.

In cases where the duty revives and the applicant applies to a different local authority, the applicant can be referred back to the original local authority, unless there is an identified risk of harm to the household. The revived duty may again be discharged through a further offer of private rented accommodation, in accordance with this policy.

## **8. Consequences of refusing a reasonable offer**

The Council is required to secure accommodation for certain homeless households under legal duties which are found in Part VII of the Housing Act 1996 (sections 188 and 193).

The interim accommodation duty under section 188(1) continues until either:

- The applicant abandons the accommodation provided;
- The Council obtains possession of the accommodation because the applicant breaches the terms upon which the accommodation was provided
- Notification to the applicant of the Council's decision on his/her application pursuant to section 184

The temporary accommodation duty under section 193(2) continues until one of the following actions or events occur which by law will bring the duty to an end:

- If the applicant ceases to be eligible for assistance due to their immigration status.
- If the applicant accepts an offer of an introductory, secure or assured (including a flexible) tenancy of social housing under the Council's Allocations Scheme in accordance with Part VI of the Housing Act 1996 or refuses a suitable final offer of such a tenancy
- If the applicant refuses an offer of suitable temporary accommodation and the council inform the applicant that it regards itself as having discharged its duty under Section 193 Part VII of the Housing Act 1996.
- If the applicant accepts or refuses a private rented sector offer (an offer of assured short-hold tenancy in the private rented sector which is arranged for a period of at least 12 months)
- If the applicant becomes intentionally homeless from the suitable accommodation made available for his/her occupation under Section 193 Part VII of the Housing Act 1996
- If the applicant otherwise voluntarily ceases to occupy as their only or principal home, the accommodation made available to them to meet the full housing duty under Section 193 Part VII of the Housing Act 1996.

The duty ceases automatically in any of the above circumstances; with no necessity for the Council to take any action to "discharge" the duty. The applicant however is entitled to seek a review of any decision that a duty has ceased/will cease. For this reason, all offer letters not only inform the applicant of the possible consequences of refusal or acceptance but also:

- that the Council has decided that its duty will cease upon acceptance (or refusal, as the case may be);
- of the right to request a review of the suitability of the accommodation;

- of the right to request a review of the decision that Council's duty has ceased;
- of the right to accept the offer and move in while requesting a review of either decision

An applicant to whom the statutory homeless duty has ended as a result of their refusal or failure to respond to one suitable offer of accommodation will have their Housing Register application dealt with in line with Havering Council's Housing Allocations Scheme. In these circumstances as the homelessness duty will have been discharged, the housing application will be reassessed based on the applicant's other circumstances at that time. This may result in the applicant being moved out of the priority band, into a lower band or the housing register application being cancelled.

Applicants must think carefully about whether to accept or refuse an offer as this could have a big impact on whether, and/or when we will make an applicant another offer.

The consequences of refusing an offer of accommodation depend on the circumstances in which the offer is made as shown in the table below.

	<b>Action</b>	<b>Offer of accommodation</b>	<b>Consequence</b>	<b>Right to request a review of the decision</b>
1	Failure to use your temporary accommodation as your only and principal home	N/A	The Council's duty to assist with accommodation will end.  The Council does not have to provide temporary accommodation for you whilst your review is being considered	Yes - you should submit your review request within 21 days of receiving the discharge letter.
2	If the applicant becomes intentionally homeless from the suitable temporary accommodation made, for example, by breaching terms of the agreement.	N/A	The Council's duty to assist with accommodation will end.  The Council does not have to provide temporary accommodation for you whilst your review is being considered	Yes - you should submit your review request within 21 days of receiving the discharge letter.
3	Refusal of offer of interim temporary accommodation under S188 e.g. in B&B or hostel accommodation.	One offer of accommodation only	The Council's duty to assist with interim accommodation will end until a decision is made on the homeless application.  Ending section 188 duty does not prevent a full housing duty subsequently arising under section 193(2). If this happens, then another offer of temporary accommodation can be made at that point. Refer to 4 below for further consequences.	Does not apply
4	Refusal of offer of long term temporary accommodation under S193 e.g. in a private sector leased (PSL) accommodation.	One offer of accommodation only	The Council's duty to assist with accommodation will end.  This means that the Council will be	Yes - you can submit your review request within 21 days whether you accept or refuse the property.



			<p>under no further duty to secure suitable accommodation for you.</p> <p>Your current temporary accommodation will be cancelled and you will have to make your own arrangements for accommodation.</p> <p>Accepting means that you can move into the accommodation and still ask us to reconsider our decision that the offer of accommodation is suitable and that the Council's duty has ceased.</p> <p>If we change our view and agree with you that the property is unsuitable, you will be moved to alternative accommodation.</p> <p>If we uphold our original decision that the property is suitable, the Council's duty will end and your temporary accommodation will be cancelled and you will therefore have nowhere to live. Not accepting the offer and moving into the property whilst the review is taking place can be risky as you will have to make your own arrangements for accommodation.</p>	<p>If you believe our decision is unlawful, you will have the right to appeal to the Court.</p>
5	Accepting or refusing the offer of private rented accommodation (PRSO)	One offer of accommodation only	Accepting or refusing the offer of accommodation will result in the Council's duty to assist with accommodation ending,	Yes - you can submit your review request within 21 days whether you accept or refuse the property.

		<p>This means that the Council will be under no further duty to secure suitable accommodation for you.</p> <p>Your current temporary accommodation will be cancelled and you will have to make your own arrangements for accommodation.</p> <p>Accepting means that you can move into the accommodation and still ask us to reconsider our decision that the offer of accommodation is suitable and that the Council's duty has ceased.</p> <p>If we change our view and agree with you that the property is unsuitable, you will be moved to alternative accommodation.</p> <p>If we uphold our original decision that the property is suitable, the Council's duty will end and your temporary accommodation will be cancelled and you will therefore have nowhere to live. Not accepting the offer and moving into the property whilst the review is taking place can be risky as you will have to make your own arrangements for accommodation.</p>	<p>If you believe our decision is unlawful, you will have the right to appeal to the Court.</p>
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## 9. Criteria for prioritising transfers of applicants between units of temporary accommodation

There are circumstances under which existing temporary accommodation may become unsuitable or unavailable and the Council will have to find alternative accommodation for existing tenants who need to move.

In order to ensure that available resources are effectively managed, the following priority will be applied:

- a. **Serious emergency needs** – where the accommodation is found to be in serious disrepair that poses a threat to life or there is an urgent need to move because of domestic violence, critical safeguarding issues or an evidenced serious health or medical need is presented
- b. **Non self-contained Bed & Breakfast** – where households with children or pregnant women have been in non-self-contained Bed & Breakfast for at least 5 weeks
- c. **Private sector leased property handback** - where the landlord has requested the property to be handed back following the end of the lease.
- d. **Unsuitability** - where the temporary accommodation has become unsuitable following a review
- e. **Disrepair** – where the temporary accommodation is found to be in serious disrepair that cannot be rectified while the tenant is in situ
- f. **Under occupation-**
- g. **Overcrowding**

## 10. Support and resettlement

All homeless households will be assessed to identify their support needs. Households with identified support needs (for example, mental or physical health, learning disabilities, substance misuse issues, care leavers and older people) will be offered support or referred as appropriate to other organisations for support.

Homeless households will receive guidance and advice packs at the point of placement. If an offer of out of borough accommodation has been made, households will be provided with information about the local facilities and amenities. This information will also include advice on;

- Registering for local Council Tax
- Registering with the local GP & local practices
- How to apply for a school place in the borough
- Accessing support services
- Transport and travel routes to Havering
- Employment services
- Community and leisure opportunities
- Other useful information on the borough's geographic location and relevant contact details of appropriate services

Housing officers will help applicants in settling into any new location and in accessing local services.

## **11. Duty to inform a receiving local authority where an out of borough placement is made.**

The Council is required to provide details of incoming households to the receiving boroughs in which they are placed; if an out of borough placement is made under Section 208 of the Housing Act 1996. The Council will provide the following information to the receiving authority;

- the names of all household members and household composition
- address of accommodation
- date accommodation was made available
- any social care or support needs and any discharge of main housing duty information.

This notification will be provided within 14 days from the date of placement. The Council will seek to develop protocols with other Councils to ensure that services are maintained when required.

## **12. Complaints**

We are committed to responding quickly and effectively to any complaints and comments, and to use these and any compliments about the service to review and improve ways of working.

Where an applicant feels that we have not lived up to our own commitments, they must tell the member of staff that they are dealing with or their supervisor. Often, that is the quickest and easiest way of dealing with things when we do get it wrong. When applicants are unhappy with the response given, or feel uncomfortable doing this, they can make a complaint.

The Council's formal complaints procedures can be found at [www.havering.gov.uk/complaints](http://www.havering.gov.uk/complaints).

## **13. Actions to be taken to implement the policy**

Once this policy is adopted the Housing Service will adopt a policy statement which will be summarised and communicated to all applicants where a homeless application has been made after the 9th November 2012 and where a full housing duty is owed. A copy of this full policy will be available to applicants via the Council's website.

The key messages that will be communicated to applicants and stakeholders are:

- a) Havering Council intends to fully discharge any full housing duty by way of a PRSO made using the power granted to it under the Localism Act 2011.
- b) For all cases subject to a Part 7 Homeless Application from the 9th November 2012 and where that application has resulted in a full housing duty being owed the

presumption will be that the authority intends to discharge that duty by arranging for a private landlord to make an offer of an assured short-hold tenancy in the private rented sector for a period of at least 12 months

- c) This is not a blanket application of the new power. A decision will be taken after a full consideration of household's individual circumstances and the facts that apply to that case. Having undertaken this consideration if the council is satisfied that it is appropriate to exercise the power given to it under the Housing Act 1996 (as amended) it will discharge its duty by arranging for a private landlord to make a suitable offer of an assured short-hold tenancy in the private rented sector
- d) Although cases that are owed a full homelessness duty following an application after the 9<sup>th</sup> November will still be owed reasonable preference priority because of that duty, as soon as a suitable PRSO is made and the full homeless duty discharged the applicant will have their reasonable preference priority removed at that point.
- e) The Council anticipates that the majority of households owed the full duty will have that duty ended with a PRSO.

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## Equality Impact Assessment (EIA)

### Document control

<b>Title of activity:</b>	<i>Housing Allocation Scheme 2016</i>
<b>Type of activity:</b>	<i>Policy</i>
<b>Lead officer:</b>	<i>Beatrice Cingtho-Taylor, Housing Demand Service Manager</i>
<b>Approved by:</b>	<i>Neil Stubbings, (Interim) Director of Housing Councillor Damian White, Cabinet member for Housing Services</i>
<b>Date completed:</b>	<i>June 2016</i>
<b>Scheduled date for review:</b>	<i>July 2017</i>

The Corporate Policy & Diversity team requires **5 working days** to provide advice on EIAs.

<b>Did you seek advice from the Corporate Policy &amp; Diversity team?</b>	<b>Yes</b>
<b>Does the EIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?</b>	<b>No</b>

# 1. Equality Impact Assessment Checklist

The Equality Impact Assessment (EIA) is a tool to ensure that your activity meets the needs of individuals and groups that use your service. It also helps the Council to meet its legal obligation under the [Equality Act 2010 and the Public Sector Equality Duty](#).

Please complete the following checklist to determine whether or not you will need to complete an EIA. Please ensure you keep this section for your audit trail. If you have any questions, please contact the Corporate Policy and Diversity Team at [diversity@haverling.gov.uk](mailto:diversity@haverling.gov.uk)

## About your activity

1	<b>Title of activity</b>	Housing Allocations Scheme
2	<b>Type of activity</b>	Policy
3	<b>Scope of activity</b>	<p>The allocation of social housing is governed by the Housing Act 1996 (as amended by the Homelessness Act 2002). A review of the Housing Allocations Policy has been carried out in accordance with the Localism Act. The Policy sets out the way in which the Council allocates housing. The Council is required to give priority (known as reasonable preference) to certain categories of people and allow applicants to exercise choice in the allocation of social housing.</p> <p>The scheme will be different from previous versions following changes introduced through recent homelessness legislation and case law. New provisions have been introduced through the revised policy with 11 key proposals for change outlined below.</p> <p>If agreed the new Allocations Policy will apply to existing and new applicants seeking social housing from July 2016 and a wide range of stakeholders including Housing Associations and other council departments.</p> <p>The Council has proposed some amendments to the current housing allocations scheme as set out below:</p> <ul style="list-style-type: none"> <li>• Proposal 1: Extension of the residency period criteria to be eligible to join the housing register from 5 years+</li> <li>• Proposal 2: The qualifying criteria – changing the residency criteria to stipulate continuous period of residency to be able to join the register</li> <li>• Proposal 3: The qualifying criteria – changing the income threshold to join the housing register</li> <li>• Proposal 4: The qualifying criteria – introduction of unacceptable behaviour provision to exclude some households guilty of ASB from joining the register</li> </ul>



- Proposal 5: Changes made to identified housing need priority categories
- Proposal 6: Introduction of a reduced housing priority criterion
- Proposal 7: Changes made to the priority banding system
- Proposal 8: Choice based lettings and assisted bidding system
- Proposal 9: Making one offer of a suitable property
- Proposal 10: Sheltered housing eligibility criteria
- Proposal 11: Implementing the policy transitionally

Under the Equality Act 2010, the Council must have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between those with a protected characteristic and those without;
- c) Promote good relations between those with a protected characteristic and those without.

The 'protected characteristics' referred to are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination. This equalities impact assessment looks at the impact of the above proposed changes on the protected groups and suggests appropriate mitigation actions.

### **Context**

Council housing stock in Havering has reduced from approximately 13,000 homes to just over 9,800 in the last 12 years, whilst during this time the waiting list has increased dramatically over the same period.

The current waiting list demand is 2615 with approximately 350 new applications received each month. Waiting list applicants are typically on low incomes and are benefit dependant who find the ability to rent affordable accommodation in the private rented sector extremely difficult. Havering has seen increased migration into the borough from people moving out of expensive inner-London areas in search of somewhere more economically viable to live.

Consequently, the Council is maintaining and administering a growing waiting list of applicants, many of whom are having to wait a considerable length of time before securing settled accommodation or have little prospect of being re-housed.

The revisions aim to;

- Reward people who contribute to the local community to ensure access to an affordable home
- Support local people most in need of housing
- Address the limited housing options available to residents

		<ul style="list-style-type: none"> <li>• Make fair and transparent allocation decisions</li> </ul> <p><b><u>Havering's Demographics</u></b></p> <ul style="list-style-type: none"> <li>• On 2011 census day, 83% of residents were recorded as White British</li> <li>• As at 2015, White British at 85% &amp; BAME at 15 % (African 8%, Asian 6% &amp; other 1%)</li> <li>• An increase in the Black African population is projected from 3.8% in 2015 to 5.2% of the Havering population in 2030</li> <li>• 18% of working age people in Havering disclosed that they have a disability or long term illness</li> <li>• Havering is estimated to have one of the highest rates of serious physical disabilities among London boroughs.</li> <li>• 70% of the population in Havering are home owners – one of the highest proportions across London boroughs</li> <li>• All adults in 52% of households (40,722) are working and no adults are working in 16% of households (12,256)</li> <li>• The average gross household income per household in Havering is £44,430 in 2012/13</li> <li>• The proportion of working age residents in Havering claiming out-of-work benefits (7.6%) is significantly lower than England.</li> </ul>
4a	Is the activity new or changing?	<p>This is an existing policy, where changes are being made. The policy will set out how future decisions are made surrounding the eligibility and allocation of social housing.</p> <p>Whilst some aspects within the current allocation scheme will remain, the new scheme will be introducing changes in 11 key areas. The impact of each proposal for change has been analysed within this EIA for all equality groups.</p>
4b	Is the activity likely to have an impact on individuals or groups?	<p>If agreed, the new policy will apply to all new applicants seeking social housing from July 2016 and a wide range of stakeholders including Housing Associations and other council departments.</p> <p>It will also apply to existing applicants on the housing register from January 2017 (allowing for a 6 month transition period)</p>
5	If you answered yes:	<i>Proceed to Section 2.</i>
6	If you answered no:	<i>Not applicable</i>

<b>Completed by:</b>	<i>Beatrice Cingtho-Taylor, Housing Demand Service Manager</i>
<b>Date:</b>	<i>June 2016</i>

### Summary of Equalities Impact Assessment of proposed changes to the Housing Allocations Policy 2016

Analysis of the housing register applicants, Havering demographics, census 2011 and Homeless Government 2014/15 (PIE) data has informed this assessment

Proposed change	Equality Strand	Positive	Neutral	Adverse impact		
				Low	Medium	High
1. Extending the residency period from 5 to 6 years	All			√		
2. Changing the residency criteria to a continuous period of residency of up to 6 years	All			√		
3. Changing the income threshold from £27,500 to £36,000	All	√				
4. Implementing unacceptable behaviour as a criteria to exclude people from joining the housing register	All			√		
5. Restricting the housing register to those applicants who can demonstrate a housing need	All			√		
6. Implementing a reduced housing priority criterion for homeless households who have not lived within Havering for at least 6 years	All				√	
7. Changing the housing priority bands	All		√			
8. Continue to operate choice based lettings and assisted bidding.	All		√			
9. Implement one offer only of a suitable property	All			√		
10. Implement sheltered housing eligibility criteria	All	√				
11. Implementing the changes to the policy on a transitional basis of 6 months	All	√				

Summary of potential impact on different equality target groups					Adverse impact		
Protected group	Positive	Negative	Neutral	Reason	Low	Medium	High
Age	√			<i>Older people</i> - the implementation of sheltered eligibility criteria would benefit those aged 55+ as it is a positive opportunity to target assistance to those who can benefit from this supported accommodation.			
	√			<i>Older people</i> - the policy awards Community Contribution Rewards 1 and 2 for housing tenants under-occupying their property. This is largely a positive measure for older households when children have left a property large enough for a family.			
	√			<i>Older volunteers</i> - are also awarded Community Contribution Reward 2 and have priority over those in the Homeseeker Band			
			√	<i>Older people who are not disabled, do not work or volunteer</i> – they are eligible to join the housing register and can be placed in the Homeseeker band			
				<i>Young adults</i> - the policy is considered to have a low adverse impact on 26-39 year olds as 40% of them are on the housing register and yet 43% of them would be adversely affected if the 6 year residency option is adopted. However, this percentage increases to 48% and 50% respectively if 7 or 8 year residency options are adopted.	√		
			√	<i>Young adults – care leavers and those ready to move on from supported accommodation</i> benefit from the proposals as they are placed in the Emergency Rehousing Band (highest priority). This should mean that they are quickly provided with accommodation and valuable social services resources released to support other young people.			

			√	<p><i>Young adults living with parents or in private rented housing</i> – such applicants are not awarded housing priority because they are considered as adequately housed. However, where this is not the case and to mitigate the negative effect, the Council will assist through the homelessness route if they can no longer remain in the accommodation. If they have a housing need, they will be eligible to join the housing register.</p> <p><i>Children</i> – local children in care on fostering or adoption lists will be positively affected by the proposals as applicants who want to foster or be adoptive parents will qualify for Community Contribution Reward 2.</p>			
Disability	√			<p><i>Disabled households under retiring age and unable to participate in work related activities</i> - would qualify for Community contribution Reward 2 which is a high priority.</p> <p><i>People with mobility needs</i> - will be provided with a clear guide by use of symbols when advertising accessible properties to help them make an appropriate bid for a suitable property.</p> <p><i>People with other disability, e.g. mental health, sensory and learning difficulties</i> – although they are awarded medical priority, the specific disability is not recorded under the current system. This can result in unintended negative consequences as it is difficult to monitor the effectiveness of the service provided to this group e.g. in relation to offer of properties.</p> <p><i>People with severe disability/medical needs</i> – who urgently need to move are placed in the Emergency Rehousing Band (highest priority)</p>	√		

Gender	√			<p><i>Women</i> - make up 77% of the housing register. This is because women are likely to be the main carers and therefore fall into a reasonable preference category (housing need). Based on current data, this is likely to continue.</p> <p><i>Married, civil partners and co-habiting couples, same sex couples, brothers and sisters</i> - who wish to live together, can make applications.</p> <p>Where they have been living together for 12 months or more, they can make joint applications and be made joint tenancies if they so wish at the point of offer of accommodation.</p>			
Gender reassignment			√	<p><i>Applicants who have undergone gender reassignment</i> – can apply to join the housing register and will qualify as long as they meet the eligibility, qualification and housing need criterion.</p>	√		
Marriage and civil partnership	√			<p>Married, civil partners, co-habiting couples and same sex couples, who wish to live together can make applications.</p> <p>Where they have been living together for 12 months or more, they can make joint applications and be made joint tenancies if they so wish at the point of offer of accommodation</p>	√		
Pregnancy and maternity	√			<p><i>Applicants who are on maternity or paternity leave</i> - are considered to be in employment or volunteering and therefore qualify for Community contribution Reward 1 or 2. The time away while in receipt of statutory maternity pay is not treated as a break.</p>	√		
Race/Ethnicity				<p>There is a close correlation between the percentage of the White population in Havering (83%) and the numbers on the housing register (81%) homeless applications (72%).</p>			

				<p>The correlation is similar to the BME – population of 17% and the numbers on the housing register (14%) and homeless applications (25%) – it is difficult to say any one group is disproportionately/disadvantaged.</p> <p>However, the data shows a slight over-representation of BME amongst homeless households.</p>	√		
Religion or belief			√	No data collected to assess the impact. However, overall the policy is considered neutral			
Sexual orientation			√	No data collected to assess the impact. However, overall the policy is considered neutral			
Socio-economic groups	√			<p>The proposal is to increase the income threshold for joining the housing register from £27,500 to £36,000 which is the income considered sufficient to afford to privately rent in the borough at current average market rents. Therefore households on low income estimated at approximately 100 a year will benefit from this change.</p> <p>The community contribution reward priorities recognises people who work (including part-time), volunteer, want to foster/adopt, carers, ex-service personnel and those wanting to downsize to smaller properties so that another applicant in need of larger accommodation can have their home. This has been developed in order to benefit applicants across the various groups in the borough who play an active part in making their neighbourhood strong, stable and healthy.</p> <p><i>Working applicants</i> – who lose their job through no fault of their own, are given an equal opportunity to apply for the Community Contribution reward as they are allowed to have a 6 month break.</p>			

Proposed change 1 & 2	Explanation																																						
<p>Extending the residency period from 5 to 6 years and implement a continuous period</p>	<p>The Localism Act allows local authorities to determine who may join their register. Statutory guidance on social housing allocations strongly encourages all local authorities to adopt a minimum 2 year residency test as part of their qualification criteria.</p> <p>In accordance with the underpinning philosophy of the Localism Act Members have embraced the idea of a residency qualification to join the Housing Register. A residential qualification demonstrates a positive commitment to the borough and contribution to the life of the local community in terms of settling in the area.</p> <p>This is particularly necessary given that the rental market in Havering is an attractive and affordable option for those seeking to rent privately in East London, who can at present then apply for social housing, and attract priority if they are over-crowded. The specific impact of Welfare Reform, in combination with the current dysfunctional housing market in London, is significant in relation to inducing migration of low income households from central and inner London to outer east London boroughs and beyond.</p> <p>The Council's Housing Strategy 2014 / 17 support the provision of housing for local people. The review of the Council's Housing Allocations Policy is an opportunity to help deliver the objective within the Housing Strategy. Whilst delivering these outcomes it is important to analyse the equality profile of households who will potentially be affected by the proposed changes and assess this impact using the data available.</p>																																						
	<p><b>Equality strand</b></p>	<p><b>Impact- Positive/Neutral Adverse Impact L/M/H</b></p>	<p><b>Explanation</b> * Total households on the housing register is 2615</p> <table border="1" data-bbox="1021 951 1982 1233"> <thead> <tr> <th>1. Ethnicity</th> <th>Housing register applicants</th> <th>%</th> <th>Havering population</th> </tr> </thead> <tbody> <tr> <td>White</td> <td>2157</td> <td>81%</td> <td>83%</td> </tr> <tr> <td>BME</td> <td>275</td> <td>14%</td> <td>17%</td> </tr> <tr> <td>Mixed</td> <td>99</td> <td></td> <td></td> </tr> <tr> <td>No response</td> <td>120</td> <td></td> <td></td> </tr> <tr> <td><b>Total</b></td> <td><b>2651</b></td> <td></td> <td></td> </tr> </tbody> </table> <table border="1" data-bbox="1021 1270 1906 1423"> <thead> <tr> <th>2. Gender</th> <th>Housing register applicants</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>2030</td> <td>77%</td> </tr> <tr> <td>Male</td> <td>621</td> <td>23%</td> </tr> <tr> <td><b>Total</b></td> <td><b>2651</b></td> <td></td> </tr> </tbody> </table>	1. Ethnicity	Housing register applicants	%	Havering population	White	2157	81%	83%	BME	275	14%	17%	Mixed	99			No response	120			<b>Total</b>	<b>2651</b>			2. Gender	Housing register applicants	%	Female	2030	77%	Male	621	23%	<b>Total</b>	<b>2651</b>	
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<b>3. Age group</b>	<b>Housing register applicants</b>	<b>%</b>
17-25 years	645	24%
26-39 years	1,070	40%
40-54 years	530	21%
55-59 years	110	4%
60-79 years	235	9%
80+ years	61	2%
	<b>2,651</b>	

<b>4. Tenure</b>	<b>Housing register applicants</b>	<b>%</b>	<b>Havinging population</b>
Living with family/friends or renting privately	1,270	49%	10%
Private Sector Leasing	440	51%	19%
Social housing tenants	905		
<b>Owner occupiers</b>	<b>0</b>		<b>71%</b>
<b>Total</b>	<b>2,615</b>		

<b>5. Rehousing Band</b>	<b>Housing register applicants</b>
Community Contribution Reward	636
Emergency Rehousing	194
Homeseeker	1,599
Private Sector Leased accommodation	186
<b>Total</b>	<b>2,615</b>

<b>6. Bedroom size</b>	<b>Households</b>
1 bedroom	992
2 bedrooms	1065

			3 bedrooms	531																																																									
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<b>Options considered</b>	All	Low	<p>For implementing 6 year option.</p> <p>Havering is one of the most ethnically homogenous and least diverse boroughs in London with 83% of its population constituted by White British households, higher than both the London and England average. While the prevalence of minority ethnic groups is very small compared to other London Boroughs, Havering has seen the highest percentage increase between the 2001 Census and 2011 Census as the ethnic minority population has more than doubled from 8% in 2001 to 17% in 2011.</p> <p><b>Ethnicity</b></p> <table border="1"> <thead> <tr> <th></th> <th>Impact of 6 year option</th> <th>Impact of 7 year option</th> <th>Impact of 8 year option</th> </tr> </thead> <tbody> <tr> <td>White British</td> <td>199 (69%)</td> <td>327 (69%)</td> <td>390 (69%)</td> </tr> <tr> <td>BME</td> <td>57 (20%)</td> <td>98 (21%)</td> <td>121 (21%)</td> </tr> <tr> <td>Mixed Heritage</td> <td>27 (9%)</td> <td>31 (6%)</td> <td>33 (6%)</td> </tr> <tr> <td>No response</td> <td>7 (2%)</td> <td>19 (4%)</td> <td>23 (4%)</td> </tr> <tr> <td><b>Total</b></td> <td><b>290 (11% of total register)</b></td> <td><b>475 (18% of the total register)</b></td> <td><b>567 (22% of the total register)</b></td> </tr> </tbody> </table> <p><b>Age</b></p> <table border="1"> <thead> <tr> <th></th> <th>Impact of 6 year option</th> <th>Impact of 7 year option</th> <th>Impact of 8 year option</th> </tr> </thead> <tbody> <tr> <td>17-25 years</td> <td>97 (33%)</td> <td>132 (28%)</td> <td>144 (25%)</td> </tr> <tr> <td>26-39 years</td> <td>124 (43%)</td> <td>227 (48%)</td> <td>283 (50%)</td> </tr> <tr> <td>40-54 years</td> <td>53 (18%)</td> <td>89 (19%)</td> <td>104 (18%)</td> </tr> <tr> <td>55-64 years</td> <td>10 (3%)</td> <td>15 (3%)</td> <td>17 (3%)</td> </tr> <tr> <td>65-79 years</td> <td>5 (2%)</td> <td>10 (2%)</td> <td>16 (3%)</td> </tr> <tr> <td>80+ years</td> <td>1</td> <td>2</td> <td>3</td> </tr> <tr> <td><b>Total</b></td> <td><b>290 (11% of total register)</b></td> <td><b>475 (18% of the total register)</b></td> <td><b>567 (22% of the total register)</b></td> </tr> </tbody> </table>				Impact of 6 year option	Impact of 7 year option	Impact of 8 year option	White British	199 (69%)	327 (69%)	390 (69%)	BME	57 (20%)	98 (21%)	121 (21%)	Mixed Heritage	27 (9%)	31 (6%)	33 (6%)	No response	7 (2%)	19 (4%)	23 (4%)	<b>Total</b>	<b>290 (11% of total register)</b>	<b>475 (18% of the total register)</b>	<b>567 (22% of the total register)</b>		Impact of 6 year option	Impact of 7 year option	Impact of 8 year option	17-25 years	97 (33%)	132 (28%)	144 (25%)	26-39 years	124 (43%)	227 (48%)	283 (50%)	40-54 years	53 (18%)	89 (19%)	104 (18%)	55-64 years	10 (3%)	15 (3%)	17 (3%)	65-79 years	5 (2%)	10 (2%)	16 (3%)	80+ years	1	2	3	<b>Total</b>	<b>290 (11% of total register)</b>	<b>475 (18% of the total register)</b>	<b>567 (22% of the total register)</b>
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The 7 and 8 year option has a disproportionate impact on those aged 26-39 years which may be due to increased migration into the borough from younger people moving into the borough.

**Gender**

	<b>Impact of 6 year option</b>	<b>Impact of 7 year option</b>	<b>Impact of 8 year option</b>
Female	233 (80%)	365 (77%)	434 (76%)
Joint	21 (7%)	46 (10%)	57 (10%)
Male	36 (12%)	64 (13%)	76 (13%)
<b>Total</b>	<b>290 (11% of total register)</b>	<b>475 (18% of the total register)</b>	<b>567 (22% of the total register)</b>

Of the 236,100 borough population, 52% are female and 48% are male. Compared to population statistics, females are generally over-represented on the Council's housing register as they tend to be the main carers and therefore considered to be in housing need.

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**Summary: To focus scarce social housing resources on those with the greatest connection to Havering.**

Applicants on the housing register will be equally disadvantaged whether the 6, 7 or 8 year residency option is adopted as there is no significant difference in the proportions of people from white, BAME or mixed heritage in comparison to havering population make up. However, it is notable that more people from mixed heritage are adversely affected under the 6 year residency option than is the case with the 7 and 8 year options.

In addition, there is no data to quantify the number of households who may be affected by proposal 2 where the residency period is being changed to a continuous period as this level of detail is currently not captured. Therefore, if the 2 proposals are taken together (extension of residency period and this being a continuous period) it is likely to have an adverse impact on existing applicants and those who wish to apply to the Council's housing register given the rapid demographic changes. This is can be assumed from the overall analysis which shows that extending the residency criteria to 6 years would adversely affect 11% of the current housing register households whilst extending it to 7 or 8 years would adversely affect more households - 18% and 22% of current housing register households respectively.

40% of applicants on the housing register are aged 26-39 years. In proportion, 43% of them would be adversely affected if the 6 year residency option is adopted. However, this percentage increases to 48% and 50% respectively if 7 or 8 year options are adopted.

Given the aims of the policy change is to encourage individuals to make a home for themselves and stay in the borough, the 6 year residency option allows this criterion to be met whilst having a proportionate impact on all households.

**Mitigation:** The Statutory Guidance expressly highlights the need for local authorities to take proper account of special circumstances which the policy allows for. It is important to note that this would include the need to protect people who are moving into the district to escape violence and would also include homeless families and care leavers whom the local authority may have placed outside of their district.

There are also sound policy reasons not to apply a residency test to existing Council tenants seeking to move between authorities or wishing to downsize and they will not be subject to the proposed residency qualification. All applicants have a statutory right to seek a review of their housing application if they are dissatisfied with the Council's decision not to accept them on to the housing register or where they have submitted fresh evidence.

Given migration patterns within the capital, it is perhaps to be expected that people from black, mixed and white-other backgrounds will be over-represented among shorter term residents. The 6 month transitional period will ensure that those affected can plan and consider alternative housing options

**Action plan:**

Monitor number of applications refused by ethnicity and age.

**Proposed change 3**

Changing the income threshold from £27,500 to £36,000

**Explanation**

Under the current policy, an applicant cannot join the housing register if the household income is £27,500 or more because of the severe shortage of social and affordable rented properties in the borough.

The change is to increase this level to £36,000 which is the income needed to afford to privately rent in the borough at current average market rents. It is assumed that if you cannot afford to rent a private sector property, you cannot afford to buy, which is why we have used the private rental as the measure.

2014/2015	Total	Number of applications accepted – earning < than £27,500	Percentage accepted	Number of applications rejected – earning > than £27,500	Percentage rejected
	4189	1204	29%	306	7%

Equality strand	Impact- Positive/Neutral Adverse Impact L/M/H	Explanation
All	Positive	This proposal will benefit approximately 100 additional households a year whose income threshold is above £27,500 but less than the proposed £36,000

			to join the housing register based on previous applications.
<p><b>Summary:</b> This change will assist those on low incomes to access social housing and thus reinforce the 'work pays' message. Overall the analysis shows that applications from approximately 300 households are rejected annually due to the level of household income. Out of this, approximately 100 additional households a year whose income threshold is above £27,500 but less than the proposed £36,000 will benefit by joining the housing register.</p>			
<p><b>Mitigation:</b> None</p>			
<p><b>Action plan:</b> Monitor the number of applications rejected due to high income levels in order to inform future policy changes.</p>			
<b>Proposed change 4</b>	<b>Explanation</b>		
Implementing unacceptable behaviour as a criteria to exclude people from joining the housing register Page 213	Under the current policy, an applicant found guilty of unacceptable behaviour can join the housing register but an offer of accommodation may be withdrawn once they are successful in bidding for a property.  The proposal is to exclude such applicants from joining the housing register altogether as such behaviour would prevent the applicant from being considered a suitable tenant. Examples of the behaviours includes anti-social behaviour; obtaining a tenancy by deception; sub-letting social housing; unspent housing or welfare benefit convictions; providing false or misleading information and threat or actual violence against neighbours, council staff, members and Council contractors.		
	<b>Equality strand</b>	<b>Impact- Positive/Neutral Adverse Impact L/M/H</b>	<b>Explanation</b>
	All		This data is not collected and therefore not available.
<p><b>Summary:</b> No data is collected to assess the impact</p>			
<p><b>Mitigation:</b> N/A</p>			
<p><b>Action plan:</b> Record applications rejected due to unacceptable behaviour in order to monitor impact or to inform future policy changes</p>			

Proposed change 5	Explanation																					
Restricting the housing register to those applicants who can demonstrate a housing need	<p>Under the current policy, council or private sector leased tenants who have been in their accommodation for 5 years but are not in housing need can qualify to be moved to alternative accommodation.</p> <p>The proposal is to only allow people who can demonstrate they have a housing need to join the housing register as there is limited supply of social housing. Examples of housing need include:</p> <ul style="list-style-type: none"> <li>• Homeless people,</li> <li>• People who need to move on welfare or medical grounds where their situation is being made worse by their current housing,</li> <li>• People living in unsanitary, unsatisfactory or overcrowded housing, and</li> <li>• People who would face hardship unless they move to another area.</li> </ul>																					
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			<b>Bed Size breakdown</b>	
			<b>Bedrooms</b>	<b>Numbers</b>
			1	150 (42%)
			2	149 (42%)
			3	52 (15%)
			4	2 (1%)
			<b>Total</b>	<b>353</b>
	All			

**Summary:** This change will ensure that scarce social housing resources go to those with the greatest need. 92% of white households affected (81% on the housing register) and 6% of BAME households affected by the change (14% on the housing register).

Given migration patterns within the capital, it is perhaps to be expected that people from black and mixed backgrounds will not meet the 5 year tenancy only criteria due to their short term residency in the borough and therefore there would be fewer successful applications from this group.

**Mitigation:** All applicants have a statutory right to seek a review of their housing application if they are dissatisfied with the Council's decision to remove them from the housing register or where they have submitted fresh evidence.

In addition, the affected applicants will have a 6 month transition period to secure alternative accommodation before they are removed from the housing register.

**Action plan:** Clearly communicate about the change to enable applicants to understand the impact and that they have the right of a review of the decision to remove them from the housing register or can submit fresh evidence if there is a change in their circumstances.

<b>Proposed change 6</b>	<b>Explanation</b>
Implementing a reduced housing priority criterion for homeless households who have not lived within Havering for at least 6 years	<p>Implementation of a new 'reduced priority' criterion to the 'banding' system which will be awarded to accepted homeless households who do not meet the Havering residency period.</p> <p>This is because as a result of the homelessness legislation and the Housing Act, homeless households have a reasonable preference whether they comply with the residency qualification criteria or not. In addition, the local connection rules under the homelessness legislation is different from the residency criteria that a local authority can apply under the Allocation Scheme (e.g. under homelessness legislation, it is 6 out of the last 12 months or a family association). This proposal ensures that we continue to comply with the requirements placed on us by law.</p>

Equality strand	Impact- Positive/Neutral Adverse Impact L/M/H	<b>Explanation</b> Reduced priority is likely to be awarded to approximately 214 of the temporary accommodation occupants currently on the housing register. <i>Please note that there are a total of 670 temporary accommodation occupants and not all are currently on the housing register.</i>																																																						
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			Couple	75 (19%)	6 (3%)
			Other	12 (3%)	0
			<b>Total</b>	<b>398</b>	<b>214</b>
	All				

**Summary:** There is a disproportionate impact on those applying as homeless from BME & mixed heritage as well as those aged 16-44 years who will be awarded reduced priority because they do not meet the 6 year residency criteria which may be due to recent migration into the borough from BME/Mixed heritage and younger people moving into the borough.

**Mitigation:** Provide suitable and long term temporary accommodation that is affordable to address their housing need.

**Action plan:** Provide advice and assistance to enable these households to secure alternative settled accommodation in the private rented sector. This can include help with rent deposits where appropriate.

<b>Proposed change 7</b>	<b>Explanation</b>				
Changing the housing priority bands Page 217	Under the current policy, there are four priority bands with a number of different qualifying conditions which are complicated and can be difficult to understand and administer.				
	The proposal is to introduce five simple priority bands to make it easier to determine, award appropriate housing need priority and explain to residents the rationale for the decision				
	<b>Equality strand</b>	<b>Impact- Positive/Neutral Adverse Impact L/M/H</b>	<b>Explanation</b>		
			<b>Proposed Band</b>	<b>Households based on current Priority Band</b>	<b>Estimated households based on proposed Priority Band</b>
			Emergency Rehousing Band (ER)	194 (8%)	115 (4%)
			Community Contribution Reward 1 Band (CCR1)	636 (24%)	483 (18%)
			Community Contribution Reward 2 Band (CCR2)		207 (8%)
			Home-seeker Band (H)	1785 (includes 186 in PSL Band – 68%)	1596 (61%)
			Reduced Priority Band (RP)		214 (9%)
			<b>Total</b>	<b>2615</b>	<b>2615</b>

			<b>Age awarded community contribution reward</b>	<b>Total</b>	
			60-79 years	78	
			80+ years	12	
				<b>90</b>	
	All				

**Summary:** The proportion of estimated households in each priority band under the new proposal shows that there will be fewer households in the highest 'emergency band' (8% to 4%). There is no remarkable difference between those previously placed in the community contribution and Homeseeker bands compared to the new proposed priority 'bands'

There are also 288 residents aged 60-80+ years on the housing register. Of which 90(31%) already qualify for community contribution reward priority. This will continue under the revised policy.

**Mitigation:** Neutral impact

**Action plan:** None

Page 8

<b>Proposed change 8</b>	<b>Explanation</b>		
Continuing to operate choice based lettings and assisted bidding	It is proposed to continue to operate a Choice Based Lettings system by advertising properties through East London Lettings Company, In order to improve transparency of the system (a) the circumstances under which assisted bids (direct offers) can be made will be limited and (b) only properties available for residents to place bids on will be advertised.		
	<b>Equality strand</b>	<b>Impact- Positive/Neutral Adverse Impact L/M/H</b>	<b>Explanation</b>
			Under the current policy, all applicants awarded the Emergency Rehousing Band (ER) are made direct offers of accommodation (assisted bids). This results in the majority of the refusals as shown below. For example, downsizers tend to want a house with a garden; others may have been mismatched due to change in the applicant's circumstances at the point of offer.

Year	Assisted Bid/ Direct Offer	Resident Bidding	Total Council Lets
2013/14	108 (15%)	634 (85%)	742
2014/15	273 (35%)	503 (65%)	776
2015/16	225 (34%)	430 (66%)	655

Bidding option used in 2015/16	Total Bids
Telephone	33760 (56%)
Web	25680 (43%)
ELLC Call Centre Staff	429 (0.7%)
Auto-bid	176 (0.2%)
SMS	85 (0.1%)
CTI – Software for deaf or partially sighted people	11
<b>Total</b>	<b>60141</b>

#### Refusals by applicant in the Emergency Rehousing Band

Rehousing reason	Number of refusals
Downsizing	29
Medical	20
Move on from supported/hostel	23
Welfare and hardship	23
Other	6
<b>Total</b>	<b>101</b>

All

**Summary:** The change will enable most of the applicants to bid for available properties. The analysis shows that majority of the applicants can and do participate in bidding which will continue. It is also expected that at least 70% of all properties will be made available for residents to place bids. The remaining properties will be directly allocated but still reported in the feedback sheet which will improve transparency of the process.

This coupled with the one offer policy will reduce the level of refusal and result in improve turnaround time in letting properties as well as ensuring that it is let to the most suitable applicant.

**Mitigation:** N/A

**Action plan:** Monitor bidding activity to ensure that the service is accessible to applicants

**Proposed change 9**

**Explanation**

Implementing one offer of a suitable property

Under the current policy, there are different numbers of offers and penalties that can be made to households on the housing register depending on the 'priority band' a household is awarded.

The proposal is to implement a one offer only policy.

**Equality strand**

**Impact- Positive/Neutral Adverse Impact L/M/H**

**Explanation**

Total households on the housing register is 2615 and 504 (19%) have never placed a bid for a property.

Year	Total applicants who have placed a bid	Total applicants who have never placed a bid
2014/15	256	
2015/16	1531	504

**Refusals on council Properties 2015/16**

Priority Band	Total Refusals
Emergency Rehousing (ER)	101
Community Contribution Reward (CCR)	65
Home-seeker (H)	75
Total	241

655 properties were available to let and there were 241 refusals, which means 37% of the properties offered were refused which causes a delay in the letting of the properties. In addition, supply is not keeping up with demand and it is difficult to procure affordable private sector accommodation meaning the council has to be realistic about the number of offers it can reasonable give.

Analysis of data shows that people awarded Emergency Rehousing Band with an urgent need to move are more likely to refuse an offer of accommodation than all households – 15%. For example, downsizers tend to want a house with a garden

**Refusals by applicant in the Emergency Rehousing Band**

Rehousing reason	Number of refusals
Downsizing	29
Medical	20
Move on from supported/hostel	23
Welfare and hardship	23
Other	6
Total	101

All

**Summary:** As most of the refusals are by applicants in the Emergency Rehousing Band, it is likely that they are less satisfied with the offer if they feel that they have been forced into a property that they feel does not meet their needs. This is because under the current policy they are made direct offers of accommodation (assisted bids), therefore do not choose a property themselves. The proposed change to make one offer only is complemented by the change for most applicants including those on the Emergency Rehousing Band being able to place bids on properties of their choice which should address the refusal rate and improve the service for residents.

**Mitigation:** The Council is reviewing the demand and supply of housing for older people in order to implement a refurbishment plan to ensure schemes meet older people's future housing needs which will also reduce the level of refusals.

Applicants with an assessed need for level access accommodation will be offered level access accommodation.

As most of the applicants including those on the Emergency Rehousing Band will be able to choose and place bids on properties that they are interested in, it will be important to clearly communicate the suitability of a property to enable applicants to understand the consequences of refusing a property if it meets their assessed needs. Applicants will have the right of a review of their offer if they feel that it is unsuitable and if

the review finds that an offer was not suitable will be given a second offer.

**Action plan:** Regular analysis of the applicants removed from the housing register because they refused an offer will be needed to ensure that specific groups are not being adversely affected.

Regular analysis of the applicants who are successful in a review of offer will be needed to ensure that specific groups are not being adversely affected.

Regular updates on the Council's website on housing supply and demand will reinforce the message to housing applicants that it is reasonable for one offer to be made.

**Proposed change 10**

**Explanation**

Implementing sheltered housing eligibility criteria

Currently, there is no eligibility criterion for sheltered housing.

It is proposed to implement a criterion that will ensure that the lifestyle of those residing in sheltered accommodation is compatible with the scheme.

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**Equality strand**

**Impact- Positive/Neutral Adverse Impact L/M/H**

**Explanation**

Priority Band	Age 55-59	Age 60-79	Age 80+	Total
Emergency Rehousing	18	26	17	61
Community Contribution Reward	32	78	12	122
Home-seeker	55	120	32	207
Private Sector Leased Accommodation	2	3	0	5
<b>Total</b>	<b>107</b>	<b>227</b>	<b>61</b>	<b>395</b>

All

**Summary:** 61 households (15% of those who could be eligible for sheltered housing) are placed in the emergency rehousing band which means that they have an urgent need to move. They could benefit from the option of being assessed for sheltered accommodation which could result in a speedy move to suitable alternative accommodation.

**Mitigation:** N/A

**Action plan:** None

<b>Proposed change 11</b>	<b>Explanation</b>		
Implementing the changes to the policy on a transitional basis of 6 months	As the proposed changes will mean that some applicants on the housing register will no longer qualify, resident views were sought on the implementation options. 62% wanted a transition period. In addition, there was a split on the transition timescale with 39% opting for a year and 26% opting for six months.		
	<b>Equality strand</b>	<b>Impact- Positive/Neutral Adverse Impact L/M/H</b>	<b>Explanation</b>
	All	Positive	

**Summary:** This will mean that existing applicants who will no longer qualify due to residency or housing need criteria.

**Mitigation:** They will be given a transition period of 6 months from the date of implementation of the new scheme. They will therefore remain on the register with their current priority and continue to bid for alternative accommodation. If after 6 months, they have not moved, their application will be closed/removed from the housing register. Based on June Cabinet decision, if approved, the new scheme will be implemented in July 2016 and the transitional period will end in January 2017.

**Action plan:** Review all those on the housing register and write to them advising them of the change and what effect it has on them, amend current literature in relation to applying and bidding for properties and the online application form.

## Action plan

<b>Proposed change</b>	<b>Action</b>	<b>Timescale</b>	<b>Lead Officer</b>
1. Extending the residency period from 5 to 6 years	Monitor number of applications refused by ethnicity and age.	Sept 2016	Housing Register Manager
2. Changing the residency criteria to a continuous period of residency of up to 6 years			
3. Changing the income threshold from £27,500 to £36,000	Monitor the number of applications rejected due to high income levels in order to inform future policy changes.	Sept 2016	Housing Register Manager
4. Implementing unacceptable behaviour as a criteria to exclude people from joining the housing register	Record applications rejected due to unacceptable behaviour in order to monitor impact or to inform future policy changes	Dec 2016	Housing Register Manager
5. Restricting the housing register to those applicants who can demonstrate a housing need	Clearly communicate about the change to enable applicants to understand the impact and that they have the right of a review of the decision to remove them from the housing register or can submit fresh evidence if there is a change in their circumstances.	Aug 2016	Housing Register Manager
6. Implementing a reduced housing priority criterion for homeless households who have not lived within Havering for at least 6 years	Provide advice and assistance to enable these households to secure alternative settled accommodation in the private rented sector. This can include help with rent deposits where appropriate.	Dec 2016	Housing Advice & Homelessness Manager
7. Continue to operate choice based lettings and assisted bidding.	Monitor bidding activity to ensure that the service is accessible to applicants	Dec 2016	Rehousing Manager
8. Implement one offer only of a suitable property	Regular analysis of the applicants removed from the housing register because they refused an offer will be needed to ensure that specific groups are not being adversely affected.	Sept 2016	Rehousing Manager
	Regular analysis of the applicants who are successful in a review of offer will be needed to ensure that specific groups are not being adversely affected.	Sept 2016	
	Regular updates on the Council's website on housing supply and demand will reinforce the message to housing applicants that it is reasonable for one offer to be made.	Mar 2017	
9. Implementing the changes to the policy on a transitional basis of 6 months	Review all those on the housing register and write to them advising them of the change and what effect it has on them, amend current literature in relation to applying and bidding for properties and the online application form.	Aug 2016	Housing Register Manager



## Equality Impact Assessment (EIA)

### Document control

<b>Title of activity:</b>	<i>Homeless Placements Policy 2016</i>
<b>Type of activity:</b>	<i>Policy</i>
<b>Lead officer:</b>	<i>Gemma Meeks, Housing Strategy &amp; New Initiatives Officer</i>
<b>Approved by:</b>	<i>Neil Stubbings, (Interim) Director of Housing Councillor Damian White, Cabinet member for Housing Services</i>
<b>Date completed:</b>	<i>June 2016</i>
<b>Scheduled date for review:</b>	<i>June 2017</i>

The Corporate Policy & Diversity team requires **5 working days** to provide advice on EIAs.

<b>Did you seek advice from the Corporate Policy &amp; Diversity team?</b>	<b>Yes</b>
<b>Does the EIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?</b>	<b>No</b>

# 1. Equality Impact Assessment Checklist

The Equality Impact Assessment (EIA) is a tool to ensure that your activity meets the needs of individuals and groups that use your service. It also helps the Council to meet its legal obligation under the [Equality Act 2010 and the Public Sector Equality Duty](#).

Please complete the following checklist to determine whether or not you will need to complete an EIA. Please ensure you keep this section for your audit trail. If you have any questions, please contact the Corporate Policy and Diversity Team at [diversity@havering.gov.uk](mailto:diversity@havering.gov.uk)

## About your activity

1	<b>Title of activity</b>	<i>Homeless Placements Policy</i>
2	<b>Type of activity</b>	<i>Policy</i>
3	<b>Scope of activity</b>	<p>This EIA concerns the approval of the Havering Council's Homeless Placements policy</p> <p>The policy relates to the placement of homeless households into interim, long-term and settled accommodation pursuant to Section 188 and Section 193 of the Housing Act 1996. The policy outlines the Council's responsibility under homelessness legislation to provide suitable accommodation for people who approach the service as homeless, eligible, in priority need and as requiring interim (emergency) or longer term temporary accommodation or settled accommodation solutions.</p> <p>The policy sets out how the Council intends to achieve an on-going commitment to procure sufficient numbers of accommodation both inside and outside the borough at affordable levels for its homeless demand, in a competitive and rapidly changing housing market.</p> <p>The overarching aim of the policy is to <i>'acquire sufficient supply of interim, temporary and settled accommodation both inside and outside of the borough to ensure the housing needs of homeless people are met. The Council will aim to make transparent, fair and justifiable allocation decisions based on principles of suitability and ensure those with the highest needs are prioritised in procedure for available accommodation'</i></p> <p>This policy also takes into account all relevant statutory legislation and requirements on local authorities in respect of the suitability of accommodation, including The Housing Act 1996, The Homelessness (Suitability of Accommodation) (England) Order 2012 and the Homelessness Code of Guidance 2006.</p>

4a	Is the activity new or changing ?	<p>This is a new policy that sets out the framework for future decisions on how temporary and settled accommodation in the private sector will be procured and allocated in Havering and outside of the borough.</p> <p>Whilst some of the key policies within the Homeless Placements policy are new (such as making privately rented accommodation to discharge homelessness duties) other operations such as suitability considerations for placements and out of borough acquisitions are currently in place on an informal voluntary basis. The policy therefore aims to formalise the scope of existing functions being taken by the Housing Service associated with applicant's assessments and lettings of temporary accommodation.</p>
4b	Is the activity likely to have an impact on individuals or groups?	<p>The policy will have impact upon both individuals and groups of residents who are likely to approach the service as homeless and in housing need.</p> <ul style="list-style-type: none"> <li>• The policy will affect those in the community who are approaching the housing service for housing advice as homeless and in need of accommodation.</li> <li>• The policy offers clear, structured guidance for how assessments of households for TA need to be carried out which will benefit staff and stakeholders. In summary, the policy sets out the main principles staff need to follow whilst taking action to; <ul style="list-style-type: none"> <li>○ Procure temporary accommodation</li> <li>○ Assess a homeless applicants suitability for temporary accommodation</li> <li>○ Make suitable offers of accommodation</li> <li>○ Support homeless people throughout the placements process</li> </ul> </li> </ul> <p>The ways in which policy principles are implemented in practice by staff depend on frontline processes and procedures, which will be drafted after policy approval.</p>
5	If you answered yes:	<i>Proceed to Section 2.</i>
6	If you answered no:	<i>Not applicable</i>

<b>Completed by:</b>	<i>Gemma Meeks, Housing Strategy &amp; New Initiatives Officer</i>
<b>Date:</b>	<i>May 2016</i>

## 2. Equality Impact Assessment

### Background/context:

This policy covers the provision of interim, long-term temporary and settled accommodation for placements made to homeless households who approach the Council's housing service for assistance.

The Council has a duty to provide suitable temporary accommodation (TA) Under Part VII Housing Act 1996 to households who are eligible, homeless and have a priority need until a decision has been reached on their application as to what duty if any is owed. If the council decides that it owes a 'full housing duty' an applicant will continue to be provided with TA until they find their own accommodation or are offered permanent housing (either social housing; or from November 2012, a local authority's homelessness duty can be discharged through the use of a suitable private rented property).

To fulfil these statutory duties, the Council is introducing five key policies through the Homeless Placements policy that will change how homeless applicants are assessed and allocated (according to level of need) for suitable homes which may be located in or out of borough.

This EIA discusses the impact of five key policies being made through the Homeless Placements Policy for people of different characteristics. To provide the context of each policy, a brief description is outlined;

#### 1. Homeless Placements Pathway process

It is the Council's policy to have a clear allocation process that is consistently applied and transparent for all stakeholders to understand. In general, the Council will implement a two stage accommodation pathway approach.

Before any offer of accommodation is made, homeless applicants will be provided housing advice and the Housing Service will try to remedy any housing issues that could be resolved. At first stage, interim accommodation in hostel or emergency placements will occur if the Council has reason to believe the applicant is eligible and in priority need. At secondary stages, if it is found the applicant is statutory homeless, long temporary accommodation or accommodation in the private rented sector will be offered where homelessness duty will be discharged.

#### 2. Suitability of accommodation assessments

The Council will be adopting a three part suitability assessment to make suitable offers of accommodation informed by the Homelessness (Suitability of Accommodation) (England) Order 2012. It will be using the suitability assessment to help decide on whether an offer of accommodation is suitable for household need. This includes consideration of factors including;

- Suitability of the property itself – type of offer and accommodation, property standards and management, size of accommodation, property condition
- Affordability
- Suitable location – including consideration of
  - The particular needs and requirements of the applicant to remain in-borough
  - Advantages that some applicants may have over others in being placed in accommodation out of borough
  - Availability of affordable accommodation in Havering
  - Health & Medical factors
  - Welfare and support factors
  - Education factors

- Employment factors
- Proximity to local community facilities and transport
- Any other special circumstances

### **3. Offers of private rented accommodation and discharge of homelessness duty decisions**

The Localism Act 2011 now provides local authorities with the additional powers to discharge the main homelessness duty into the private rented sector (PRS), without requiring the applicant's agreement. This only applies to households applying as homeless from November 2012. The regulations require local authorities to take a number of matters into account in determining the suitability of accommodation used for discharging duty in this manner.

Local authorities, including Havering have offered private rented accommodation as a method of homelessness prevention for several years. The difference introducing this policy would mean that offer of PRS would be mandatory rather than through choice. The use of private rented sector for discharge will be largely dependent on supply and in line with principles of being a suitable for the applicant household. The Council will use the PRS to discharge homelessness through a fair and thorough suitability assessment. All properties offered will be suitable, meet an agreed standard and condition and have good management from a fit and proper landlord. Households should no longer assume that applying as homeless will result in an offer of social housing.

Available private rented sector accommodation will be considered for *most* homelessness applications. Placement decisions will be made to longest waiting or prioritised homeless applicants for whom available accommodation is suitable on the day of offer (this could be a PRSO or temporary accommodation).

The policy is expected to increase the Council's supply of available accommodation for homeless households and drive efficiencies in the placement process.

### **4. Acquisition of out of borough accommodation and applying the suitability assessment factors to decide on a suitable placement location**

Havering Council is committed to securing suitable temporary and settled accommodation for homeless households where this is required under homelessness legislation. The aim to provide accommodation within Havering wherever possible, but unfortunately this is not always achievable. The Council is dependent on the supply of accommodation that is available yet the on-going increase in rents and changes to benefits means that for some households, accommodation in Havering will no longer be affordable.

As a result, there will be an increasing need to use accommodation that may be located outside of the borough and we need to have a suitability assessment process in place to ensure that we prioritise those who have the greatest needs for in-borough accommodation or to be close to a particular location.

The description of the suitability assessment is described above under point 2.

Acquiring out of borough accommodation is expected to increase the Council's supply of available accommodation for homeless households and drive efficiencies in the placement process.

### **5. Transfer moves between temporary accommodation prioritisation**

The demand for accommodation also stems from existing tenants of temporary accommodation with an urgent need to move. New prioritisation criteria have been developed to ensure there is a fair way of

maximising available scarce resources.

**Age:** Consider the full range of age groups

<i>Please tick (✓) the relevant box:</i>		<p><b><u>Overall Impact</u></b></p> <p><i>This Homeless Placements Policy sets out how the Council intends to provide housing assistance for homeless people across all age groups for whom there is a statutory duty to accommodate under homelessness legislation. The policy has a positive impact for people of all ages ensuring the homeless placements process is transparent and easier to understand.</i></p> <p><i>Whilst people of all ages could be at risk of homelessness, the Council's homeless demand data shows that at both local and national level, working age households with children in the younger age range are at an increased risk of homelessness.</i></p> <p><i>The policy is likely to have a greater overall impact for the following age groups.</i></p> <p><b>16-24 age group – young households</b></p> <ul style="list-style-type: none"> <li><i>including young single homelessness with/without children, young couples with/without children and pregnant single women</i></li> <li><i>In 2014/2015, 16-24 year old homeless applicants formed 35% of the overall demand (the second largest age group demand pressure)<sup>1</sup></i></li> </ul> <p><b>25-44 age group – working age households, primarily younger working age families with children</b></p> <ul style="list-style-type: none"> <li><i>(statutory homelessness legislation means that households with dependant with children have priority need and need to be prioritised by Local Authorities for accommodation)</i></li> <li><i>In 2014/2015, 24-44 year old homeless applicants formed 54% of the overall demand pressure (the largest age group pressure)<sup>1</sup></i></li> </ul>
<b>Positive</b>	✓	
<b>Neutral</b>		
<b>Negative</b>		

**Evidence -Key policy impact analysis**

**1. Implementing an accommodation pathway to make suitable offers and placements**

**a.) Placements pathway process**

For reasons discussed above, the policy is positive for homeless people of all ages however the policy will have more of an impact upon age groups at greater risk of homelessness. The new placement process is expected to drive efficiencies and ensure those with the greatest needs are prioritised for accommodation. This will be for the benefit of all age groups.

Working age households are proportionately most likely to be affected by the homeless placements policy and each of the five key policy impact areas. As statutory priority for housing is given through homelessness legislation to households with children, younger working age families are generally over-represented in the requirement for temporary accommodation. Young working age households compose the greatest homeless demand.

Research indicates the Council has seen an increasing demand from people evicted by friends and family from current accommodation. For many young statutory homeless households gaining access to a home through the placements process, it will be the first time living independently. To mitigate any potential negative impact and ensure homes are sustained, the Council will provide a developed tenant support

service. Applicants of all ages will have access to housing advice services throughout the placement process.

With the oldest population in London at 40.4 year<sup>2</sup>, Havering is expected to have increased housing demand pressures from older homeless households as the population continues to get older, live longer and property prices increase making in-borough accommodation increasingly unaffordable for non-working households. However, it is expected the policy will not have the greatest impact for older people. At present, the service is not reporting high demand from older residents approaching as homeless with a requirement to be accommodated into the interim or longer term temporary or settled accommodation. The vast majority (73%) of older people lives in owner occupied accommodation in the borough and lives with no mortgage<sup>3</sup>. Older people are also likely to have needs that result in high prioritisation for social housing or suitability for sheltered housing.

### **b.) Suitability assessment policy**

The suitability policy has a positive impact for people of all ages, ensuring accessibility to suitable homes.

National research has outlined the dangers of homelessness particularly for children living in unsettled accommodation and has emphasised the need for stable accommodation for households with young children. According to Shelter's study 'Living in Limbo(2004)<sup>4</sup>, homeless children are of the most deprived children in the country, often missing out on schooling, play and opportunities to develop because of their housing situation. It found children growing up in such an environment are 25% more likely to suffer severe health and are 50% more at risk of carbon monoxide poisoning than home owners or social housing tenants.

By adopting a new suitability assessment, the policy aims to ensure every property acquired in the private rented sector and every interim, temporary or settled placement made is suitable for individual needs and requirements for people of all ages. Homeless adults with children approaching the service can be confident all allocations made by the service are safe, suitable and will promote wellbeing. A process will be developed to reflect the assessment policy objectives.

## **2. Discharge of Homelessness duty by way of a settled offer of private rented accommodation for a period of 12 months**

As priority for housing is generally through having dependent children under homeless legislation, younger households are overrepresented in needing long-term or settled accommodation. Proportionately, as the 16-24 and 25-44 year old working age groups form 89% of the overall homeless demand (2014/15)<sup>1</sup>, it is these age groups who will be more likely to be offered settled accommodation in the private rented sector.

Older people are more likely to have high support needs and therefore more likely to be placed into suitable accommodation within the Council's own stock of social housing. With a relatively good supply of sheltered housing, the Council will be less likely to offer settled privately rented accommodation discharge and older people into the private sector.

Across all age groups consideration will be given to a household's ability to sustain a private tenancy and if the property is suitable for individual needs. Consideration will also be given to single people under the age of 35 who are unlikely to be able to afford private self-contained accommodation due to housing benefit restrictions. Households will be consulted on all housing options appropriate to need.

## **3. Acquisition of out of borough accommodation and**

## **4. Application of the suitability assessment to decide on the location of placements**

- ***Working age households and children***

Proportionately working age households with children, who make up the greatest homeless demand, will be most affected by this policy and are more likely to be considered under suitability factors to warrant an

in-borough placement.

Under the policy, households who are actively working in Havering will be considered for accommodation for in-borough. In terms of interim placements of accommodation, working age families with children and pregnant women are more likely to be prioritised for in-borough hostel placements than other households. This is to reduce any potential negative mitigation arising from emergency B&B placements for this client group. Homelessness legislation states emergency placements for these households as unlawful for any period longer than 6 weeks.

The placements policy has a positive impact for children who are at key stages of education enrolled at public examinations in the same school year (GCSE level or above). These households will be considered for in-borough accommodation, to prevent any disruption to educational attainment and so are less likely to be offered and placed out of borough than households with members not at key stages of education. Households with dependent children under the age of 18, who are not due to take qualification exams in the same academic year, may be adversely affected by this policy as comparably they do not have as high education need to remain in-borough. Households may find additional travel requirements and transport fares to current place of schooling. If this becomes unaffordable, a negative impact may arise meaning that an alternative school placement closer to home may have to be found. The Council will take distance to schools into consideration during individual assessments however will not use this as a reason to consider the household for in-borough allocation, unless the child is taking qualifications in the same academic year.

Households with children on the child protection register or families with children who have special educational needs will also be considered for in-borough accommodation to ensure personal development, care and support links are not disrupted by an out of borough placement. Parents and guardians of children who meet one of the other suitability factors (under welfare, medical, support, employment or other needs) will also be considered for in-borough placements to prevent any vulnerability or loss of support arising from an out of borough placement. The in-borough consideration for families with children will only be applied depending on the availability of temporary accommodation within the current stock.

Cases where the lead applicant needing accommodation is under 18 are the responsibility of Children's Services and will be placed under a different policy until the household comes of age.

To mitigate any negative impact arising from an out of borough placement, the service will be providing developed resettlement advice that will include help with aspects of travel and setting up links to support or community based amenities.

- ***Older people***

Older people are most likely of all age groups to have higher support needs. Older people in Havering are the most likely of all age groups to have higher support needs with increased risk of having long term and multiple health conditions<sup>5</sup>. Under the homeless placements policy, people will be considered for in-borough accommodation under the following factors;

- Applicants with severe or enduring health or medical needs receiving treatment or support in the Havering where an out of borough allocation would severely impact on personal wellbeing
- Applicants with high welfare or support needs including applicants in receipt of significant package of care and health options that cannot be easily transferred

This means under the policy older people with health, medical welfare or support needs are likely to be considered for in-borough placements, however there is a lower homeless demand from this group overall. The vast majority 73% of older people live in owner occupied accommodation in the borough and live with no mortgage and are at a reduced risk of homelessness compared to other age groups<sup>3</sup>. Therefore, the impact of any potential out of borough placement is low.



## 5. Introduction of prioritisation criteria for transfer moves between accommodation

In the list of prioritisation criteria for transfer moves between accommodation, people with serious medical or health needs are assigned the highest priority to be moved into alternative temporary or settled accommodation. Older people are more likely to have high medical or care needs than other age groups however as there is an overall low homeless demand for this group, it is not expected this policy will prioritise greater numbers of older people over other age groups.

The second highest priority is given to households who have been in emergency accommodation (B&B) on an interim basis for longer than 5 weeks. This is to avoid statutory penalties of pregnant women and households with children being in emergency accommodation for longer than this time period. As the greatest demand pressure comes from younger working age households (lone parents or households with children) it is expected this policy will have a positive impact for these groups.

### **Evidence: Data**

#### **1. Demographic population profile of Havering by age**

*\*Source<sup>6</sup> – Table 1: Mid-year population estimates 2014, ONS produced by Public Health Intelligence: This is Havering JSNA 2015*

The working age population continues to represent the majority 52% of Havering's overall population. Havering has experienced a net population growth of 9.3% from 2002 to 2014. The greatest reason for population growth is because of internal migration components. The largest net inflow is from households with children migrating from inner and neighbouring London Boroughs which is contributing to increased housing demand for affordable accommodation in Havering, making more homes out of reach for local people.

Working age families, particularly young families are likely to experience the greatest difficulty in securing a home in the borough and are at increased risk of homelessness. Such population statistics and housing demand pressures has contributed to the need to start acquiring out of borough accommodation to ensure the increasing local housing demand, particularly from working age families can continue to be met.

Age Group	2001 Population		2011 Population	
	Number	%	Number	%
0-4	12,429	5.54	13,661	5.76
5-9	14,553	6.49	13,230	5.58
11-17	20,096	8.96	21,269	8.97
18-24	16,769	7.48	20,763	8.75
25-64	117,732	52.50	123,365	52.00
65-84	35,454	15.81	36,221	15.27
85+	4,216	1.88	6,056	2.55
<b>Total</b>	<b>224,248</b>	<b>100</b>	<b>237,232</b>	<b>100</b>

## 2. Demand from statutory homeless households by age

\* Source<sup>1</sup> – Table 2: P1E data by age of statutory homeless applicants by age 2011-2015

The table below outlines the age of housing applicants who have applied to the Council as homeless over the past year and have been found as being owed a statutory homeless duty.

Year	Statutory Homeless Households 2011-2015											
	16-24		25-44		45-59		60-64		65-74		75+	
	No	%	No	%	No	%	No	%	No	%	No	%
2011/12	101	45%	96	43%	23	10%	1	0.4%	4	2%	1	0.40%
2012/13	87	42%	96	48%	14	7%	1	1%	3	2%	1	1%
2013/14	68	42%	72	44%	16	10%	7	4%	0	0%	0	0%
2014/15	66	35%	103	54%	16	8%	4	2%	1	0.5%	1	0.5%

The data showcases that the vast majority of those in need are aged 16-24 and younger working age households 25-44, accounting for (89%) of all successful approaches in 2014-2015. As a general impact, these age groups are most likely to be affected by the introduction of the Homeless Placements policy and all five key policies contained within its content. The homeless demand from working age households (25-44) has grown by 10% over 2013/14 to 2014/15.

## 3. Statutory homeless placements – Existing tenants by age

\*Source - Table 3: Havering Council internal OHMS snapshot data (as of 10/03/2016)

The table below outlines the ages of all current tenants of temporary accommodation by age.

In line with P1E data analysis above, the placements data highlights how the greatest demand for both interim and longer term accommodation comes from young working age tenants aged (25-44).

Age group	Interim temporary accommodation		Long-term temporary accommodation	
	Number	%	Number	%
16-24	12	19%	151	27%
25-44	42	65%	322	58%
45-59	9	14%	76	14%
60-64	1	1%	4	1%
65-74	1	1%	4	1%
75+	0	0%	0	0%
<b>Total</b>	<b>65</b>	<b>100%</b>	<b>557</b>	<b>100%</b>

## 4. Housing register by age

\*Source<sup>8</sup> - Table 4: Havering Council social housing waiting list 10/03/2016

In line with all other homeless demand data and population statistics, the demand for social housing is mainly composed of younger working age groups.

Age Band	Count	%
Age 17-25	618	24%
Age 26-39	1,037	40%
Age 40-54	519	20%
Age 55-59	107	4%
Age 60-79	221	9%
Age 80+	62	2%
<b>Total</b>	<b>2,564</b>	<b>100%</b>

## 5. Location of Placements of longer-term (PSL) accommodation, for statutory homeless

### households by age

\*Source<sup>7</sup> - Table 5: Havering Council internal OHMS snapshot data (10/03/2016)<sup>10</sup>

The table below shows the location of placements for current tenants of longer-term PSL temporary accommodation owed a statutory duty. This has been analysed against the age of the lead housing applicant to assess the impact of the out of borough placement policy.

At current the policy is in operation on a voluntary basis. The Council has a limited supply of out of borough properties which applicants are encouraged to consider if the property is suitable for needs.

Age group	In-borough placements		Out of borough placements	
	Number	%	Number	%
16-24	138	25%	13	2%
25-44	298	54%	24	4%
45-59	72	13%	4	0.7%
60-64	4	0.7%	0	0%
65-74	4	0.7%	0	0%
75+	0	0%	0	0%
<b>Total</b>	516/557	93%	41/557	7%

The majority of current tenants who are housed in out of borough accommodation are young working age households (25-44). As this group form the greatest homeless demand, they also form the majority of in-borough placements. There is low homeless demand from older people in general but no tenant owed a statutory homeless duty aged 60 above has been accommodated in out of borough temporary accommodation due to an identified need to remain in Havering.

### 6. Housing Consultation results by age

The Housing Service undertook a 6 week consultation on the proposed policy changes with key stakeholders. The impact upon people of all protected characteristics was analysed.

Online survey consultation respondents		
Age group	Number	%
16-17	2	1%
18-24	34	11%
25-44	163	53%
45-59	55	18%
60+	32	10%
Prefer not to say	7	2%
Blank	14	5%
<b>Total</b>	<b>307</b>	<b>100%</b>

All age groups as a majority were satisfied (strongly agreed or agreed) with each policy proposal in the Homeless placements policy.

The full breakdown of how each age group responded to each of the main policy proposals is attached under Appendix 3 of the Housing Consultation report.

**Sources:**

- <sup>1</sup> LBH (2016) TABLE 2: P1E Homelessness data report: Statutory homeless applicants by age 2011-2015. London Borough of Havering
- <sup>2</sup> Public Health Service (2015) *This is Havering: A Demographic and Socio-economic profile: Key Facts and Figures*. London Borough of Havering Council
- <sup>3</sup> DCA (2012) *Housing Needs Survey*. London Borough of Havering
- <sup>4</sup> Shelter, (2004). *Living in Limbo-Survey of Homeless Households Living in Temporary Accommodation* [pdf] Available at [http://england.shelter.org.uk/professional\\_resources/policy\\_and\\_research/policy\\_library/policy\\_library\\_folder/living\\_in\\_limbo\\_-\\_survey\\_of\\_homeless\\_households\\_living\\_in\\_temporary\\_accommodation](http://england.shelter.org.uk/professional_resources/policy_and_research/policy_library/policy_library_folder/living_in_limbo_-_survey_of_homeless_households_living_in_temporary_accommodation) accessed on 10/03/2016
- <sup>5</sup> Public Health Service (2016) *Overview of Health and Social Care Needs*. London Borough of Havering
- <sup>6</sup> Public Health Service (2015) TABLE 1: *This is Havering a Demographic and Socio-economic profile: Mid-year Population estimates*. London Borough of Havering Council
- <sup>7</sup> LBH (2016) TABLE 3 & 5. *Havering Council internal OHMS snapshot data*. London Borough of Havering. Accessed on 10/03/2016
- <sup>8</sup> LBH (2016) TABLE 4: *Social Housing waiting list*. London Borough of Havering. Accessed on 10/03/2016
- <sup>9</sup> LBH (2016) *Housing Policy Consultation Report 2016*. London Borough of Havering.

**Disability:** Consider the full range of disabilities; including physical mental, sensory and progressive conditions

Please tick (✓) the relevant box:

**Positive**



**Neutral**

**Negative**

**Overall Impact**

*Overall the impact of the policy upon homeless people with disabilities is positive; ensuring all disabled groups can now access clear guidance on the whole homeless placements process.*

*In 2014/2015 only 5.7% of households in Havering were accepted as statutory homelessness with a physical or mental disability priority housing need category, however this excludes the true picture of households with disabled family members with children who are likely to be prioritised under a different priority need category such as dependent children<sup>1</sup>. Generally non-disabled homeless are most likely to be impacted by the homeless placements process as they form the greatest homeless demand compared to disabled housing applicants.*

*Whilst the housing service is not currently reporting a high level of demand from homeless applicants who are disabled, people with a disability are more likely to be on low income, have limited engagement with the labour market and have limited housing options. For this reason, homelessness guidance and legislation is framed to consider that disabled people are considered at a particularly vulnerable risk of homelessness.*

*The key policies within the Homeless Placement Policy have a particularly positive impact for disabled people by ensuring a new suitability assessment and ensuring prioritisation for disabled people with the highest needs for in-borough accommodation and transfer moves.*

**Evidence -Key policy impact analysis**

- **Implementing an accommodations pathway to make suitable offers and placements**
- **Placements pathway process policy**

For reasons discussed, more non-disabled households approach the Council as homeless. Disabled households are considered at an increased risk of homeless. For both groups, the new homeless placements process is considered to have a beneficial impact in describing how homeless placements will be made.

It is the Council's aim to ensure suitable accommodation is available and the placement process is accessible for all groups' first point of contact to placement. Upon first point of contact to the Housing Service if a disabled household presents as homeless at the Public Advice Centre, disabled applicants will find all areas are wheelchair accessible for interviews.

If the Council has reason to believe a person presenting as homeless is eligible and in priority housing need, following an initial assessment the first step is to make an interim placement of accommodation. The Council ensures a positive impact by making provision of DDA compliant rooms for physically disabled people as interim placements of hostel or refuge accommodation. If these rooms have reached full capacity, the Housing Service will explore and offer alternative options that could be suitable within its supported or council-owned stock before looking to procure emergency accommodation. If this is unavailable, as a last resort suitable emergency accommodation will be procured in compliance with the Disability Discrimination Act and needs of the household.

If the Council's investigations determine a statutory homeless duty is owed to a disabled household, the Council may offer longer term temporary accommodation or a settled offer of accommodation in the private rented sector. Due to the highly individual needs and requirements for customers in this area, there is potential inequality in that the Council will not have suitable properties readily available at short notice within its stock of long-term temporary or settled accommodation. As there is a relatively low demand from homeless households with severe disabilities, health or medical conditions, the Council does not manage any specialised or adapted temporary accommodation properties available solely for the needs of this client group. Beyond helping those with less severe mental health conditions and mobility issues the service cannot help other groups of people with disabilities and severe health conditions that otherwise require supported housing arrangements.

To prevent a negative impact upon disabled people, the policy explains how the Housing Service intends to explore and offer any suitable housing alternative across its entire stock of council-owned accommodation. People with severe disabilities and or health, mental health conditions are therefore more likely to be directly offered council accommodation and/or meet high priority banding within the Housing Allocations policy meaning social housing is allocated more efficiently. This is to ensure homeless disabled people upon making a homelessness application do not experience any negative impact with longer waiting times due to a limited stock of readily-adapted temporary accommodation. The placements pathway policy therefore has a positive impact upon this group, ensuring equality of opportunity for people with more serious disabilities.

The service will always look to ensure single or ground floor accommodation is offered to people with mobility issues and will always consider locational needs for community-based services if significant or longstanding support is being provided. The Council offers aids and adaption grants available to clients. The Housing Service will consider and help customers with arranging minor adaptations to temporary accommodation if landlords consent has been given. However major property adaptations to meet the needs of individual customers are ultimately not usually possible as property ownership remains with local landlords. Individually procuring suitable adapted homes in the private rented sector is not considered a feasible option for this group as it would create inefficiency in allocating homes to these clients. To negate any potential barriers to longer term placements, it is the policy's core objective to make best use of the housing stock.

Housing Services has developed referral processes with Adult Social Care, Children's Services and

Mental Health Services to ensure all disabled applicants are supported in their living arrangement throughout the homeless pathway. The service will continue to develop its partnership working in this area.

The new Policy has been developed to reflect objectives of The Care Act 2014 programme being implemented by Havering Council. Housing Services employees have been trained to the principles of the Care Act to guide professional practice and safeguarding in making placements under the new policy.

- **Suitability assessment policy**

Housing has a significant role to play in improving quality of life. Poor quality, unsuitable housing and the can have detrimental effects on health and wellbeing. The uncertainty that goes with being homeless or at risk of losing a home can be the cause of, or contribute to wider health or mental health problems and disabilities. Physical disabilities, mental ill health or dependency issues in their own right can also trigger, or be part of, a chain of events that lead to someone becoming homeless.

Shelter's (2004) survey 'Living in Limbo' found that over 50% of respondents had said their health or a family member's health has suffered due to living in temporary accommodation<sup>2</sup>. A negative impact on mental health was also recorded as a result of homelessness with over half of families in temporary accommodation and 71% of childless households having diagnosed depression.

With this being considered, to mitigate any negative impact arising from homelessness, the policy outlines a new suitability assessment which will help to decide if a property is suitable for individual needs. This includes needs analysis of accessibility factors such as the ability to climb stairs, ground floor requirements for wheelchair accessibility, size and space of accommodation, locational requirements and the need for documentation to be in different formats i.e. Braille, easy-read, via a translator or transmitted via text phone.

- **Discharge of Homelessness Duty by way of a settled offer of private rented accommodations for a period of 12 months policy**

If a settled private rented accommodation is suitable for a disabled household, this offer can be made and homelessness duties will be discharged.

Due to the nature of privately rented accommodation in the private sector, housing is less likely to be readily adapted, available or suitable for people with serious physical disabilities who require home adaptations. The policy explains how the service will now be offering offers of PRSOs to discharge homelessness duties under a contract period of at least 12 months. To mitigate any negative impact upon disabled people, provision is made so that this client group can be offered suitable long-term temporary accommodation or adapted properties within the Council's own housing stock.

People with more severe disabilities are therefore less likely than other households to have their duties discharged into the private rented sector by offer of a PRSO and are more likely to be offered supported or adapted accommodation within the council's own stock. For this reason, the policy has a neutral effect on this group

- **Acquisition of out of borough accommodation for use of temporary and settled offers of private rented criteria and**
- **Application of the suitability assessment to decide on the location of placements**

The policy is positive for people with disabilities and non-disabled people who have high needs that fall within the identified list of suitability considerations for location. Disabled people are more likely than non-disabled people to be considered for in-borough accommodation.

Disabled people (Inc. Physical and mental disabilities) are more likely to depend of the support of family and friends and be in support of a significant package of care or treatment from a Havering service that cannot be easily transferred. A disabled person is also more likely than non-disabled person to be out of

work, meaning that instances of low income, social exclusion and poverty are higher. This means that disabled people are more reliant on local services, sources of support and public transport

For this reason the Council is will be prioritising disabled groups with the highest needs for In-borough placements dependant on level of need.

The policy outlines potential for how out of borough placements may be made to people with mild-moderate severity of disabilities, who **do not** have a *severe or enduring* health, mental health or medical condition and **are not** in receipt of a *significant*, transferrable care or support package.

To prevent any negative impact arising from an out of borough placement, the suitability assessment will ensure any accommodation offered will be suitable for individual needs. The service will be providing developed resettlement support that will include help with aspects of travel, accessing health or support services in the placement borough and setting up links to community based amenities.

A positive impact has therefore been identified.

The rationale for this decision and needs of disabled groups are outlined below;

- *Children with Special Educational Needs (SEN)*

The number of children with special educational needs and disabilities is growing year on year in Havering, averaging increases has been recorded between 40 to 60% in all groups over the past 3 years between 2012-2015<sup>3</sup>. This increase is particularly marked in respect of children with the most severe and complex needs.

National research (Shelter, 2004) has found the impact of homelessness has a profound impact on a child's educational development with on average children missing nearly a quarter of the school year with parents stating travel as a problem<sup>2</sup>. To mitigate the potential impact of moving a child to a different school in a new borough, children with the highest needs will be considered for in-borough placements to prevent any negative impact upon educational development. This is likely to include children with SEN needs. Due to the severe shortage of accommodation, the Council is unable to prioritise all households with children for in-borough placements.

- *Households with physical disabilities*

The proportion of working age households (18-64) in Havering with members who have moderate to severe physical disabilities is one of the highest rates in London, above the average<sup>3</sup>. Whilst the service is not currently reporting a high demand from homeless physically disabled people, the Council aims to ensure all temporary accommodation is accessible and suitable for individual requirements.

National research (Habinteg 2010) indicates there is a supply issue of appropriate housing options for those who require affordable wheelchair accessible properties<sup>4</sup>. It found that 84% of homes in England do not allow someone using a wheelchair to get to their door without some significant difficulty and only 0.5% of the UK housing stock is designed as accessible for wheelchair users. More recent research found that nearly a fifth of wheelchair user households in London have an unmet need for wheelchair accessible housing compared to a national average of 15% (GLA 2010)<sup>5</sup>.

To ensure disabled people who are homeless are not disadvantaged in the homeless placements process by a limited amount of adapted or wheelchair accessible temporary accommodation, the policy ensures that the service may expedite offers of adapted council-owned accommodation to avoid additional waiting times for this group. Homeless people with severe physical disabilities or people with disabilities who are in receipt of an enduring care package in Havering are also more likely to be considered under suitability factors for in-borough accommodation to prevent any difficulties arising from an out of borough placement. People with serious health or medical conditions are also prioritised under the highest criterion for emergency moves between temporary accommodations if needs are developed whilst in occupation under the transfer moves policy.

From first point of contact with a homeless approach, physically disabled applicants will find access to the Council's Public Advice Centre is wheelchair accessible. The homeless assessment includes consideration of accessibility factors such as the need for wheelchair access, ability to climb stairs, ground floor preferences, size and space of accommodation to determine offer and property suitability.

A positive impact upon this client group has been identified.

- *Households with mental health disability*

According to the Royal College of Psychiatrists, 1 in 4 people experience mental illness in their lifetime and homeless people are a higher risk group who are disproportionately affected by mental health problems<sup>6</sup>. The prevalence of mental health problems in Havering (0.88%) is generally lower than both London and England but there is variation in how common it is across wards. Wards, which have a greater prevalence of households with mental health conditions, are also those, which have high deprivation rates and more low-income families who are at greater risk of homelessness, for example Gooshays and Havering Park.

In Havering there are a rising number of statutory homeless households presenting with a mental illness or disability priority housing need. This has increased by more than half (1.6%) over the past three years 2012/13 to 2014/15<sup>1</sup>. The Council will assist all housing applicants in making referrals to appropriate support services for people affected by mental health conditions. The Council will continue to develop its partnerships with Adult Social Care in this area to support homeless households. Provision for households affected such as floating support will be made available.

The majority of people with a priority need due to poor mental health are single people with no dependents, and therefore require one-bedroom accommodation. The Council has a greater supply of one bedroom accommodation and so people with these needs are at a reduced impact of being placed out of borough. Families who have a household member affected by mental health (who do not fulfil in-borough prioritisation criteria) are more likely to be placed out of borough due to there being a more limited supply of family size homes.

Out of borough placements for these clients may mean increased risk of social isolation and difficulty in retaining personal independence and existing support networks. To mitigate any negative impact on the wellbeing of this group, the policy outlines suitability factors to be considered in making decisions on the location of placements to ensure people with the most significant disabilities with medical, health, welfare or support needs are prioritised for in-borough temporary or settled accommodation depending on supply at any one time. For this reason the policy impact is positive upon this group.

- *Carers*

Over 2 million people become carers every year (Carers UK.)<sup>7</sup> Every day, another six thousand people take on a caring responsibility and 3 in 5 people will become a carer at some point in their lives. Valuing Carers (2011) estimates the economic value of the contribution made by carers in the UK is around £11 billion per year. This is 37% higher than an estimate made in 2007<sup>8</sup>.

Over a 1,000 adults living in Havering (2014-15) receives care support in their homes; equating to about 11.3 hours per person per week; an increase from 10.7 in 13/14. According to the 2011 Census, 25,214 people, 11% of Havering's residents identified themselves as carers, an increase from 23,253 (8.4% increase) in 2001. Twenty-three per cent (5,835) said they provided more than 50 hours of care per week. In 2013/14, 7,096 clients received adult social care support in Havering of which two thirds were aged 75<sup>9</sup>.

The numbers of carers in Havering is rising and this trend expected to continue, due to Havering's ageing population. The homeless placements policy has outlined in-borough prioritisation carers with a longstanding arrangement to provide support to another resident in Havering. This is to ensure the economic and social value of carers work is recognised in housing policy and practice. The in-borough prioritisation criterion for this group ensures that voluntary or paid care work and support links can be maintained.



Overall the policy has a positive impact upon homeless carers of people with disabilities and health/mental health/other long-term conditions.

- **Introduction of prioritisation criteria for moves between temporary accommodations policy**

It is reasonable to expect that people with a disability may have high support needs. Households with serious health, medical or support needs are prioritised under the highest category for emergency rehousing in the transfer criterion for moves between existing interim and long-term temporary accommodation.

Prioritisation is also awarded to households who have submitted a review of their housing placement on the basis that such accommodation is unsuitable. People with evidenced medical and health conditions are those who are most likely to submit a successful review of suitability.

This prioritisation will reduce waiting list time for people with disabilities / serious health conditions and mitigate any risk arising from unsuitable accommodation; a positive impact is therefore described.

### **Evidence – Data**

- **Havering’s Disability Population**

*\*Source<sup>9</sup> - Mid-year population estimates 2014, ONS produced by Public Health Intelligence: This is Havering JSNA 2015*

According to the latest ONS mid-year population survey (2014) 18% of working age people living in Havering has disclosed they have a disability or long-term illness, a similar proportion to England’s overall statistic. The estimated number of people in Havering aged 18-64 with a moderate physical disability was 11,459 in 2015 and is the second highest of local authorities in London, well above the national average. Similarly the number of people living with severe disabilities, unable to walk and dependent on a career for mobility is also one of the highest rates in London.

- **Havering Housing Needs Survey**

*\* Source<sup>10</sup> - Table 2 – Havering Council Internal OHMS data (2012)<sup>11</sup>*

According to Havering’s Housing Needs Survey, the majority of disabled people own their own home (66.9%). Disabled people are less likely to live in private rented accommodation out of all tenures (6%). People living in this tenure are most vulnerable to the experience of homelessness and are most likely to live in unsuitable accommodation. Privately rented accommodation have the lowest adaptations of all tenures in Havering, only 3.9% or 278 of the total stock contain adapted properties, compared to 1298 council owned properties with adaptations.

The lack of availability of homes in the private rented sector informs the Council’s decision for offering council-owned accommodation to disabled applicants should suitable properties not be available in temporary accommodation for people with the highest needs.

Tenure	Sample survey	Tenure by disability	Number of disabled households
Owner occupied with mortgage	45.7%	25.7%	4828
Owner occupied without mortgage	33.9%	41.2%	7747
Private rented	6.8%	6.0%	1131
Council rented	9.1%	18.6%	3491

Registered provider rented	4.2%	8.2%	1532
Shared Ownership	0.2%	0.0	0
Tied to employment/Living rent free	0.1	0.3	65
Total	100%	100%	18,794

- 19.19% (18,794) of Havering households include a member with a disability
- 56.2% of all disabled household members were over the age of 65
- 37% of disabled households have a walking difficulty
- 19% of people with a disability have a limiting long term illness
- 44% of disabled households have a support need

- **Havering Disability Needs Data**

*\*Source<sup>3</sup> - Public Health Service (2016) Havering Health and Social Care Needs JSNA. London Borough of Havering*

Havering's JSNA on health and social care needs explain some of the main pressures operating in the borough.

- Havering was estimated to have 945 adults with moderate or severe learning disability in 2015, of which about 300 are estimated to be living with a parent.
- There is an increasing number of Havering residents living with long term conditions (LTCs)
- The prevalence of mental health problems in Havering (0.65%) is generally lower than both London (1.07%) and England (0.88%) but there is variation in how common it is across the wards in the borough.
- The number of children with special educational needs and disabilities is growing year on year, averaging increases of between 40 to 60% in all groups over the past 3 years.
- Working age adults comprise the largest age group in Havering and are more likely to experience serious mental health issues
- The number of Child Protection Plans in Havering increased by 50% from 2013/14 (143) to 2014/15 (214). The projected number for 2015/16 is 329, which would be a further 56% increase on the previous year
- In 2013/14, 7,096 clients received adult social care support in Havering of which two thirds were aged 75. The majority of the demand (98%) is driven by the following: physical disability (78%), learning disability (12%) and mental health (8%).
- According to the 2011 Census, 25,214 people, 11% of Havering's residents identified themselves as carers, an increase from 23,253 (8.4% increase) in 2001. Twenty-three per cent (5,835) said they provided more than 50 hours of care per week

The policy has been framed to acknowledge the above factors to ensure those with serious health and care needs are prioritised for in-borough accommodation.

- **Statutory Homelessness by priority need (physical and mental)**

*\*Source<sup>1</sup> - Table 3 – P1E data statutory homeless households by disability (2012-2015)<sup>1</sup>*

5.7% of the households owed at statutory homeless duty in 2014-2015 had a priority housing need from physical or mental illness. This does not include the reflection of households with children where a member has a disability and a priority need for accommodation. This figure is largely composed of single applicants or couples with physical and mental disabilities. The data on number of existing tenants in long-term or interim temporary accommodation is currently unavailable.

The Housing Service aims to improve its understanding of the true demand from statutory homeless households with disabled members by making improvements made to internal data monitoring and

recording.

<b>P1E Data: Statutory Homelessness and Disability by Priority Need Category 2012-2015</b>							
	2012/13		2013/14		2014/15		% change
	No	%	No	%	No	%	
Physical disability	9	5%	8	5%	5	2.6%	- 2.4%
Mental illness or disability	3	1.5%	3	1.8%	6	3.1%	+ 1.6%

- **Housing Register and Temporary Accommodation Transfer Requirements**

\* Source <sup>10</sup> - Havering Council Internal OHMS data 2016

- On the Council's housing register, 1.4% has an evidence medical need to move with 0.3% of people requiring home adaptations. The average age of people requiring adaptations is 57 years old, as the proportion of older residents increase, the demand from older people with disability on adapted properties is expected to increase.<sup>12</sup>
- Within the Council's existing stock of temporary accommodation, 39 households require a transfer into alternative accommodation, of which 33% have a serious medical or health need to move, including 23% with a ground floor wheelchair accessible need <sup>13</sup>

- **Housing Consultation results by disability**

\* Source<sup>11</sup> – Housing Policy Consultation Report 2016

The Housing Service undertook a 6-week consultation on the proposed policy changes with key stakeholders. The impact upon people of all protected characteristics was analysed.

<b>Online survey consultation respondents</b>		
<b>Disability group</b>	<b>Number</b>	<b>%</b>
<b>Disabled</b>	42	14%
<b>Non-disabled</b>	230	75%
<b>Prefer not to say</b>	22	7%
<b>Blank</b>	13	4%
<b>Total</b>	307	100%

Both disability groups as a majority were satisfied (strongly agreed or agreed) with each policy proposal in the Homeless placements policy.

The full breakdown of how each age group responded to each of the main policy proposals is attached under Appendix 3 of the Housing Consultation report.

**Sources:**

- <sup>1</sup>LBH (2015) Table 3: P1E Homelessness Data Report: Statutory Homeless applicants by disability 2012-2015. London Borough of Havering
- <sup>2</sup>Shelter, (2004). Living in Limbo-Survey of Homeless Households Living in Temporary Accommodation [pdf] Available at: [www.england.shelter.org.uk/professional\\_resources/policy\\_and\\_research/policy\\_library/living\\_in\\_limbo\\_-\\_survey\\_of\\_homeless\\_households\\_living\\_in\\_temporary\\_accommodation](http://www.england.shelter.org.uk/professional_resources/policy_and_research/policy_library/living_in_limbo_-_survey_of_homeless_households_living_in_temporary_accommodation) [accessed on 10/03/2016]
- <sup>3</sup>Public Health Service (2016) Overview of Health and Social Care Needs. London Borough of Havering
- <sup>4</sup>Habinteg (2010) Mind the Step, Online. Available at: <http://www.habinteg.org.uk/main.cfm?Type=NI&objectid=2675> [accessed on 10/03/2016]

- <sup>5</sup>Royal College of Psychiatrists (2010) No Health without Public Mental Health: The Case for Action. Available at: <http://www.rcpsych.ac.uk/pdf/Position%20Statement%204%20website.pdf>.
- <sup>6</sup>Royal College of Psychiatrists (2010) No Health without Public Mental Health: The Case for Action. Available at: <http://www.rcpsych.ac.uk/pdf/Position%20Statement%204%20website.pdf>.
- <sup>7</sup>CarersUK (2016) Making life better for carers: Facts and Figures Press Release. Available at: <https://www.carersuk.org/news-and-campaigns/press-releases/facts-and-figures> [accessed on 10/03/2016]
- <sup>8</sup>Carers UK (2011) Valuing Carers: Calculating the value of carers support. University of Leeds. Available at: <http://webcache.googleusercontent.com/search?q=cache:vHBGyiJlwUsJ:circle.leeds.ac.uk/files/2012/08/110512-circle-carers-uk-valuing-carers.pdf+&cd=1&hl=en&ct=clnk&gl=uk> [accessed on 10/03/2016]
- <sup>9</sup>Public Health Service (2015) *Mid-year population estimates 2014, ONS produced by: This is Havering JSNA. LBH*
- <sup>11</sup>DCA (2012) Table 2: *Housing Needs Survey*. London Borough of Havering
- <sup>10</sup>LBH (2016) Havering Council internal OHMS snapshot data. London Borough of Havering. Accessed on 18/03/2016
- <sup>11</sup>LBH (2016) Housing Policy Consultation Report 2016. London Borough of Havering.

**Sex/gender:** Consider both men and women

Please tick (✓) the relevant box:

**Positive**

✓

**Neutral**

**Negative**

**Overall impact**

*Overall the impact of the Homeless placements policy on all genders is positive. The policy ensures all gender types can access clear guidance on the homeless placements process.*

*There is no evidence of any discrimination on grounds of gender in the allocation of interim or longer-term temporary and settled privately rented accommodation, however proportionately all key policies will have a greater impact on women who form the greater share of the overall population and Council's homeless demand<sup>1</sup>.*

*2014/2015, the Council accommodated 73% of lone parent and single parent homeless households headed by a female lead applicant<sup>1</sup>. This is in comparison to just 8% of single or lone parent male led applicants<sup>1</sup>. The number of females approaching the Council as homeless has been increasing over the last three years<sup>1</sup>.*

*Women are therefore over-represented both in interim and long-term temporary accommodation, with a rate of 70% female composition compared to 30% men<sup>2</sup>. This is a similar statistic to the gender split of people on the housing register (67:33)<sup>3</sup>. The main reason for the over-representation of women is due to the Housing Act 1996 and Homelessness (Priority Need for Accommodation) (England) Order 2002 legislation which defines priority housing need as pregnant women, households with dependent children and people who are vulnerable due to fleeing domestic violence. Women fulfill the prevalent majority within these priority need groups and as a result, are more likely gender to approach the local authority and become accepted with a statutory homeless duty under homelessness legislation.*

*Gender is an issue in relation to economic status with women being adversely affected. National, London-wide and local level research indicates women earn much less than their male counterparts and have a higher representation in economically inactive households, largely explained by the take up of care*

roles. The trends described and the notable 'gender pay-gap' affects women's ability to access affordable housing in the borough and places women at greater risk of homelessness.

The key policies within this Homeless Placements Policy will therefore have a disproportionate and greater impact on female homeless applicants compared to men. The sections below describe the key policy impact in further detail.

## **Evidence -Key policy impact analysis**

### **1. Implementing an accommodations pathway to make suitable offers and placements**

#### **• Placements pathway process policy**

For reasons discussed, there is a greater housing demand from women for homeless assistance due to an inherent bias in homeless legislation towards women. Whilst all groups will have an improved understanding of the placements process, more women will be impacted by the policy.

The Council has developed other housing options to provide assistance to non-priority homeless groups such as single homeless men who are less likely to be eligible for long-term temporary or settled accommodation under homeless legislation. For example, shared accommodation and find your own deposit schemes.

#### **• Suitability assessment policy**

Women are more likely to have needs and requirements that make some placements unsuitable for occupation. The policy outlines how the use of emergency B&B placements will be limited for women with dependent children and pregnant women to prevent any risk of occupying beyond 6 weeks to ensure compliance with homeless legislation. This means homeless women with children and pregnant women are more likely than men to be placed into available hostel temporary accommodation over single men as an interim measure while homeless investigations are being completed. Hostels are mixed-gender provision, family and single rooms are available.

As women are more likely to be affected than men by domestic violence in Havering, victims who are women can also be offered placements into refuges, in locations away from the abuser. Due to the demand profile, refuge provisions in the borough are female only units. Victims will not be placed near perpetrators. The Council must increase its understanding of males affected by domestic violence in the borough to ensure there are no gaps in housing provision for this group. This is an action recommended by this EIA.

For all other placement types i.e. with longer-term temporary or settled accommodation, offers will be made in response to general homeless demand and will have a neutral impact on sex/gender.

### **2. Discharge of Homelessness Duty by way of a settled offer of private rented accommodations for a period of 12 months policy**

Proportionately, as women are more likely to become statutory homeless in Havering, more longer-term and settled placements will be made in general to this group. As such the policy will be negative for women who are more likely to be affected by settled offers of privately rented accommodation and discharge of homelessness duty decisions.

However in scenarios where an accommodation (longer term TA or settled PRSO) becomes available and there are two applicants (male or female) with the same level of need, the offer will be made to the longest waiting person with same level of need on the housing waiting list for whom the property is suitable. The decision will not be made in consideration to gender, but on the suitability of accommodation assessment that ensures all homes are fit for purpose. In this sense, a positive impact of this policy is described through ensuring all genders have access to suitable homes.

- **Acquisition of out of borough accommodation for use of temporary and settled offers of private rented criteria and**
- **Application of the suitability assessment to decide on the location of placements**

As there is a greater homeless demand for long-term accommodation from women, it is reasonable to expect women are greater impacted by the new acquisition and prioritisation policies. As a result of this policy it is expected more women will be placed in out of borough locations compared to men where there is a lower homeless demand. Currently 88% households living in out of borough locations (long-term private sector leased accommodation) are headed by female housing applicants, compared to just 12% of men<sup>2</sup>.

All placement decisions made are based on individual applicants housing needs and the outcomes of the suitability assessment and are not guided by gender. As a result the suitability factors on location have no direct impact that advances or adversely affects the position of men or women. Both sexes on the same level of housing need will have an equal chance of being placed in or out of borough at the point of making a long-term placement. However a greater number of women who have dependants may be considered for having needs under suitability factors of welfare (care, carers and support) and education factors..

Outer-borough placements will be considered for people affected by domestic violence if there are clear safeguarding benefits for the household. Housing officers will ensure support is available for any victims facing resettlement.

- **Introduction of prioritisation criteria for moves between temporary accommodations policy**

The transfer prioritisation policy has no impact on gender that directly advances or adversely affects men or women in the placements process. However, indirectly women may fit the profile of households prioritized under first and second criterion. Criteria 1 place an urgent need to move category for people affected by serious domestic violence. Women in Havering are more affected by domestic violence than men. Criteria 2 prioritises people who have an emergency need to move due to being in B&B accommodation for 5 weeks. Pregnant women and households with children are likely to be prioritised over male applicants with no dependent's in the transfer process to comply with homeless legislation.

Due to the order of prioritization, If a need to move is developed whilst living in temporary accommodation, women may experience shorter wait times compared to men.

## **Evidence - Data**

- **Demographic population of Havering by gender (Census 2011)**

*\*Source<sup>4</sup> - Table 1: Economic status in Havering by gender, Havering 16-74 age profile (Census 2011)*

- In Havering, men have a higher representation as economically active in comparison to women
- Women have higher representation as part time workers and likely lower paid employment than men and lower representation than men as full time workers
- Women have a higher representation in economically inactive households compared to men
- Women are more likely than men to be economically inactive due to taking up a care role

	<b>Economically active</b>				<b>Economically inactive</b>				
	Part time	Full time	Self-employed	Unemployed	Full time student	Retired	Student	Looking after family	Sick disabled
Male	2%	23%	8%	3%	2%	6%	2%	0%	2%
Total				36%					11%
Female	11%	16%	2%	2%	1%	8%	2%	5%	2%
Total				31%					17%

- The general population in Havering is 52% (128,110) female compared to 48% (118,024) male
- Over a 10-year period 2010 to 2011, both genders experienced a 5.7% increase in population.
- Life expectancy in Havering is 80.2 years from birth for males compared to 83.9 years for females (This is Havering 2016)

- **Housing demand from statutory homeless households by gender**

\*Source<sup>1</sup> - Table 2 – P1E Data Statutory Homeless households by gender and household type (2013-2015)

This table shows statutory homeless placement trends over the past three years (2013-2015).

<b>P1E Data: Households accommodated by household type and gender of household 2013-2015</b>			
<b>Household type</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
Couples with children	76 (12%)	123 (20%)	91 (14%)
Lone parent			
• Male applicant	19 (3%)	12 (2%)	19 (3%)
• Female applicant	299 (48%)	280 (45%)	372 (57%)
Single person			
• Male applicant	52 (8%)	49 (8%)	30 (5%)
• Female applicant	116 (19%)	125 (20%)	102 (16%)
All other household groups	55 (9%)	34 (6%)	35 (5%)
<b>Total</b>	<b>617 (100%)</b>	<b>623 (100%)</b>	<b>649 (100%)</b>

The table shows that the majority of homeless demand over time is from female lone parent and female single people. In total women applicants' form (73%) of the overall homeless demand compared to 8% from men.

- **Homeless placements by gender**

\* Source<sup>2</sup> - Table 3 - Havering Council internal OHMS snapshot data: Current Temporary Accommodation Tenants (10/03/2016)

This table details current tenants of interim and long-term temporary accommodation by gender and location.

<b>Placements by location and gender</b>						
	Interim placements (hostel)		Long-term temporary accommodation			
			In-borough placements		Out of borough placements	
<b>Gender</b>	<b>Count</b>	<b>%</b>	<b>Count</b>	<b>%</b>	<b>Count</b>	<b>%</b>
<b>Female</b>	59	91%	389	70%	36	88%
<b>Male</b>	6	9%	168	30%	5	12%
<b>Total</b>	65	100%	557	100%	41	100%

As there is a greater demand in general from women, females comprise of the majority of in-borough and out of borough placements. Women are therefore more likely than men to be placed out of borough **and** receive in-borough prioritisation for accommodation over male applicants.

- **Housing register by gender**

\*Source<sup>4</sup> - Table 4 Havering Council social housing waiting list 09/03/2016

<b>Housing register by gender</b>	count	%
Female lead applicants	1822	67%
Male lead applicants	904	33%

Total	2726	100%
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Women make up nearly 70% of tenants taking up an offer of accommodation from the Housing register. Women are more likely to come under a reasonable preference category given the pattern of child care. These categories will remain in place under the new Housing Allocations policy.

• **Transfer requests by gender**

\* Source<sup>5</sup> - *Havering Council Internal OHMS data: Temporary accommodation transfer demand (2016)*

- Within the Council's existing stock of temporary accommodation, 39 households require a transfer into alternative accommodation, of which 28% are male and 72% are female. 13% of transfer moves are from women facing domestic violence in current home.

As a result it can be assumed on the basis of need, more women are likely to experience shorter transfer wait times compared to men on the basis of need, in line with homeless legislation and guidance.

• **Housing consultation results by gender**

\* Source<sup>6</sup> - *Table 5 - Havering Council Housing Consultation data report*

Online survey consultation respondents		
Gender	Number	%
Female	223	73%
Male	62	20%
Transgender	0	0%
Prefer not to say	8	3%
Blank	14	5%
<b>Total</b>	<b>307</b>	<b>100%</b>

Both genders as a majority were satisfied (strongly agreed or agreed) with each policy proposal in the Homeless placements policy. The full breakdown of how each age group responded to each of the main policy proposals is attached under Appendix 3 of the Housing Consultation report.

**Sources used:**

- <sup>1</sup> LBH (2015) *Table 3: P1E Homelessness Data Report: Statutory Homeless applicants by gender and household type 2013-2015*. London Borough of Havering
- <sup>2</sup> LBH (2016) *Havering Council internal OHMS snapshot data: Temporary Accommodation tenants*. London Borough of Havering. Accessed on 10/03/2016
- <sup>3</sup> LBH (2016) *Social Housing waiting list*. London Borough of Havering. Accessed on 10/03/2016
- <sup>4</sup> ONS (2011) *Population Statistics in Havering 2011-2016*. London Borough of Havering.
- <sup>5</sup> LBH (2016) *Havering Council internal OHMS snapshot data: Transfer demand*. London Borough of Havering. Accessed on 10/03/2016
- <sup>6</sup> LBH (2016) *Housing Policy Consultation Report 2016*. London Borough of Havering.

**Ethnicity/race:** Consider the impact on different ethnic groups and nationalities

Please tick (✓) the relevant box:

**Overall impact:**

**Positive**

✓

*Overall the impact of the Homeless Placements Policy on people of all ethnicities is positive; ensuring that all groups can access clear guidance on the whole homeless*



<b>Neutral</b>	<p><i>placements process.</i></p>
<b>Negative</b>	<p><i>Whilst the Housing service does not directly advance, discriminate or negatively impact the position of households with different ethnicities in the homeless placements process, there are ethnic groups in the borough who are more likely to become homeless or be at risk of homeless. As a result the policy and all key policies are likely to have a greater impact on these groups.</i></p> <p><i>Havering is one of the most ethnically homogenous and least diverse boroughs in London with 83.3% of its population constituted by White British households, higher than both the London and England average<sup>1</sup>. While the prevalence of minority ethnic groups is very small compared to other London Boroughs, Havering has seen the highest percentage increase between the 2001 Census and 2011 Census as the ethnic minority population has more than doubled from 8% in 2001 to 17% in 2011<sup>1</sup>.</i></p> <p><i>Over this period, the levels of homelessness among BME communities have remained disproportionately high at around three times higher than population levels.</i></p> <p><i>In particular, black households and people of mixed ethnicities are significantly over-represented in the homeless population. The situation is not specific to Havering but is representative of national trends. The Shelter (2004) BME Housing Crisis report stated that Black African and Black Caribbean homeless households were the most over-represented group across the country<sup>2</sup>.</i></p> <p><i>In Havering, black households accounted for 18% of homeless acceptances in 2014/15 but forms just 5% of Havering's overall population<sup>3</sup>. This rate of homelessness over-representation has risen by 3% over the past three years for black households. Similarly mixed ethnicity households form just 2% of Havering's population but a disproportionate 6% of homeless households<sup>3</sup></i></p> <p><i>Housing Services internal BME Housing Research<sup>4</sup> has found that some reasons for the homelessness over-representation include;</i></p> <ul style="list-style-type: none"> <li><i>• BME households in Havering are most likely to become homeless due to loss of an assured short-hold tenancy in the private rented sector</i></li> <li><i>• BME households have lower incomes on average in comparison to white counterparts</i></li> <li><i>• BME households are more likely to apply in older age band groups compared to white British households</i></li> <li><i>• BME households are more likely to have larger families and live in overcrowded conditions because dependants are more likely to live with families for longer than white dependants</i></li> <li><i>• BME households are facing increased homelessness due to friends, family eviction</i></li> <li><i>• Displacement and increased migration into Havering from inner London Boroughs where BME population is higher</i></li> <li><i>• BME households are more likely to have a priority housing need due to being an applicant with dependent children, compared to white British households</i></li> </ul> <p><i>BME Households form 37% of the current tenants in interim temporary accommodation, compared to 63% of white households in Havering. In terms of longer-term temporary accommodation placements, BME households compose of 21% of current tenants compared to 69% of white tenants<sup>5</sup>. On the Housing register, BME groups compose 12% of the waiting list<sup>6</sup>. Whilst this appears a low composition, as a collective group, proportionately (compared to their prevalence in the population) there are more accepted statutory homeless applicants from the BME community.</i></p>

	<i>Gypsies or Irish Travelers represent only 0.1% (or about 160 people) of Havering's population<sup>1</sup>. The Council needs to do more research on the housing needs of this group and understand links to homelessness. This is a recommended action from this EIA.</i>
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### **Evidence - Key Policy Impact:**

#### **1. Implementing an accommodations pathway to make suitable offers and placements**

##### **a) Placements pathway process policy**

In general, the policy is positive for all households of all ethnicities, as it will lead to transparency and an improved understanding of how homeless applications are dealt with in the placements process.

Numerically, White/white other households comprise of the greatest homeless demand for accommodation in Havering and therefore a greater impact upon this ethnicity group will apply.

It is recognised the Homeless Placements Policy needs to be accessible within all ethnic groups. Havering has a low percentage of 'no people in household have English as a main language' (2.3%) compared to other London Boroughs<sup>1</sup>. However some service users do have language barriers and have difficulty reading publications. According to 2011 census data, the main foreign languages spoken in Havering after English by count and percentage are: Lithuanian, Polish, Panjabi, Bengali, Tagalog and Filipino<sup>1</sup>. The Service will offer translation services that will be available to all homeless applicants on request. Documentation will be available in easy-read and other formats.

The effect on applications and household ethnicity needs to be monitored. As more people from the BME community are moving into Havering from inner-London boroughs, the service will need to monitor the location of placements against ethnicity to prevent segregated communities. It will also need to monitor the cultural needs and requirements of applicants to ensure this increasing group in the population do not experience any negative impact in the placements process.

The Housing Service works in partnership with Children's Services and may provide accommodation to homeless people to whom the Council has a duty of care under legislation towards, for example this may include No Recourse to Public Funds (NRPF) where ethnic minority households are prevalent. As such households are ineligible for provision under the Housing Act 1996 and so the placements pathway process will not strictly apply however separate procedures are implemented by Children's Services teams. Aspects such as the suitability assessment policy and acquisition policy will ensure that all accommodation provided to these clients are fit for purpose and suited to individual need.

#### **2. Suitability assessment policy**

Overall the policy impact is positive for households of all ethnicity types. The suitability carried out on each case allows for any factors such as race be considered in making decisions on a suitable property location. The Council will not offer temporary or settled accommodation near a perpetrator of race crime or harassment.

In considering whether the property itself is suitable for individual circumstance, the size of accommodation will be assessed against space and room standards in line with legislation. The Council's research has indicated that BME households are more likely to live in overcrowded conditions and are most in need of larger family size homes. Upon first point of contact to the service, the suitability assessment will ensure that the size of accommodation provided is according to need. If a household becomes overcrowded whilst living in long-term temporary accommodation, prioritisation criteria are awarded under the 'prioritisation transfer for moves between TA policies'.

The service will also consider access to cultural or faith resources in making decisions on the suitability of property location however this will not have any impact on whether an application is prioritised for in-borough or out of borough accommodation. The Council will not acquire socially isolated accommodation

and will ensure local facilities including cultural or faith resources are considered in making a property acquisition.

### **3. Discharge of Homelessness Duty by way of a settled offer of private rented accommodations for a period of 12 months policy**

White households in Havering drive the majority of homeless demand. As a consequence white households are more likely to be impacted by a discharge of homelessness duty by way of a PRSO for a period of 12 months, due to sheer demand from this ethnic group.

Offers to statutory homeless households will be made to the longest waiting (prioritised) household on the list for long-term temporary or settled accommodation, for whom the available property is suitable. This decision will not be made in relation to ethnicity.

### **4. Acquisition of out of borough accommodation for use of temporary and settled offers of private rented criteria *and***

### **5. Application of in-borough prioritisation criteria, to decide how accommodation will be allocated to homeless applicants both inside and outside of Havering policy**

Compared to white British households, BME groups in Havering have a need for larger accommodation, primarily three bedroom homes<sup>7</sup>. There is a more limited supply of three and four bedroom accommodation in Havering, which has a disproportionate impact on waiting times for BME groups, as the greater demand has historically been for one and two bedroom accommodation. To mitigate this impact, the procurement team is currently aiming to procure accommodation of all bedroom sizes both inside and outside the borough it has seen the increased demand across all bedroom sizes.

BME households are over-represented in homelessness statistics compared to population demographics but do not spend any longer in interim or emergency accommodation than white households. Households from all backgrounds are spending longer in emergency or interim temporary accommodation, as there is a limited supply of suitable long-term options. The acquisition of out of borough accommodation is a strategy for increasing the Council's stock of long-term accommodation for homeless households, which is envisioned to alleviate pressures on waiting times and drive efficiencies in move ons throughout the placements process. A drive in efficiency is expected to benefit all household types of all ethnicities.

Race has no significant impact on the likelihood of being placed in or out of borough. BME households currently represent 29% of out of borough placements compared to 64% of white counterparts<sup>5</sup>. The suitability factors on deciding location is based entirely on assessment of housing need. Available (longer-term or settled) accommodation will be offered to the longest waiting household with the highest needs for whom the property (in or out of borough) is suitable.

Due to their over-representation in homeless statistics, it has been considered whether any out of borough allocation policy would disproportionately affect those where homelessness is more prevalent compared to their cohort in the population (for example, black African and mixed households), where displacement would raise concerns of potential inequality for these groups. Whilst this has been taken into consideration, the Council is only able to make placements according to a case by case assessment of need that will ensure all accommodation provided is suitable. Geographical distribution of different racial groups to accommodation across the stock will be monitored in and out of borough by the service to ensure that locational decisions do not lead to segregation. This is an action made by this EIA.

The Housing Options service can offer other advisory alternatives such as rent deposit schemes if homeless applicants want to stay inside the borough.

The in-borough prioritisation criterion has no direct positive, negative or discriminatory effect on ethnicity.

### **6. Introduction of prioritisation criteria for moves between temporary accommodation policy**

The transfer prioritisation policy will not directly advance or adversely affect people of different races in the placements process. The impact described is neutral.

An increased number of BME households may meet transfer prioritisation criterion (7) for overcrowding as research has found that BME households in Havering are more likely to be overcrowded than white households<sup>7</sup>. Further research can be done to further understand the needs of people across different ethnicities with a transfer requirement.

## Evidence – Data

### 1. Demographic population in Havering by ethnicity

\* Source<sup>1</sup>: Table 1 – Census 2011 Population Estimates, ONS ref. 'This is Havering' 2015, Public Health Intelligence:LBH

- Havering is one least diverse boroughs in London, with 83.3% of its population as White British, this is a level higher than the England and London average
- As a broad ethnic group Asian households form the second largest group (4.9%) behind white households
- As a single ethnicity, Black African households (3%) form the greatest group of all BME households.
- Over 2001 Census to the 2011 Census, the BME population has more than doubled from 8% to 17%

Comparable Census 2011 Ethnic Groups		Population count	% of total Havering population
White	White; English/Welsh/Scottish/Northern Irish/British	197,615	83.3%
	White; Irish	2,989	1.3%
	White; Gypsy or Irish Traveller	180	0.1%
	White; Other White	7,185	3.0%
Mixed	Mixed/Multiple Ethnic Groups; White and Black Caribbean	1,970	0.8%
	Mixed/Multiple Ethnic Groups; White and Black African	712	0.3%
	Mixed/Multiple Ethnic Groups; White and Asian	1,154	0.5%
	Mixed/Multiple Ethnic Groups; Other Mixed	1,097	0.5%
Asian	Asian/Asian British; Indian	5,017	2.1%
	Asian/Asian British; Pakistani	1,492	0.6%
	Asian/Asian British; Bangladeshi	975	0.4%
	Asian/Asian British; Chinese	1,459	0.6%
	Asian/Asian British; Other Asian	2,602	1.1%
Black	Black/African/Caribbean/Black British; African	7,581	3.2%
	Black/African/Caribbean/Black British; Caribbean	2,885	1.2%
	Black/African/Caribbean/Black British; Other Black	1,015	0.4%
Other	Other Ethnic Group; Arab	311	0.1%
	Other Ethnic Group; Any Other Ethnic Group	1,013	0.4%

### 2. Havering Housing Needs Data of BME household and housing requirement

\*Source 7 -Table 2 – Havering Housing Needs Survey 2012

The table below details the housing needs (size of accommodation) and current housing situation of ethnic minority groups in Havering. BME Households have a greater need than other households in the borough for larger accommodation. The greatest housing need is for three bed properties. BME households are more likely to live in flats for 1 and 2 bedroom accommodation and semi-detached or terraced properties for 3 and 4 bedroom accommodations.

Type	Bedsit/ 1-bed		2-bed		3-bed		4-bed		5+ bed		Total
	N <sup>os</sup> .	%	N <sup>os</sup> .	%	N <sup>os</sup> .	%	N <sup>os</sup> .	%	N <sup>os</sup> .	%	
Detached	0	0.0	0	0.0	487	9.3	402	21.8	209	59.1	9.9
Semi-detached	50	4.6	257	9.8	2,564	49.2	1,132	61.6	122	34.6	37.1
Terraced	29	2.7	592	22.6	1,501	28.8	173	9.4	0	0.0	20.7
Flat / Maisonette	908	82.9	1,534	58.7	244	4.7	0	0.0	22	6.3	24.3
Bungalow	107	9.8	231	8.8	415	8.0	132	7.2	0	0.0	8.0
<b>Total</b>	<b>1094</b>	<b>100.0</b>	<b>2,614</b>	<b>99.9.0</b>	<b>5,211</b>	<b>100.0</b>	<b>1,839</b>	<b>100.0</b>	<b>353</b>	<b>100.0</b>	<b>100.0</b>

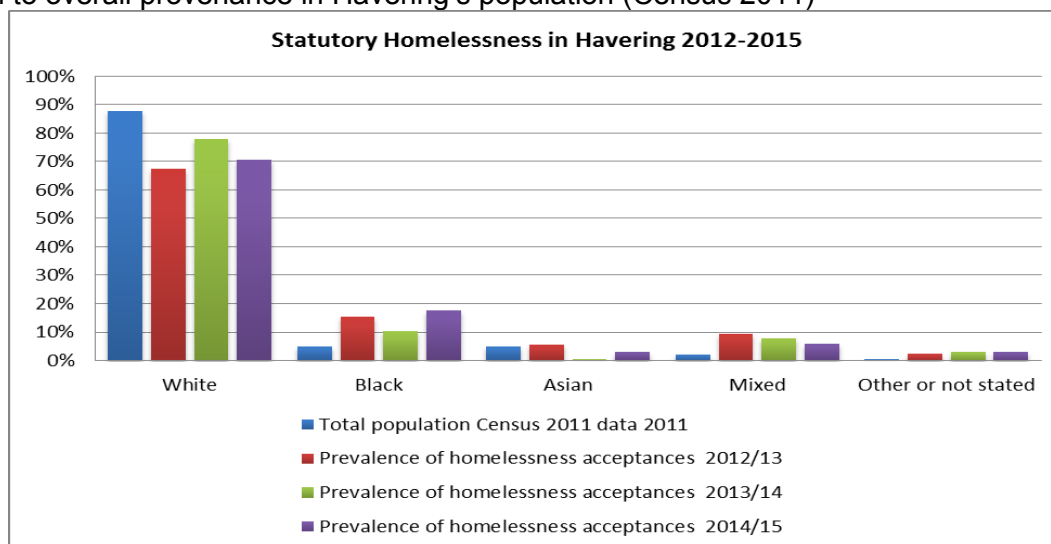
- There are more BME households with no earnings (9.8%) than the whole population (7.8%)
- 64.8% of BME households who responded to the survey earn less than £40,000
- 37.1% of BME households who responded to the survey are living in a semi-detached property and 24.3% live in flat / maisonette

- 46.9% of those BME households who said their home was inadequate cited that it was too small compared to 36.3% for all households
- Over-occupation affects 9.2% (1,024 implied households) in the BME community according to the 'Bedroom standard'. (Borough – 3.2%).
- 14.1% of BME households had a member with a disability. 46.3% of them had a walking difficulty.

### 3. Housing demand from statutory homeless households by ethnicity

\*Source3 -Table 3– P1E Data statutory homeless households by ethnicity and population comparison (Census 2011 data)<sup>4</sup>

The table below details statutory homeless placement trends by ethnicity over the past three years, in comparison to overall provenance in Havering's population (Census 2011)



The table shows that in 2014-2015 there is a significant over-representation of black households who are homeless compared to general proportion of Havering's population. This is similar for mixed/other households or those who have not disclosed ethnicity. There is an under-representation of homeless, white and Asian households in Havering.

### 4. BME Research

\* Source4 - Internal Housing Service - BME Homelessness Research 2015<sup>5</sup>

- White households are under-represented in homeless households in Havering and have below average homeless acceptance rates. This is the same for Asian households
- BME households with dependent children form the largest priority housing need group in Havering. Homelessness amongst white households with dependent children is also increasing
- The second highest priority housing need category for BME households is applications from pregnant women with no dependents, this is a similar trend for all ethnicity groups
- Of white households, the most prevalent reason for making a homeless application includes 'Parents no longer willing to accommodate'.
- For BME households, the greatest reason for making a homeless application is 'loss of an assured Shorthold tenancy in the private rented sector', this is a proportionately higher representation than white British households
- The white British group is over-represented by over 50% than other ethnicities as facing homelessness due to friends and family eviction.
- Homelessness is rising most in the 18-24 age band for white British households. The bands 25-34 and 35-44 age bands are facing the greatest increase in homeless applications from BME households

### 5. All Housing Decisions 2009-2014 by ethnicity

\* Source3 -Table 4 – Havering Council P1E Submissions 2009 to 2014/15 Q1<sup>6</sup>

Homeless Decisions from 01/04/2009 to 24/11/2014					
Ethnicities	Duty	%	non duty	%	acceptance%
White British	629	66%	4059	71%	15%
White Irish	8	1%	50	1%	16%
White Other	53	6%	286	5%	19%
White all	690	72%	4395	76%	16%
White and Black Caribbean	20	2%	123	2%	16%
White and Black African	29	3%	137	2%	21%
White and Asian	9	1%	37	1%	24%
Other Mixed Background	9	1%	42	1%	21%
Mixed all	67	7%	339	6%	20%
Black African	91	10%	295	5%	31%
Black Caribbean	24	3%	110	2%	22%
Black Other	22	2%	90	2%	24%
Black all	137	14%	495	9%	28%
Bangladeshi	7	1%	20	0%	35%
Chinese	0	0%	6	0%	0%
Indian	4	0%	13	0%	31%
Pakistani	2	0%	17	0%	12%
Asian Other	8	1%	67	1%	12%
Asian all	21	2%	123	2%	17%
Other	0	0%	2	0%	0%
not known/no response	38	4%	395	7%	10%
<b>total</b>	<b>953</b>		<b>5749</b>		<b>17%</b>
total other ethnicity not stated	324	34%	1690	29%	19%

As this table demonstrates the highest acceptance rates of a single collective group are for the Black population at 28%. The White group sits at 16% whilst the White British group is even lower at 15%. This indicates that proportionally speaking there are more accepted applicants from 'BME' backgrounds (19%) than the White British backgrounds.

## 6. Homeless placements by ethnicity

\*Source5 -Table 5- Havering Council Internal OHMS snapshot data: Current Temporary Accommodation tenants (10/10/2016)<sup>7</sup>

The table below details current tenants of interim and long term temporary accommodation by ethnicity of the lead applicant.

Placements by ethnicity						
Ethnicity	Interim placements (hostel+ non secure tenancies)		Long-term temporary accommodation			
	Count	%	In-borough placements		Out of borough placements	
	Count	%	Count	%	Count	%
White/ white other	55	62%	348	70%	38	64%
Black / black other	15	17%	49	10%	11	19%
Asian / other	12	14%	17	3%	2	3%
Mixed/other	5	6%	33	7%	4	7%
Unknown or not stated	1	1%	51	10%	4	7%
<b>Total</b>	<b>88</b>	<b>100%</b>	<b>498</b>	<b>100%</b>	<b>59</b>	<b>100%</b>

As there are greater homeless demands in general from white/white other households in Havering, this group comprises of the majority of interim and long-term placements both in and out of borough. BME households are no more likely than white households to be placed out of borough. Due to their

prevalence in the homeless population, white households are more likely to be placed both in and out of borough.

## 7. Housing register by ethnicity

\*Source 6- Table 6 – Havering Council Social Housing Waiting List<sup>8</sup>

The table below details the composition of the Council's Housing Register by ethnicity of the lead applicant.

Housing register by ethnicity	count	%
White / white other	2290	84%
Black / black other	60	7%
Asian / other	19	2%
Mixed / other	37	3%
Unknown/not stated	55	3%
Total	2726	100%

BME households compose of 12% of the overall social housing waiting list compared to the vast majority being white households 84%.

## 8. Housing consultation results by ethnicity

\*Source 8 - Havering Council Housing Consultation Data Report 2016<sup>9</sup>

Consultation results by ethnicity type		
Ethnicity	Count	%
White/ white other	217	71%
Black / black other	33	11%
Asian / other	13	4%
Mixed	9	3%
Other	4	1%
Prefer not to say	16	5%
Blank	15	5%
Total	307	100%

All ethnicities as a majority were satisfied with all proposals in the placements policy, excluding the 'other ethnic' group who had a split opinion between agree to disagree for the accommodation pathway process policy, placements suitability factors and transfer prioritisation criteria. Other ethnic groups mainly disagreed with the discharge of duty policy however there was a low response rate from this group overall. There was high dissatisfaction rate from Black households for the discharge of duty policy however on the whole more people agreed or strongly agreed with the policy overall.

The full breakdown of how each ethnicity group responded to each of the main policy proposals is attached under Appendix 3 of the Housing Consultation report.

### Sources:

- <sup>1</sup> ONS (2011) *Population Statistics in Havering 2011-2016*. London Borough of Havering & Public Health Service (2015) *Table 2: This is Havering: A Demographic and Socio-economic profile: Key Facts and Figures*. London Borough of Havering Council
- <sup>2</sup> Shelter (2004) *The Black and Minority Ethnic Crisis Report*. [pdf] Available at: [http://england.shelter.org.uk/professional\\_resources/policy\\_and\\_research/policy\\_library/policy\\_library\\_folder/the\\_black\\_and\\_minority\\_ethnic\\_housing\\_crisis](http://england.shelter.org.uk/professional_resources/policy_and_research/policy_library/policy_library_folder/the_black_and_minority_ethnic_housing_crisis) Accessed on 10/03/2016
- <sup>3</sup> LBH (2016) *P1E Homelessness data report: Statutory homeless applicants by ethnicity 2012-2015*.

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- <sup>4</sup> LBH (2015) *BME Homelessness Internal Research*. London Borough of Havering
- <sup>5</sup> LBH (2016) *Havering Council internal OHMS snapshot data*. London Borough of Havering. Accessed on 18/03/2016
- <sup>6</sup> LBH (2016) *Social Housing waiting list*. London Borough of Havering. Accessed on 10/03/2016
- <sup>7</sup> DCA (2012) *Housing Needs Survey*. London Borough of Havering
- <sup>8</sup> LBH (2016) *Housing Policy Consultation Report 2016*. London Borough of Havering.

**Religion/faith:** Consider people from different religions or beliefs including those with no religion or belief

Please tick (✓) the relevant box:

**Positive**

**Neutral**

**Negative**

**Overall Impact:**

*Although the council does not collect measurable data on homeless applicant's religion or belief, the general impact of the Homeless Placements Policy on people of all religions and belief systems is positive. The new policy ensures people of all backgrounds can access transparent guidance on the placements process that will be beneficial to all religious groups.*

*The Council has a statutory legal duty under Homelessness legislation to provide accommodation to people who are eligible, homeless and in housing need. The Housing Service responds to an overall general demand and does not have a negative nor discriminatory effect on people with different religious belief systems whilst placing applicants into interim, long term temporary or settled accommodation.*

*To ensure an improved impact analysis can be made between homelessness and religion in the future, the service will adapt monitoring forms to ensure this information can be recorded.*

**Evidence - Key Policy Impact:**

- 1. Implementing an accommodations pathway to make suitable offers and placements**
- 2. Placements pathway process policy**

In general, the policy is positive for households of all religions and faith groups, as it will lead to transparency and an improved understanding of how homeless applications are dealt with in the placements process.

**3. Suitability assessment policy**

The impact of the new suitability assessment will be positive for people of all religions, making the assessment process more transparent and clearly defined for customers.

All Housing staff has been trained in cultural awareness. A lack of awareness about a person's religious or other beliefs can lead to discrimination. This is because religion can play a very important part in the daily lives of people and access to cultural and faith resources may be of significant importance in the suitability of accommodation (impact discussed under 1b). Whilst religion will not wholly direct if a placement location is suitable for a household, it is something council staff will ask for in the suitability assessment as a consideration.

The Council will not offer temporary or settled accommodation near a perpetrator of race crime or



religious harassment.

#### **4. Discharge of Homelessness Duty by way of a settled offer of private rented accommodations for a period of 12 months policy**

Religious groups where homelessness is more prevalent will be disproportionately affected by this policy however; as the Council does not collate data on religion or faith the direct impact of this policy cannot be identified.

An offer of settled private rented accommodation will only be made in accordance with the suitability of accommodation assessment. A PRSO and discharge of homelessness duty will have to be identified as a suitable outcome. As outlined, the religious needs of households will be considered.

#### **5. Acquisition of out of borough accommodation for use of temporary and settled offers of private rented criteria and**

#### **6. Application of the suitability assessment to decide on the location of placements**

The Council will consider religious sites and makeup of nearby communities in the area prior to making out of borough acquisition decisions to ensure sites are in locations that are accessibility for all faith communities. This policy could have a potential impact upon all faith groups since it is possible households may be placed out of borough which may mean additional travel to current place of worship or relocation to a closer establishment.

To mitigate this impact, the Council will not acquire out of borough accommodation in remote locations but will ensure local facilities and amenities including places of worship are in reasonable travel proximity. Therefore, any in-borough or out of borough offer will be considered in equal measure for people with different religions- whereby the need to be close to a faith establishment will be considered.

Any potential impact will also be mitigated by the Council through a review of a person's individual circumstances during the new suitability assessment, and information will be provided about facilities and amenities in the vicinity of the proposed temporary or settled accommodation. The suitability assessment will ensure that where families will need to be relocated, cultural considerations have been taken into account such as places of worship and community faith groups.

Individuals will be have the opportunity to show 'other' circumstances which demonstrate an exceptional and compelling need which cannot be met outside or near to the London Borough of Havering. For example this may include the need to be near religious sites or faith organisations in the local community.

For this reason a positive impact is described.

#### **7. Introduction of prioritisation criteria for moves between temporary accommodation policy**

The council's prioritisation criterion for moves between TA will not advance or discriminate people of different religions or faiths in the process. A neutral impact is therefore identified.

### **Evidence – Data**

#### **8. Demographic population in Havering by Religion**

*\* Source 1 - Census 2011 Population Estimates, ONS ref. 'This is Havering' 2015, Public Health Intelligence: LBH*

In the 2011 Census, over 66% of the population of Havering stated that they are Christian, with 23% who declared that they do not have any religion. Just below 7% preferred not to state their religion. For other religions/faiths: Muslim-2%, Hindu-1%, Sikh-1%, Jewish-0.5%, Buddhist 0.3%, 'Other' 0.3%.

The Council does not hold data on the religious beliefs of its homeless applicants to be able to analyse

the direct impact in this area.

## 9. Housing Consultation Results by Religion

\*Source 2 - Havering Council Housing Consultation Data Report 2016<sup>9</sup>

Consultation results by religion		
Religion	Count	%
Buddhist	3	1%
Christian	145	47%
Hindu	4	1%
Jewish	2	1%
Muslim	7	2%
Sikh	3	1%
No religion	99	32%
Other	10	3%
Prefer not to say	21	7%
Blank	13	4%
<b>Total</b>	<b>307</b>	<b>100%</b>

Households of each type of religion as a majority were satisfied (strongly agreed or agreed) with each key policy in the Homeless Placements Policy. Sikh households had a split decision between agree, disagree and I don't know type responses.

The full breakdown of how each ethnicity group responded to each of the main policy proposals is attached under Appendix 3 of the Housing Consultation report.

### Sources used:

- <sup>1</sup>ONS (2011) *Population Statistics in Havering: Religion*. London Borough of Havering & Public Health Service (2015) *This is Havering: A Demographic and Socio-economic profile: Key Facts and Figures*. London Borough of Havering Council
- <sup>2</sup>LBH (2016) *Housing Policy Consultation Report 2016*. London Borough of Havering.

**Sexual orientation:** Consider people who are heterosexual, lesbian, gay or bisexual

Please tick (✓) the relevant box:

**Positive**

**Neutral**

**Negative**

✓

### Overall impact:

*Although the council does not collect measurable data on homeless applicant's sexual orientation overall the impact of the Homeless Placements Policy on people of all orientations is positive. The new policy ensures people of all backgrounds can access transparent guidance on the placements process that will be beneficial to all people of all sexual orientations.*

*The Council has a statutory legal duty under Homelessness legislation to provide accommodation to people who are eligible, homeless and in housing need. The Housing Service responds to an overall general demand and does not have a negative nor discriminatory effect on people with different sexual orientations whilst prioritizing applicants for interim, long term temporary or settled accommodation.*

## **Evidence: Key Policy Impact analysis**

### **1. Implementing an accommodations pathway to make suitable offers and placements**

#### **a) Placements pathway process policy**

Crisis's (2005) research paper on 'Sexuality and Homelessness'<sup>1</sup> identified there is vulnerability and associated risk with homophobia contributing to the loss of a stable home. This is particularly the case with single homeless youths who are gay, lesbian, bisexual or transgender in the LGBT community. Common experiences for these youths include homelessness caused by when parents become hostile or intolerant of a child's expressed LGBT orientations. Estimates suggest up to 30% of single people evicted or threatened by homelessness could be because of this reason. The main cause of homelessness in Havering is eviction by parents who are no longer willing to accommodate.

The Council has no data relating to the sexual orientation of homeless applicant and therefore the full impact of the homeless placements process and each key policy cannot accurately be judged. The Council will be improving monitoring of this protected characteristic, which is a recommended action of this EIA.

In general, the policy will be positive for households of all sexual orientations as it will lead to transparency and an improved understanding of how homeless applications are dealt with in the placements process.

#### **b) Suitability assessment policy**

As part of the duties under the Equality Act 2010, the Council will have due regard to the sexual orientation of an applicant when determining the suitability of a property. Any issues associated with applicants sexual orientation in making a placement will be considered under 'other special circumstance factors' in the suitability assessment outlined. For example, a victim of harassment or violence based on sexuality will not be placed in locations close to a perpetrator.

The impact of the new suitability assessment will be positive for people of all sexual identities making the assessment process more transparent and clearly defined for all customers.

### **2. Discharge of Homelessness Duty by way of a settled offer of private rented accommodations for a period of 12 months policy**

Sexual orientations where homelessness is more prevalent will be disproportionately affected by a settled offer or privately rented accommodation and discharge of homelessness duty decision; however as the Council does not collate this data, the impact cannot be identified.

Offers to statutory homeless households will be made to the longest waiting (prioritised) household on the list for long-term temporary or settled accommodation, for whom the available property is suitable. This decision will not be made in relation to sexual orientation.

### **3. Acquisition of out of borough accommodation for use of temporary and settled offers of private rented criteria *and***

### **4. Application of in-borough prioritisation criteria, to decide how accommodation will be allocated to homeless applicants both inside and outside of Havering policy**

The Council is able to procure a greater supply of accommodation that is affordable for homeless residents located outside of Havering Borough boundaries. This policy is therefore expected to increase the Council's overall portfolio and the Council aims to drive efficiencies in the placements process for this

reason. This has a positive impact for all households.

Sexual identity does not fulfill a standalone suitability factor for consideration of an in-borough placement. This means that different sexual orientations will not be directly prioritised over another for accommodation inside of Havering. However, the Council will consider 'any other special circumstance' for an in-borough prioritisation decision on a case by case basis, which may include consideration to factors such as sexual harassment or the need to be placed away from a perpetrator of violence caused by homophobia

### 5. Introduction of prioritisation criteria for moves between temporary accommodation policy

The council's prioritisation criteria for moves between TA will not advance or discriminate people of sexual orientations in the process. A neutral impact is therefore identified. The Council will consider people who need to move from current accommodation due to serious violence or due to a serious safeguarding issue caused by homophobia.

### Evidence – Data

#### 1. Housing Consultation Results by Sexual Orientation

\*Source 2 - Havering Council Housing Consultation Data Report 2016<sup>9</sup>

Consultation results by Sexual orientation		
Heterosexual	225	73%
Gay man	4	1%
Gay woman/lesbian	4	1%
Bi-sexual	3	1%
Other	12	4%
Prefer not to answer	36	12%
Blank	23	7%
total	307	100%

Households of all sexual orientations as a majority were satisfied (strongly agreed or agreed) with each key policy in the Homeless Placements Policy.

The full breakdown of how each ethnicity group responded to each of the main policy proposals is attached under Appendix 3 of the Housing Consultation report.

#### Sources used:

- <sup>1</sup>Crisis (2005) Sexuality and Homelessness [pdf] Available at: <http://www.crisis.org.uk/publications-search.php?fullitem=131> [Accessed on 04/04/2016]
- <sup>2</sup>LBH (2016) Housing Policy Consultation Report 2016. London Borough of Havering.

**Gender reassignment:** Consider people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth

Please tick (✓) the relevant box:

**Positive**

#### Overall impact

<b>Neutral</b>	✓	<i>Although the Council does not collect data on gender re-assignment overall the new policy ensures people of all backgrounds can access transparent guidance on the placements process that will be beneficial to all gender identities.</i>
<b>Negative</b>		<p><i>The Council has a statutory legal duty to provide accommodation for people of all protected characteristics including people who have had a gender re-assignment who are eligible, homeless and in priority housing need.</i></p> <p><i>This policy therefore ensures people across a range of equality backgrounds can access clear guidance on the whole placements process. Transgender households or households seeking a gender re-assignment will not be discriminated against in the homeless placements process.</i></p>

**Evidence- Key Policy Impact:**

- 1. Implementing an accommodations pathway to make suitable offers and placements**
- 2. Placements pathway process policy**

National estimates indicate up to 10,000 people have gone through gender reassignments (ONS 2009)<sup>1</sup>. Service specific data on gender-reassignment is unavailable. Therefore the full impact of this homeless placements process on transgender people cannot be accurately judged. However it is not expected that this cohort of service users will be negatively affected, the Council has to provide accommodation for homeless people who are eligible under homelessness legislation.

To understand if there is any over-representation of transgender people in the homeless community and determine if there is any disproportionate impact of this policy the Housing Service will be working on improving our monitoring of this protected characteristic. To ensure an improved impact analysis can be made in the future, the service will adapt monitoring forms to ensure all demographic detail can be recorded. This is a recommended action of this EIA.

**3. Suitability assessment policy**

As part of the duties under the Equality Act 2010, the Council will have due regard to the gender of an applicant when determining the suitability of a property. Transgender women affected by domestic violence can be offered placements into refuges. For all other placement types offers will be made in response to a general homeless demand and will not have a negative impact upon gender identity. Any transgender issues in making a placement to a particular location will be considered under 'other special circumstance factors' in the suitability assessment outlined. For example, a victim of harassment or violence will not be placed in locations close to a perpetrator.

**4. Discharge of Homelessness Duty by way of a settled offer of private rented accommodations for a period of 12 months policy**

As the Council does not collate data on transgender households the full impact of this policy cannot be identified however as the transgender community is a minority group within the population, this policy is expected to have a reduced impact.

Offers to statutory homeless households will be made to the longest waiting (prioritised) household on the list for long-term temporary or settled accommodation, for whom the available property is suitable. This decision will not be made directly on the basis of gender.

- 5. Acquisition of out of borough accommodation for use of temporary and settled offers of private rented criteria *and***
- 6. Application of the suitability assessment to decide on the location of placements**

The Council is able to procure a greater supply of accommodation that is affordable for homeless residents located outside of Havering Borough boundaries. This policy is therefore expected to increase the Council's overall portfolio and the Council aims to drive efficiencies in the placements process for this reason. This has a positive impact for all households.

Gender-reassignment does not fulfill a standalone suitability consideration factor for an in-borough placement. This means people who are transgender or seeking a gender re-assignment will not be directly prioritised over other gender identities for accommodation inside of Havering. However, the Council will consider 'any other special circumstance' for an in-borough prioritisation decision on a case by case basis, which may include consideration to other factors such as harassment, hate crime or the need to be placed away from a perpetrator .

### 7. Introduction of prioritisation criteria for moves between temporary accommodation policy

The council's prioritisation criterions for moves between TA will not advance or discriminate people of different genders. A neutral impact is therefore identified. The Council will consider people who need to move from current accommodation due to serious violence or due to a serious safeguarding issue caused hate crime against transgenderism.

### Evidence- Data

### 8. Housing Consultation Results

*\*Source 2 - Havering Council Housing Consultation Data Report 2016<sup>9</sup>*

No transgender or people facing a gender reassignment responded to the housing consultation and so their opinion on the key policy proposals cannot be analysed.

### Sources used:

- <sup>1</sup>Crisis (2005) *Sexuality and Homelessness* [pdf] Available at: <http://www.crisis.org.uk/publications-search.php?fullitem=131> [Accessed on 04/04/2016]
- <sup>2</sup>LBH (2016) *Housing Policy Consultation Report 2016*. London Borough of Havering.

### **Marriage/civil partnership:** Consider people in a marriage or civil partnership

Please tick (✓) the relevant box:

**Positive**

**Neutral**

**Negative**

### Overall impact:

*Although the council does not collect measurable data on homeless applicant's marital status overall the impact of the Homeless Placements Policy on people of all orientations is positive. The new policy ensures people of all backgrounds can access transparent guidance on the placements process that will be beneficial to all people of all backgrounds.*

*The Council has a statutory legal duty to respond to a general demand under Homelessness legislation to provide accommodation to people who are eligible, homeless and in housing need.*

### Evidence: Key Policy Impact

1. Implementing an accommodations pathway to make suitable offers and placements
2. Placements pathway process policy

In general for reasons discussed, the policy is positive on all household types (married, civil partnership single, divorced and widowed) as it will lead to transparency and an improved understanding of how homeless applications are dealt with in the placements process.

The policy will have the greatest and most positive impact upon lone parent and single people who make up the overwhelming majority of the homeless demand in Havering (81%)<sup>1</sup>.

Interim accommodation has provision for both single and family size rooms to meet the needs of all household sizes. There is a greater supply of one and two bedroom long term temporary accommodation in line with the Council's greater demand pressures from smaller household structures (single people and lone parents)<sup>2</sup>. To prevent any negative impact in wait times for typically larger households with children, it is the Council's policy to focus on procuring accommodation of all property sizes.

Havering has a higher population of married people or couples in a same sex civil partnership and couples who are living together than England or London wide averages (57.6%)<sup>3</sup>. The borough has the lowest population of single households compared to England and London averages and the lowest population of single people living alone<sup>3</sup>. Many single people in Havering live with friends or family and there are estimated high rates of concealed homelessness within this group.

Despite single people forming a low proportion of the population compared to regional comparators, Havering has a high representation of single people presenting as homeless within the population. Single people form the second highest statutory homeless group (21%) behind lone parents (60%)<sup>1</sup>. Couples who are married, in a civil partnership or cohabiting form a lower homeless demand in comparison to these groups. Couples with children form the third highest statutory homeless demand in Havering (14%) above homeless single or lone parents<sup>1</sup>.

Under legislation, homelessness assessments define priority housing need categories in line with statutory tests of vulnerability. Within the legislation there is inherent bias against single persons who are less likely to fulfil a priority need definition or meet the necessary statutory test of vulnerability; this is the case particularly for non-vulnerable young single males aged 18 to 35 on low incomes who have no physical handicap or disability. This is accepted as a necessary discrimination by both the ECHR and the Courts under the Human Rights Act 1998 and is, therefore, not considered sufficiently discriminatory as to make the legal framework untenable or unlawful.

As a result, this homeless placements policy is expected to have a reduced impact upon single people assessed as not 'vulnerable' under homelessness legislation, despite there being a pressing housing demand from this group. More household structures (married or couples in civil partnership with children) are more likely to be accepted as statutory homeless and require long-term temporary accommodation due to their priority need under homeless legislation.

### **3. Suitability assessment policy**

Overall the impact will be positive for all household structures as it ensures all homes provided are fit for purpose and individual needs. The policy makes the new suitability assessment process more transparent and clearly defined for all married couples, cohabiting couples, single people and people in a civil partnership.

### **4. Discharge of Homelessness Duty by way of a settled offer of private rented accommodations for a period of 12 months policy**

Proportionately, as the vast majority of lone parents and single people comprise of the greatest statutory homeless demand, these households are more likely to be affected by this policy compared to other groups (married people or those in a civil partnership cohabiting with or without children). However, in circumstances where a settled PRSO property becomes available, offers will be made according to the suitability of accommodation assessment and length of time on the waiting list. In this sense a neutral impact is described. No one household structure is directly prioritised for a particular type of offer (long term temporary accommodation or PRSO) over another.

5. Acquisition of out of borough accommodation for use of temporary and settled offers of private rented criteria *and*
6. Application of the suitability assessment to decide on the location of placements

The acquisition of out of borough accommodation is expected to have a positive impact on all types of statutory homeless households (married, civil partnership single, divorced or widowed). Increasing the Council's stock of long term temporary and accommodation has the potential to reduce waiting time spent in interim temporary hostel or emergency accommodation for all households. Overall the policy is expected to help drive efficiencies in the placements process.

Households of all structures (married, civil partnership, single or other) can be offered out of borough accommodation if suitable. Households with children (married, couples, lone parents, civil partnership, divorced or widowed) are more likely to be considered for in-borough placements through the identified suitability factors.

### 7. Introduction of prioritisation criteria for moves between temporary accommodation policy

The policy has a positive impact for households (married, civil partnership, lone parents, divorced or widowed) with children and pregnant mothers as it ensures a transfer from emergency accommodation will be prioritised within 5 weeks to avoid statutory penalties of being in emergency accommodation for a period beyond 6 weeks under homelessness legislation.

The criteria also outline prioritisation for households who become overcrowded whilst living in current accommodation. This secures a positive impact for family structures that grow with births of additional children.

### Evidence: Data

### 8. Demographic population in Havering by Marital Status

*\*Source 3 - Census 2011 Population Estimates*

#### 9. Table 1 - Martial/Civil partnership status percentage breakdown in Havering<sup>1</sup>

10. According to the 2011 Census, 49% of Havering residents are married while 33% are single (never married or never registered a same-sex civil partnership), 8% are divorced or formerly in a same-sex civil partnership which is now legally dissolved, 8% are widowed or a surviving partner from a same-sex civil partnership, 2% are separated (but still legally married or still legally in a same-sex civil partnership) and 0.1% are in a registered same-sex civil partnership.

11. Havering has the lowest proportion of single households over all England, Wales and London averages but the highest proportion of married households

12. Havering has the lowest population of registered same sex civil partnerships over all England, Wales and London average

	Single (never married or never registered a same-sex civil partnership)	Married	In a registered same-sex civil partnership	Separated (but still legally married or still legally in a same-sex civil partnership)	Divorced or formerly in a same-sex civil partnership which is now legally dissolved	Widowed (including surviving partner from a same-sex civil partnership)
England and Wales	34.6	46.6	0.2	2.6	9.0	7.0
England	34.6	46.6	0.2	2.7	9.0	6.9
London	44.1	39.8	0.4	3.2	7.4	5.0
Havering	33.0	48.5	0.1	2.4	8.0	7.9

#### 13. Table 2 - Living arrangement percentage breakdown<sup>1</sup>

14. Out of all England & Wales, England and London wide average, Havering has the highest population of people living as a couple - married or same sex civil partnership



	Living in a Couple: Married or in a registered same-sex civil partnership	Living in a Couple: Co-habiting	Not Living in a Couple: Single (never married or never registered a same-sex civil partnership)	Not Living in a Couple: Married or in a registered same-sex civil partnership	Not Living in a Couple: Separated (but still legally married or still legally in a same-sex civil partnership)	Not Living in a Couple: Divorced or formerly in a same-sex civil partnership which is now legally dissolved	Not Living in a Couple: Widowed (including surviving partner from a same-sex civil partnership)
England and Wales	45.9	11.9	25.8	1.4	2.1	6.6	7.0
England	45.9	11.9	25.8	1.5	2.1	6.5	6.9
London	37.4	10.8	35.4	2.9	2.7	6.1	5.0
Havering	47.5	10.1	25.9	1.2	2.0	6.0	7.9

## 15. Housing demand from statutory homeless households by household type

\*Source 1 - P1E Data Statutory Homeless households by household type (2013-2015)<sup>2</sup>

P1E Data: Households accommodated by household type and gender of household 2013-2015			
Household type	2013/14	2014/15	2015/16
Couples with children	76 (12%)	123 (20%)	91 (14%)
Lone parent			
• Male applicant	19 (3%)	12 (2%)	19 (3%)
• Female applicant	299 (48%)	280 (45%)	372 (57%)
Single person			
• Male applicant	52 (8%)	49 (8%)	30 (5%)
• Female applicant	116 (19%)	125 (20%)	102 (16%)
All other household groups	55 (9%)	34 (6%)	35 (5%)
Total	617 (100%)	623 (100%)	649 (100%)

The table shows that the majority of homeless demand over time is from female lone parent and female single people. Households with children form 74% of the overall homelessness demand. Female lone parents form the greatest demand from a single group.

## 16. Housing Consultation Results

\*Source 4 - Havering Council Housing Consultation Data Report 2016<sup>9</sup>

Housing consultation results by household type		
Household type	Respondent profile	
	No.	%
Couple no children	32	10%
Couple with children	81	26%
Lone parent	84	27%
Prefer not to say	31	10%
Single person	67	22%
Blank	12	4%
Total	307	100%

Whilst the consultation captured the household type of respondents it did not ask for declaration if couples were single or married or in a civil partnership. All household types were satisfied (strongly agreed or agreed) with each key policy within the homeless placements policy.

The full breakdown of how each ethnicity group responded to each of the main policy proposals is attached under Appendix 3 of the Housing Consultation report.

**Sources used:**

- <sup>1</sup>LBH (2016) *P1E Homelessness data report: Statutory homeless applicants by household type and gender 2013-2015*. London Borough of Havering
- <sup>2</sup>DCA (2012) *Housing Needs Survey*. London Borough of Havering
- <sup>3</sup>Census (2011) *Population estimates: Local Authority level*. ONS
- <sup>4</sup>LBH (2016) *Housing Policy Consultation Report 2016*. London Borough of Havering.

**Pregnancy, maternity and paternity:** Consider those who are pregnant and those who are undertaking maternity or paternity leave

Please tick (✓) the relevant box:

**Positive**

**Neutral**

**Negative**

	✓

**Overall impact:**

*Overall the general impact of the Homeless Placements policy on pregnancy and maternity is positive for reasons of offering clarity and transparency in the placements process. The Council has a statutory legal duty to provide accommodation to all household types who are eligible, homeless and in housing need.*

*The Housing Act 1996 defines homeless pregnant women and households with dependent children as a priority housing need category. This means that families with children or expectant mothers are prioritised within homelessness legislation for accommodation and form the Council’s greatest homeless demand for temporary accommodation. As a result, the policy (in particular all prioritisation criteria) is likely to have a greater impact on pregnant women and households with dependent children (i.e. lone parents, couples with children household structure) over single male applicants and couples without children.*

**Evidence: Key Policy Impact**

**1. Implementing an accommodation pathway to make suitable offers and placements**  
**a. Placements pathway process**

As the population of Havering has grown there has been a corresponding change in the number of births to women residents in Havering. There has been a 26% increase in the number of births per year in Havering from 2002 to 2012), and this is forecast to continue to increase<sup>1</sup>. The teenage conception rate (under age 18 in Havering is below that of London and England however the conception rate is significantly higher than averages in certain wards of the borough where deprivation rates are also high<sup>2</sup>. Teenage pregnant households (16 and 17 years old) are also classed as a vulnerable priority housing need category under homeless legislation.

Single pregnant households are a high risk group susceptible to homelessness. This is particularly the case for young pregnant households who are more likely to be unemployed and on low income. The homeless demand from pregnant women and households with children in Havering mirror demographic data, with notable increases being seen in the number of homelessness presentations over the past three years.<sup>3</sup> The policy will have the greatest and most positive impact upon lone parent, single or expectant mothers who make up the overwhelming majority of the homelessness demand (57%)<sup>3</sup>

Homeless households with children composed of 74% of the statutory homeless demand in Havering in 2015/2016, an increase of 7% from the previous year<sup>3</sup>. The number of people living in interim or long-term temporary accommodation who are in the maternity or paternity leave phase is not data which is collated by the Council and therefore the impact of the policy on this group cannot be analysed.

Havering has experienced the largest net inflow of children across all London boroughs in recent years. In a six year period (from 2009 to 2014), 4,606 children have settled in the borough from another London borough. The biggest inflows of children into Havering for 2014 came from neighbouring Outer London Boroughs, Barking & Dagenham (123 children) and Redbridge (103 children)<sup>1</sup>.

Demographic changes with this protected characteristic have led to increased pressures on the Council's housing service from this group. To ensure there is continuing sufficient supply of temporary accommodation available for all eligible homeless households, the new pathway approach aims to ensure suitable homes are allocated as efficiently and prioritised for those with the highest needs. For this reason a positive impact is described.

#### **b. Suitability assessment policy**

Households with child dependants and pregnant women are more likely to have needs and requirements that make some placements unsuitable for occupation. The policy outlines how the use of emergency B&B placements will be limited for families with dependent children and pregnant women to prevent any risk of occupying beyond 6 weeks in compliance with homeless legislation. This means homeless families and pregnant women are prioritised in the homeless placements process more likely to be placed into available hostel temporary accommodation over single people and couples without dependants as an interim measure while homeless investigations are being completed. However, due to the limited supply of hostel accommodation and an overwhelming demand for accommodation from this group, some households of this type may be subject to an emergency placement. To mitigate any potential negative impact arising because of an extended stay in emergency accommodation for a period longer than 5 weeks, this group are awarded prioritisation under the 'transfer moves between temporary accommodation' policy.

The assessment will take into consideration the suitability of a property location for individual households. Welfare and support requirements are considered in this assessment. This includes consideration of the need for any children to be in close proximity to support services due to health, medical needs, for child protection purposes and care reasons. It will also consider the need for families to remain close to existing schools; however considerations for in-borough placements will only apply for children at key stages of education.

#### **2. Discharge of Homelessness Duty by way of a settled offer of private rented accommodations for a period of 12 months policy**

Proportionately, as the vast majority of households with children and pregnant women applicants comprise of the greatest statutory homeless demand, these households are more likely to be disproportionately affected by this policy compared to other groups. In particular lone parent females or pregnant women have a greater likelihood of being offered settled privately rented accommodation and be affected by a discharge of homelessness duty decision. However ultimately, in circumstances where an accommodation (longer term TA or settled PRSO) becomes available, offers will be made according to the suitability of accommodation assessment and length of time on the waiting list.

#### **3. Acquisition of out of borough accommodation for use of temporary and settled offers of private rented criteria *and***

#### **4. Application of the suitability assessment to decide on the location of placements**

The acquisition of out of borough accommodation policy enables the Council to procure additional units of affordable accommodation to meet the needs of the increasing homeless demand. This has a positive impact for all household types in driving efficiencies in the homeless placements process.

As there is a greater homeless demand for long term temporary and settled accommodation from households with children and expectant mothers, numerically, more households with children and expectant mothers will be placed in out of borough locations than household types where there is a lower demand. Similarly, this group are more likely to be considered for in-borough placements due to having needs under suitability factors to remain in-borough or close to a particular location.

The suitability factors will consider in-borough placements for households with children on the child protection register, those with high social care needs, households containing a child with SEN needs or households with a child at a key stage of education. Due to the extreme shortage of temporary accommodation, the policy will consider people with children for in-borough accommodation who have the highest needs..

An out of borough placement may mean displacement from existing care and support networks for some households. Moving a household with a young baby away from known services, care and support networks may have an adverse impact on this group. Moving households with children out of borough may also mean that a change of school is necessary to ensure travel time is reduced and is more affordable/

To mitigate this impact, the service will provide developed relocation advice that will include help with aspects of travel, setting up links to family support groups and childcare services in areas where accommodation is sourced.

### 5. Introduction of prioritisation criteria for moves between temporary accommodation policy

The policy has a positive impact for households with children and pregnant mothers as it ensures a transfer from emergency accommodation is high prioritisation to be moved within 5 weeks to avoid statutory penalties of being in emergency accommodation for a period beyond 6 weeks under homelessness legislation.

The criteria also outline prioritisation for households who become overcrowded whilst living in current accommodation. This secures a positive impact for family structures that grow with birth of additional children.

### Evidence: Data

#### 1. Demographic population of Havering by household type

*\*Source 1 - This is Havering 2015: A Demographic and Socio-economic Profile. Public Health Intelligence, LBH.<sup>1</sup>*

As the population of Havering grows, there has been a corresponding change in the number of births to women resident in Havering. As well as increases in the number of births in Havering, there has been an increase in the general fertility rate (GFR) from 54 (per 1,000 women aged 15-44) in 2003 to 66 in 2014. Havering has experienced the largest net inflow of children across all London boroughs in recent years. In a six year period (from 2009 to 2014), 4,606 children have settled in the borough from another London borough. The biggest inflows of children into Havering for 2014 came from neighbouring Outer London Boroughs, Barking & Dagenham (123 children) and Redbridge (103 children).

#### 2. *\*Source 2 - Children and Young Peoples JSNA 2013-2014, Public Health Intelligence, LBH.<sup>2</sup>*

There has been a 26% increase in the number of births per year in Havering from 2002 to 2012), and this is forecast to continue to increase.

The teenage conception rate (under age 180 in Havering is below that of London and England however the conception rate is significantly higher than averages in certain wards of the borough where deprivation rates are also high. Teenage pregnant households (16 and 17 years old) are also classed as a vulnerable priority housing need category under homeless legislation.

#### 3. Housing demand from statutory homeless households by household type

*\*Source 3 – P1E Data Statutory Homeless households by household type (2013-2015)<sup>3</sup>*

P1E Data: Households accommodated by household type and gender of household 2013-2015			
Household type	2013/14	2014/15	2015/16
Couples with children	76 (12%)	123 (20%)	91 (14%)

Lone parent			
• Male applicant	19 (3%)	12 (2%)	19 (3%)
• Female applicant	299 (48%)	280 (45%)	372 (57%)
Single person			
• Male applicant	52 (8%)	49 (8%)	30 (5%)
• Female applicant	116 (19%)	125 (20%)	102 (16%)
All other household groups	55 (9%)	34 (6%)	35 (5%)
Total	617 (100%)	623 (100%)	649 (100%)

The table shows that the majority of homeless demand over time is from female lone parent and female single people. Households with children form 74% of the overall homelessness demand. Female lone parents form the greatest demand from a single group.

#### 4. Housing register by pregnancy

\* Source 4 - Havering Council Social Housing waiting list 09/03/2016<sup>4</sup>

67 people in 2015/2016 disclosed being pregnant at the point of making a homeless application  
The average age of these people was 25 years

#### 5. Housing consultation results by maternity and paternity factors

\* Source 5 - Havering Council Housing Consultation data report

The Consultation did not specifically ask respondents on pregnancy or paternity status and so the views of this characteristic on each key policy cannot be accurately analysed.

#### Sources used:

- <sup>1</sup>Public Health Service (2015) *This is Havering: A Demographic and Socio-economic profile: Key Facts and Figures*. London Borough of Havering Council
- <sup>2</sup>Public Health Service (2014) *Children and Young People JSNA*. London Borough of Havering Council
- <sup>3</sup>LBH (2016) *P1E Homelessness data report: Statutory homeless applicants by household type and gender 2013-2015*. London Borough of Havering
- <sup>4</sup>LBH (2016) *Social Housing waiting list*. London Borough of Havering. Accessed on 10/03/2016

#### Socio-economic status: Consider those who are from low income or financially excluded backgrounds

Please tick (✓) the relevant box:		<b>Overall Impact</b>
Positive		<p><i>This Homeless Placements Policy sets out how the Council intends to provide housing assistance for homeless people for whom there is a statutory duty to accommodate under homelessness legislation. The policy has a positive impact for people of all socio-economic backgrounds ensuring the homeless placements process is transparent and easier to understand.</i></p> <p><i>Whilst people of all financial backgrounds could become homeless in their life span (i.e. due to mortgage repossession or eviction), the policy is most likely to have the most positive impact upon low income groups who are at a greater risk of homelessness and are more likely to subsequently require interim or long-term temporary accommodation.</i></p>
Neutral		
Negative		

## **Evidence: Key Policy Impact**

### **Key Policy Impact:**

#### **1. Implementing an accommodations pathway to make suitable offers and placements**

#### **2. Placements pathway process policy**

77.5% of working age residents living in Havering were in employment between October 2014 and September 2015<sup>1</sup>. Overall this employment rate in Havering is higher than London (72.3%) and England (73.6%) however; despite the high employment rate the average gross income per household in Havering (£44,430) is much lower than the London average (51,770)<sup>1</sup>. As with most outer London Boroughs low pay is lower than inner-London. One in four jobs in the borough is paid below the London Living wage. Havering is one of only seven London boroughs in which the unemployment rate has increased between 2009-11 and 2012-14, from 5.9% to 6.5% (Havering had the greatest increase of all London Boroughs)<sup>1</sup>.

As with all London boroughs, the demand for housing in Havering is very high with many local residents unable to afford available market options. Despite the economic uncertainty, average house prices are on the rise whilst mortgage availability and the supply of social housing is becoming increasingly limited. In 2015, Havering had one of the fastest rising annual house price rises in London of 12.4% above the national average<sup>2</sup>. The predicted soar in prices is a direct result of welfare reform impacts and people move out of inner London zones 1, 2 and 3 in search of more space, better value for money and more affordable solutions.

As a result, many households in the borough have turned to a reliance on private rented accommodation. This has led to considerable growth in the sector in Havering, which has doubled over the past 10 years. 39% of private renters in the borough are on housing benefit which is in the highest quartile of all London Boroughs<sup>1</sup>. The increased competition for private sector homes, combined with other socio-economic factors operating in the borough as described above, this has led to increased pressures on Havering's homelessness and housing advice service.

The policy sets out how the Council intends to continue working with local landlords in a challenging socio-economic climate, to procure sufficient temporary accommodation in Havering to meet the rising homeless demand for future years to come.

Upon making a presentation to the Council as homeless, all housing applicants will be presented with suitable housing options and alternatives if affordable for individual circumstance, for example this may include discussions of rent deposit schemes, private rented sector landlord mediation services, money and debt services or low cost housing schemes such as shared ownership. This advice will be made available to all homeless people in the placements pathway process. It is the Council's aim to make best use of the stock of interim and longer term temporary accommodation so it remains available for homeless people with the greatest needs.

#### **3. Suitability assessment policy**

The second part of the suitability test asks if the accommodation in question is affordable for the applicant. The authority will undertake an income and expenditure assessment on every applicant due to be offered interim or longer term temporary accommodation to determine the level of LHA entitlement based on personal income. The money and debt advice service will also provide support to all applicants throughout the placements process and will act to resolve any issues that may act as a financial barrier to retaining current accommodation (for example, mediation in settling multiple or priority debts). This service can also provide budgeting advice will be available for all tenants of temporary accommodation whilst in tenure.

The policy allows for consideration to be given as to whether the applicant can afford the housing without being deprived of basics such as food, clothing, heating, transport and other essentials; and in doing so will take account of costs resulting from the location of accommodation. The assessment will consider if

an out of borough placement would be suitable or place an adverse impact by additional cost to existing place of employment, education and existing care or support services currently in use.

At the end of this assessment the service will have considered the applicants financial resources offset against the cost of accommodation. For this reason the impact of the policy is positive for applicants of all incomes.

#### **4. Discharge of Homelessness Duty by way of a settled offer of private rented accommodations for a period of 12 months policy**

If a homeless investigation finds that a statutory homeless duty is owed to a household, a longer-term temporary accommodation offer *or* settled accommodation offer of privately rented accommodation will be made, in or outside the borough. This decision will be made in line with the suitability assessment that will ensure a PRSO offer of accommodation is affordable for an applicant's individual circumstance. All homeless applicants will be considered for a PRSO subject to need however properties will be offered to longest waiting homeless applicants for whom the property is suitable.

There is a risk that people may go into the private sector and then experience increasing levels of debt. To ensure people owed a statutory homeless duty are not negatively affected by a discharge of homelessness duty and accrue increasing levels of debt once in the private rented sector, the Council will mitigate any impact through supporting the applicant in the placements process with its money and debt advice service

There is a noted risk that landlords may raise rental prices in the private rented sector property that then makes accommodation unaffordable, increasing the risk of repeat homelessness. This risk is mitigated under section 195A Housing Act 1996, should the applicant re-approach the Authority as eligible, unintentionally homeless or threatened with homeless and is eligible for assistance within a period of two years of the tenancy start date following acceptance of the private rented sector offer under s.193 (7AA) Housing Act 1996 the household will be treated as homeless from the date of expiry of the S.21 notice served by a private sector landlord. This means the Council will accept a re-application duty and the household will be further considered for another offer of PRSO and discharge of duty decision or long-term temporary accommodation.

The rationale of implementing this policy is to increase the Council's supply of available housing for homeless households. This means that the policy has a positive impact by driving efficiencies in the placements process for homeless households. Other households in housing need on the housing register will benefit from an increase in available social housing lets as settled private rented sector offers are being made to homeless clients.

#### **5. Acquisition of out of borough accommodation for use of temporary and settled offers of private rented criteria *and***

#### **6. Application of the suitability assessment to decide on the location of placements**

The Council is able to procure a greater supply of accommodation that is affordable for homeless residents located outside of Havering Borough boundaries. This policy is therefore expected to increase the Council's overall portfolio and means that homeless households (across a range of socio-economic backgrounds) will spend less time in temporary accommodation and for this reason a positive impact applies.

The in-borough prioritisation policy ensures an in-borough accommodation is allocated to homeless people with the highest needs so far as reasonably practicable where there is available supply at any one time.

Out of borough acquisitions will be identified in consideration to local facilities and sources of employment to ensure work and other community services can be accessed by homeless applicants within a close and affordable travel distance.

## 7. Introduction of prioritisation criteria for moves between temporary accommodation policy

The policy has a positive impact for homeless people of all financial backgrounds as it ensures people with the highest needs are prioritised in the waiting list where there is a need to move from existing temporary accommodations. The criterion will not advance or adversely affect people with different employment statuses or levels of income.

### Evidence-Data

#### 1. Employment status of long-term temporary accommodation tenants with a statutory homeless duty

\* Source <sup>3</sup> - Havering Council internal OHMS snapshot data

The data shows that the majority of existing tenants are unemployed (50%). Of those that are employed the majority do work for more than 16 hours +. This has led to the decision to prioritise households working for more than 16 hours for in-borough accommodation under the in-borough prioritisation criteria policy.

<b>Employment Status: Statutory Homeless Tenants of Long-term Temporary Accommodation (10/03/2016)</b>			
<b>Employment status</b>	<b>Sub-category</b>	<b>No</b>	<b>%</b>
Employed total		138	25%
	employed 16 hours+	81	59%
	employed -16 hours	17	12%
	employed in-borough	24	17%
	employed OOB	16	12%
Student		17	3%
Unemployed		278	50%
Unknown		124	22%
Total tenants		557	100%

#### 2. Housing Benefit status of long-term temporary accommodation tenants with a statutory homeless duty

\* Source <sup>3</sup> - Havering Council internal OHMS snapshot data

The vast majority of current tenants are on housing benefit.

<b>Housing Benefit Status: Statutory Homeless Tenants of Long-term Temporary Accommodation</b>			
<b>Housing Benefit status</b>	<b>Sub-Category</b>	<b>No</b>	<b>%</b>
Tenants on housing benefit total		544	98%
	Full HB	467	84%
	Part or suspended HB	77	14%
Tenants on no housing benefit	No HB	13	2%
Total tenants		557	100%

#### 3. Affordability of private rented accommodation in Havering

\* Source 4 - Market rent figures zoopla.co.uk (accessed 10/03/2016)

The table below highlights the affordability of different accommodation in Havering. The average market rent in Havering has been taken to directly compare on whether it would be affordable to someone on full housing benefit. As can be seen there is a limited availability of accommodation and none are available within LHA limit. Whilst some properties may be more affordable at lower quartile rents, this information shows the difficulty the Council has in procuring accommodation at rents its client profile could afford.



This has led to the rationale of having to procure and make placements to out of borough accommodation where rents are more affordable.

**Table 6 - Availability of affordable rented accommodation in Havering for those in receipt of full HB**

Household type example	Bed size	Average rent	Properties advertised	LHA weekly *Outer North East BRMA	LHA Monthly	Properties within LHA %
single u35/ shared room	shared room	£500	97	£75.15	£325.65	0%
single o35 and couples with children	1 bed	£950	97	£155.17	£672.40	0%
Families with children	2 bed	£1,200	149	£192.62	£834.69	0%
Families with children	3 bed	£1,500	100	£242.40	£1,050.40	0%
Families with children	4 bed	£1,600	36	£312.77	£1,355.34	0%

\*Expand box as required

### Sources used:

- 1 Public Health Service (2015) *This is Havering: A Demographic and Socio-economic profile: Key Facts and Figures*. London Borough of Havering Council
- 2 Land Registry (2016) House price data. [online] Available at: <http://landregistry.data.gov.uk/app/hpi/>
- 3 LBH (2016) *Havering Council internal OHMS snapshot data*. London Borough of Havering. Accessed on 10/03/2016
- 4 Zoopla (2016) Average market rent. [online] Available at: <http://www.zoopla.co.uk/market/uk/> [accessed on 10/03/2016]

\*Expand box as required

## Action Plan

There is no likely profoundly negative impact on any equality group through the introduction of this policy; the action plan below outlines several actions to prevent any possible negative outcome from occurring.

Due to welfare reform, the financial constraints faced by the Council and increasing cost of local accommodation in Havering, many of the policies within the Homeless Placements policy are a necessary measure to reduce any risk of procuring enough supply of temporary accommodation to settle the demand from homeless households.

Protected characteristic	Identified negative impact	Action taken to mitigate impact*	Outcomes and monitoring**	Timescale	Lead officer
All Page 274	The on-going impact of policy implementation cannot be identified through lack of demographic data on homeless applicants	Improved statistical recording and monitoring of protected characteristics of the groups that use housing advice, homelessness and support services. Adapt all forms to ensure all demographic questions can be answered and recorded on the system. This should be completed as part of the 'One Housing' systems review.	This will ensure there is no indirect discrimination of any one particular group and improve data recording so thorough analysis between homelessness and all groups can be made in the future	June 2017	Beatrice Cingtho-Taylor
Gender	Provision is made for homeless females affected by domestic abuse however the Council has a gap in knowledge about men who also might be affected without provision	Improve monitoring of male victims of domestic abuse in relation to homelessness	This will help to remove any possible indirect discrimination.	June 2017	Beatrice Cingtho-Taylor and Peter Doherty
All	Temporary accommodation is acquired in socially isolated locations out of borough that do not meet the needs of the demand profile	To develop a temporary accommodation procurement policy to ensure that we have a range of temporary accommodation to meet the needs of all clients of all protected characteristics. I.e. acquisition checklist to be developed to ensure suitable properties are	This will ensure there is no discrimination and will promote equal opportunities.  It will enable the service to explore housing alternatives that	June 2017	Beatrice Cingtho-Taylor and Kevin Hazlewood

		<p>procured i.e. ensuring landlords are fit and proper persons, meeting the needs of those with physical disabilities, acquiring accommodation close to certain community facilities etc.</p> <p>This will also ensure cost-effective procurement and management of temporary accommodation (i.e. affordability analysis tools, direction on where to procure, property types and sizes according to level of need from homeless demand profile)</p>	<p>could be made available to disabled persons.</p> <p>Improved provision of affordable temporary accommodation.</p> <p>More efficient management service. Providing better value for money and streamlining current portfolio.</p>		
All	Placements are not made to reflect new policy objectives regarding suitability assessments	<p>Adopt allocation and suitability assessment forms in line with the policy.</p> <p>Placement decisions are recorded. This means that lettings systems must be adapted to show results of the matching exercise under the suitability assessment on a daily basis.</p>	<p>New procedures will be developed to ensure homes are allocated more efficiently to those with the greatest, prioritised needs for accommodation</p> <p>Adapting systems will enable the Council to see housing need trends and the specific reasons why households may need to be placed in-borough. This will be particularly interesting to identify the circumstances households are considered for in-borough placements under 'other suitability considerations'.</p>	June 2016	Beatrice Cingtho-Taylor
All	A repeat cycle of homelessness occurs as there is insufficient support leading to tenancies not being sustained	Continue to develop partnership working with internal and external partners to provide support to homeless applicant and existing tenants of temporary accommodation. Provide support services that will promote the	Suitable homes are provided and sustained by clients in need	June 2017	Beatrice Cingtho-Taylor and Peter Doherty

		wellbeing of tenants and ensure tenancies are sustained.			
All	Homeless people are placed out of borough and do not know how to access support in an unfamiliar location, leading to vulnerability and a negative impact arising from an out of borough placement	Development of an out of borough relocation support service	All homeless people are appropriately advised on their housing options and local area of placement. The wellbeing of applicants are safeguarded,	June 2017	Beatrice Cingtho-Taylor, Peter Doherty and Kevin Hazlewood
All	One protected characteristic is disproportionately affected and more out of borough placements are made to a single group leading to segregation and isolation	Monitor out of borough placements for all households against demographic data to prevent any one group from experiencing a disproportionate impact by the out of borough policy i.e. ethnicity	No indirect discrimination occurs	June 2017	Beatrice Cingtho-Taylor

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As we cannot anticipate incoming future homeless demand, we do not know the effect that the introduction of this policy will have on the behavior of different equality groups. We are unable to measure the direct impact at current within this EIA. Once the policy has been introduced we will assess if behavior has changed to the homeless applications from any protected characteristic group.

## Review

This EIA and the Homeless Placements Policy will be monitored on a continuous basis by the Service Management Team on a monthly basis. A formal policy and EIA review will occur on an annual basis. The next review will be due on June 2017 and will be completed by the Housing Demand Service Manager, Beatrice Cingtho-Taylor.



**London Borough of Havering Council**

**Draft Housing Consultation Report June 2016**

In review of;

- **Housing Allocations Scheme**
- **Homeless Placements Policy**

# HOUSING POLICY CONSULTATION SUMMARY REPORT AND RESULTS 2016



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DRAFT

# 1. INTRODUCTION

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This report sets out key findings from a 6 weeks period of consultation and engagement with local residents and other key stakeholders on proposed changes made to new and existing housing policy.

In February 2016 the Council conducted a consultation exercise regarding changes made to the Housing Allocation Policy and development of a new policy on Homeless Placements. The consultation aimed to canvass the views of a wide range of community groups and stakeholders with an interest in the future of housing policy in Havering.

The consultation sets out

- How local residents and organisations were invited to respond to the consultation
- The level of satisfaction with each policy proposal, a summary of the main issues raised by respondents and how the Council has taken them into account

## 1.1 OVERVIEW – WHAT IS THE HOUSING CONSULTATION ON?

Housing Services was consulting on proposed amendments made to;

**Housing Allocation Scheme** – this is a reviewed policy and covers eligibility for, and the letting of social housing (Council and Housing Association housing)

**Homeless Placements Policy** – this is a new policy covering the type of temporary and settled accommodation available for homeless households, how temporary accommodation will be allocated to applicants and the prioritisation criteria that will be used to make placements in and out of borough

The Council have consulted with key stakeholders on the proposed changes to Housing Services through each policy. The revised policies are designed to outline the general direction the Council wants to go in at a time of high demand for accommodation and restricted supply pressures overall.

The consultation was open to anyone who lives, rents or owns a home in Havering, any professional working for an organisation with an interest in the future of housing in Havering and to members and staff working for the Council.

The consultation took place between 22<sup>nd</sup> February and 4<sup>th</sup> April 2016. It comprised of an online survey to help find out feedback on new proposals contained within the policy. All responses were gratefully received and considered by senior management in the decision making process for the final versions of each policy.

Please note that the views and opinions expressed in this report are those of the stakeholders responding to our consultation and do not necessarily represent the views, priorities and policies of the Council.



## 1.2 BACKGROUND – WHY CONSULT?

Before drafting the final version of each policy, Housing Services wanted to know what is important to local residents and the organisations that the policies will affect. A consultation enables all stakeholders to have a direct input into the future of housing policy in the Borough. It also enables the Council to understand public attitudes, opinions and the satisfaction relating to each policy proposal. Local Authorities are legally required to consult with groups on policy change.

### Why do the policies need to change?

Policies are adopted principles of action which set out how a particular service intends to operate. The Council is required by law to have a clear and transparent Housing Allocation Scheme which set out how it prioritises the allocation of its housing stock and the procedures that will be followed. The Council understands that the current allocation scheme is difficult to understand and recognises that this needs to change.

In Havering, as with most London Boroughs the demand for housing dramatically exceeds availability. There are increasing numbers of people in Havering who are in need of a home and many more existing tenants with a priority need to move. With a limited amount of properties available through the Council and increasing house prices in the private and owner occupied sectors, the reality is that many households face long waits for suitable and affordable settled accommodation that is fit for purpose. The shortage in the supply of affordable homes has become an acute problem across the region and these pressures are expected to intensify over future years to come. As a result, the current Housing Allocation Scheme has to be revised to ensure local people with the highest need for settled accommodation in Havering can have their needs met.

Historically the Council has not had a published policy surrounding the allocation of temporary accommodation however the increasing numbers of homeless households and reliance on the private rented sector has urged the requirement for transparent policy and procedure. In addition, wider market changes; national legislation and recent case law development, ((Nzolameso v City of Westminster (2015))), has directed the need for policy and procedure to be reviewed by local authorities with regards to interim and long term temporary accommodation lettings.

The wider strategic drivers exerting changes across these policies include:

- the on-going impact of welfare reform,
- social housing rent changes and changes to the Temporary Accommodation (TA) funding model,
- increased cost of accommodation in Havering and restricted availability in the private rented sector,
- demographic changes and increased migration into Havering from inner London Boroughs.

It has become clear in recent years that the Council requires revised policies to ensure homes in Havering can continue to be prioritised for those with the greatest needs. To ensure key housing policies are reflective of the Council's current housing pressures and allow a mechanism for change, the three key housing policies have been reviewed to:

- Prevent unrealistic expectations for households and ensure an informed understanding of stock availability, eligibility and waiting times for temporary or settled accommodation
- Make best use of the housing stock available to the council

- Operate within legal and regulatory frameworks for the allocation of social and temporary housing
- Operate a simplified system of assessing need
- Enable fair access to housing where clear, transparent and fairly applied guidelines are available in policy and procedure for all stakeholders to easily understand
- Resolve homelessness as quickly as possible
- Ensure homes are suitable for household needs and occupation

### 1.3 METHODOLOGY – HOW HAS THE COUNCIL CONSULTED?

The Council consulted on the **key proposed changes** being made to the Housing Service via each policy. The consultation comprised of the following elements:

1. Sending direct letter correspondence and reminder letters on the proposed changes for whom the policy would effect
2. A comprehensive online survey designed to seek detailed views on the proposed changes to each policy
3. Responding and collating feedback submitted via email and phone queries
4. Briefings to key stakeholders on proposed policy change
5. Face to face interview appointments for local residents for whom the online survey was inaccessible to ensure consultation material could be easily understood for all

In order to communicate the content of the policies and provide different methods for people to feedback, different communication techniques were used. The Council actively promoted, advertised and distributed news of the housing policy consultation through:

- Council website pages publicising links to the online survey consultation
- Social media (Council twitter, Facebook pages)
- Council Staff intranet
- Consultation letter sent direct to all applicants on housing register and existing tenants of temporary accommodation
- Email briefings for interested parties including council staff, Councillors, Members, housing association staff, private sector developers and landlords, agencies, voluntary and community organisations, housing specialists and registered social landlords
- Local magazine articles on consultation information contained in 'At the Heart' and 'Living' sent to tenants

To analyse consultation responses the following method was adopted:

- The online survey was placed on the Council's home page and Housing Services page.
- Respondents were asked to self-complete the survey. Respondents were encouraged to submit a response to all questions however if preferable, could choose to respond to the policy that was most applicable to personal circumstance
- The survey described the policy at current and the key features of what was proposed to change. Respondents were asked to submit a response from a multiple choice selection, describe any feedback if they disagreed or to submit a longer qualitative response to the Housing Service's dedicated consultation email, phone address

- Questback, an online survey tool was used as a portal for the data collection exercise. This produced an automatic data report on all findings. The findings were manually analysed to produce graphs and tables
- Non-valid responses have been removed from the survey analysis. No attempt was made to second guess the findings or what is meant by a non-response. Instead, all results have been quantifiably analysed according to response.
- For all open qualitative responses submitted through the consultation, thematic analysis has been used to analyse additional comments made. All respondents have been individually responded to over the consultation period
- The research findings were cross-analysed with demographic data to understand the profile of people who responded to each policy. It also enabled the Council to recognise response trends and identify if there was any disproportionate dissatisfaction with any group, against any of the policies. This informed each respective Equality Impact Assessment.
- The findings have been analysed based on the total number of respondents who accessed the online survey consultation. The analysis for each question is not based on the number of respondents who answered the particular question. This is to ensure that an overarching view of responses and consistent 'baseline' is captured for the total sample size. Blank answers and no preference responses have been grouped together and include those where no responses have been submitted to a particular policy. On average there is a 10-20% non-response rate from this group

#### 1.4 SAMPLE AND RESPONSE RATE – WHO PARTICIPATED?

The Council sent out correspondence on the consultation to a wide range of community groups. Information was sent to over 3800 interested parties and publicised as appropriate. Across all of the above groups, there were 393 valid responses to the consultation, representing a 10.3% response rate. Whilst this is a low response rate, the profile of respondents (age, ethnicity etc.) broadly reflects the Census data and housing register composition.

A summary of the overall response types is provided below.

Consultation Sample	
Method of consultation	Total respondents
Online survey	308 / 307
Direct (email)	13
Direct (phone)	72
Total	393

Some email or phone queries asked for advice, to confirm what the proposals were or to state general dislike or approval against the proposal.

#### Sample limitations

Due to the nature of the self-completion survey, time constraints and lack of respondent incentives, the response rate on the survey could be considered fairly low. However, all parties for whom the proposed policies would affect have been consulted as appropriate. The survey findings are fairly representative of the

demographic population particularly with protected characteristics of religion and ethnicity; however for some denominations within some groups, the findings are unrepresentative of their composition within the borough. The impact of this is discussed within the equality impact assessment and under Section 2 of this report.

## **1.5 THE CONSULTATION REPORT- WHAT WAS THE OUTCOME?**

The Council's Housing Services has produced this report to ensure results are transparent and accessible for all local residents and other key stakeholders.

The Council will be considering the results contained within this report to arrive at a final decision on each policy proposal. It will report any action that has been taken as a result of the consultation outcome (i.e. changes made) before drafting the final draft of each policy. Any policy change made as a result of this consultation will be communicated to stakeholders as appropriate.

Full analysis data tables of the results of the consultation findings have been formed and issued to senior management to aid decision-making. The raw data shows the responses to each question, respondent by respondent which has enabled the Council to highlight the key differences in satisfaction opinion. Data findings have been cross-referenced with the respondent profile including demographic indicators and current accommodation type.

Within the consultation, the council also consulted on proposed changes being made to the tenancy policy and strategy. As government legislation is currently being debated within the Housing and Planning Bill 2016 that effects the content of the policies, the results of this will be published at a later time once the final tenancy policy and strategy has been drafted.

## **1.6 EQUALITIES STATEMENT**

Havering is home to a number of different communities. The Council are committed to delivering quality services to all by responding positively to the needs and expectations of all service users. The Council operates an equal opportunities policy and is committed to making sure that all people are treated fairly. The Council are committed to eliminating discrimination on any grounds including race, gender, disability, age, sexuality, religion or belief, gender reassignment, marriage or civil partnership, pregnancy and maternity. This commitment is based on the respect for every individual

It is the Council's obligation to fulfil a Public Sector Equalities duty and eliminate discrimination in policy and practice. The Council has used the consultation findings to analyse the impact each policy proposal may have on protected characteristics. These findings are discussed within each Equality Impact Analysis which has been written to support each policy.

## 2. KEY FINDINGS

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### 2.1 COMMON AND RECURRING THEMES

Taking into account all the comments and points of views offered throughout the consultation, across all three policies it is possible to identify some common and recurring themes:

#### 1. Be open, transparent and accountable

- Respondents wanted the Council to develop more accessible, efficient and straightforward housing application processes (for social housing and temporary accommodation).
- Respondents urged the Council to manage an improvement in customer satisfaction and to engage more with applicants, keeping applicants updated was important.
- Respondents wanted to see a more customer-service-focused approach implemented through policy review. Qualitative feedback emphasised that many respondents felt they wanted the Council to help them make more informed choices and to be proactive in providing support through the housing application process
- Respondents asked for complimentary processes to be published on the housing application journey, both for social housing and for homeless people in applying for temporary accommodation

#### Make the best use of all housing resources

- Respondents wanted to feel assured that the Council is making best use of all assets in the context of recent housing pressures and wanted to have a better understanding of whether it is using all the resources at its disposal

#### 3. Reserve the Council's housing supply for those most in need

- Whilst respondents understood the need to accommodate vulnerable people, many were confused about the current allocation scheme and felt people were often 'jumping the queue'.
- Respondents explained they would like to see a simpler process that enabled them to understand the prioritisation order and impact it would have upon individual places on waiting lists.
- Respondents expressed they wanted to feel confident that suitable homes are being occupied by the right people and that people couldn't abuse the condition of properties or the allocation system itself.

### 2.2 HOUSING ALLOCATION POLICY

Overall the reception to the main proposals for change with the allocation scheme has been positive, with most areas receiving high satisfaction results from the respondent sample. There are three key policy areas which the Consultation found had a significantly lower satisfaction rate, whereby the majority of respondents were dissatisfied and the minority was satisfied.

### **Proposed policies indicating high dissatisfaction:**

- Proposal A1: Extension of the residency period criteria to join the housing register (62% dissatisfaction)
- Proposal A9: One offer of social housing only policy (47% dissatisfaction)
- Proposal A11: Implementing the policy immediately (55% dissatisfaction)

Slightly lower levels of satisfaction was reported with the changes to Housing Need A5 Proposal (63%) and A6 proposal on Reduced housing priority criterion (61%) however on the whole the satisfaction rate was above 50%.

### **Proposed policies indicating good satisfaction:**

1. Proposal A2: The qualifying criteria – continuous period of residency (84% satisfied)
2. Proposal A3: The qualifying criteria – financial circumstances, income threshold at which residents can join the housing register (69% satisfied)
3. Proposal A4: The qualifying criteria – introduction of unacceptable behaviour provision (86% satisfied)
4. Proposal A5: Changes made to identified housing need categories (63% satisfied)
5. Proposal A6: Introduction of a reduced housing priority criterion (61% satisfied)
6. Proposal A7: The priority banding system (69% satisfied)
- Proposal A8: Choice based lettings and assisted bidding system (69% satisfied)
- Proposal A10: Sheltered housing eligibility criteria (81% satisfied)
- Proposal A11: Implementing the policy transitionally (62% satisfied)
- Proposal A11: Implementing policy changes after one year (most votes 39%)

## **2.3 HOMELESS PLACEMENTS POLICY**

Overall as a majority, respondents were satisfied with all four proposals made through the homeless placements policy (+70% positive satisfaction range). Slightly lower satisfaction rate was reported with the proposal to offer PRSOs and implement a discharge of homelessness duty decision (68%) however there was still an overall positive satisfaction rate.

### **Proposed policies indicating high dissatisfaction:**

None

### **Proposed policies indicating good satisfaction:**

1. Proposal B1: New Homeless placements pathway approach (73% satisfied)
2. Proposal B2: PRSOs and Discharge of Homelessness Duty (68% satisfied)
3. Proposal B3: In-borough prioritisation criteria (suitability factors to decide on the location of placements) (74%)
4. Proposal B4: Prioritisation criteria for transfer moves between temporary accommodations (77%)

### 3. RESPONDANT PROFILE

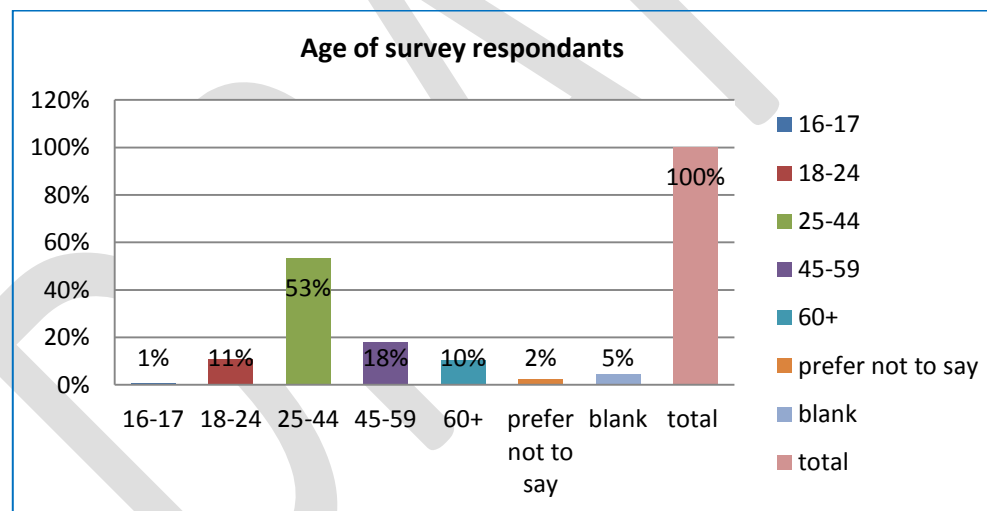
This section aims to provide an overview of who took part in the online survey consultation.

A series of demographic questions was asked to record the respondent type. It is recognised in research that many respondents often choose not to answer demographic questions. The survey design, encouraged responses to this section and on average the Consultation had less than 6% 'blank responses' under the demographic section.

Profiling is extremely important as it enables the Council to identify satisfaction trends in how each different group responds to the policy proposal. It highlights any disproportionate impact or high dissatisfaction rate and enables the Council to take appropriate action in engaging with these groups.

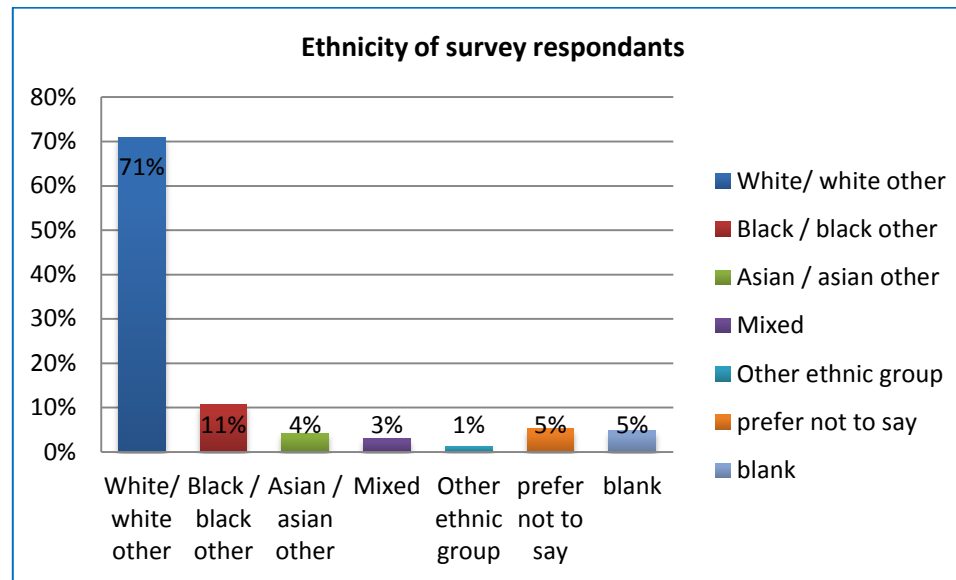
A summary overview of the respondent sample characteristics is provided below.

#### 3.1 AGE



- The age banding asked of respondents in the consultation is not directly comparable to how the borough's demographic population data (ONS) is compiled.
- The vast majority of the consultation sample was from working age households

### 3.2 ETHNICITY

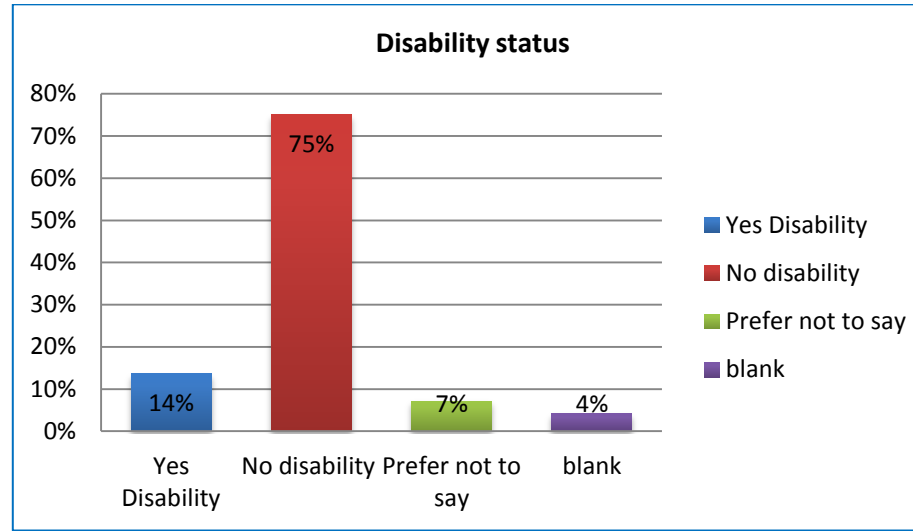


As of 2014, 88% of the population is formed of White British/White Other denominations. Black and Minority Ethnic households form 15% of Havering’s population. The sample is therefore overrepresentative of BAME households and a slightly unrepresentative composition of white households; however it must be considered the overall total sample of the consultation is a fairly low response rate and the representativeness can therefore not be judged.

- Black households form 5.3% of Havering’s population, 11% of respondents who answered the consultation were of black ethnicity
- Asian households form 4% of Havering’s population, 4% of consultation respondents were of Asian ethnicity
- Mixed ethnic households form 3% of Havering’s population, 3% of consultation respondents were from respondents of mixed ethnicities.



### 3.3 DISABILITY

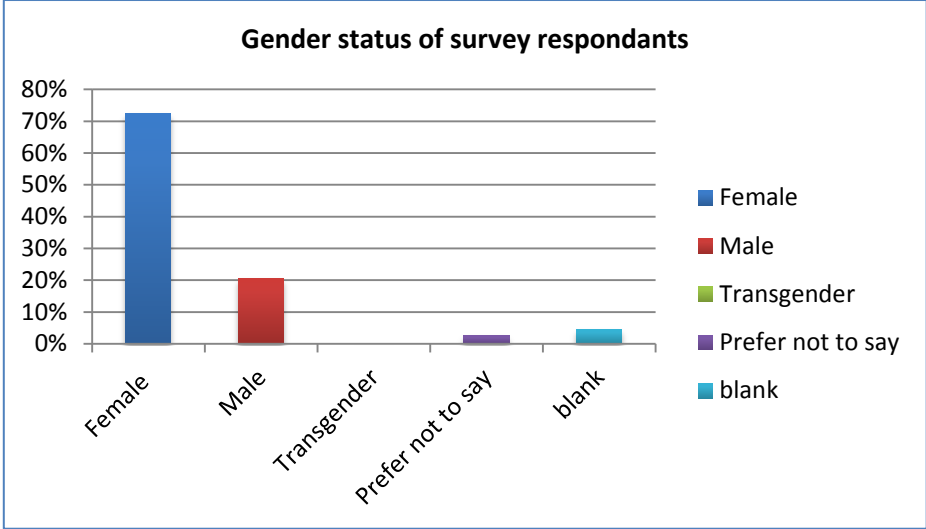


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According to Census data, 18% of the population have a disability, 82% do not have a disability. In the Consultation 14% disclosed they had a disability, 11% preferred not to disclose and 75% said they did not have a disability.

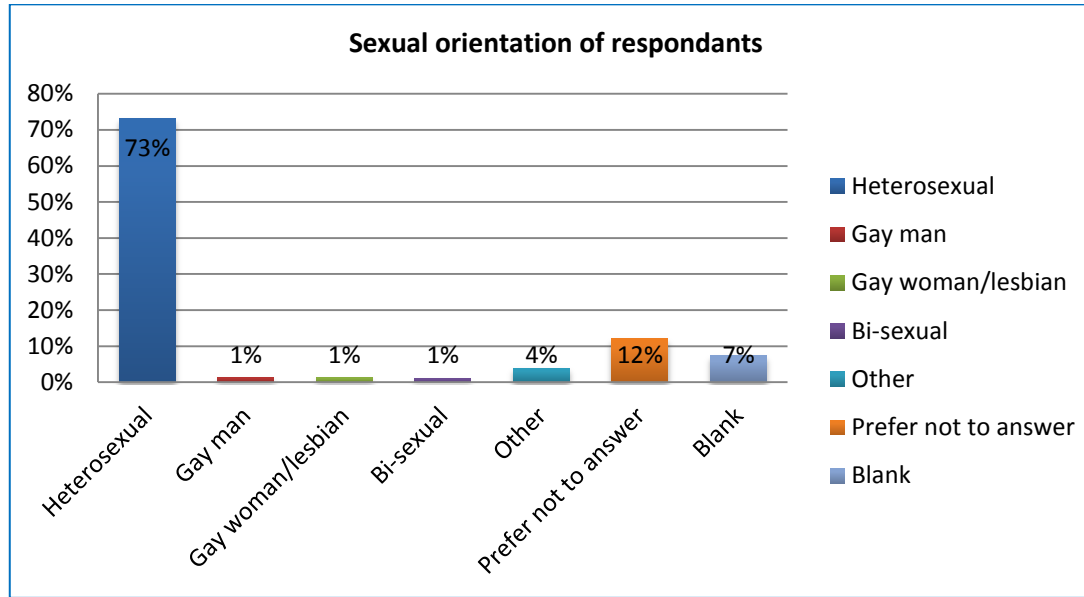
99 Havinging is estimated to have one of the highest rates of serious physical disabilities among London boroughs

### 3.4 GENDER



According to Census data, 52% of the population are female, compared to a 48% male composition. The sample was mainly answered by female respondents (73%) which are likely to represent the fact that women are more likely under homeless legislation to fulfil a priority housing need and would have a more vested interest in forming a response to the consultation.

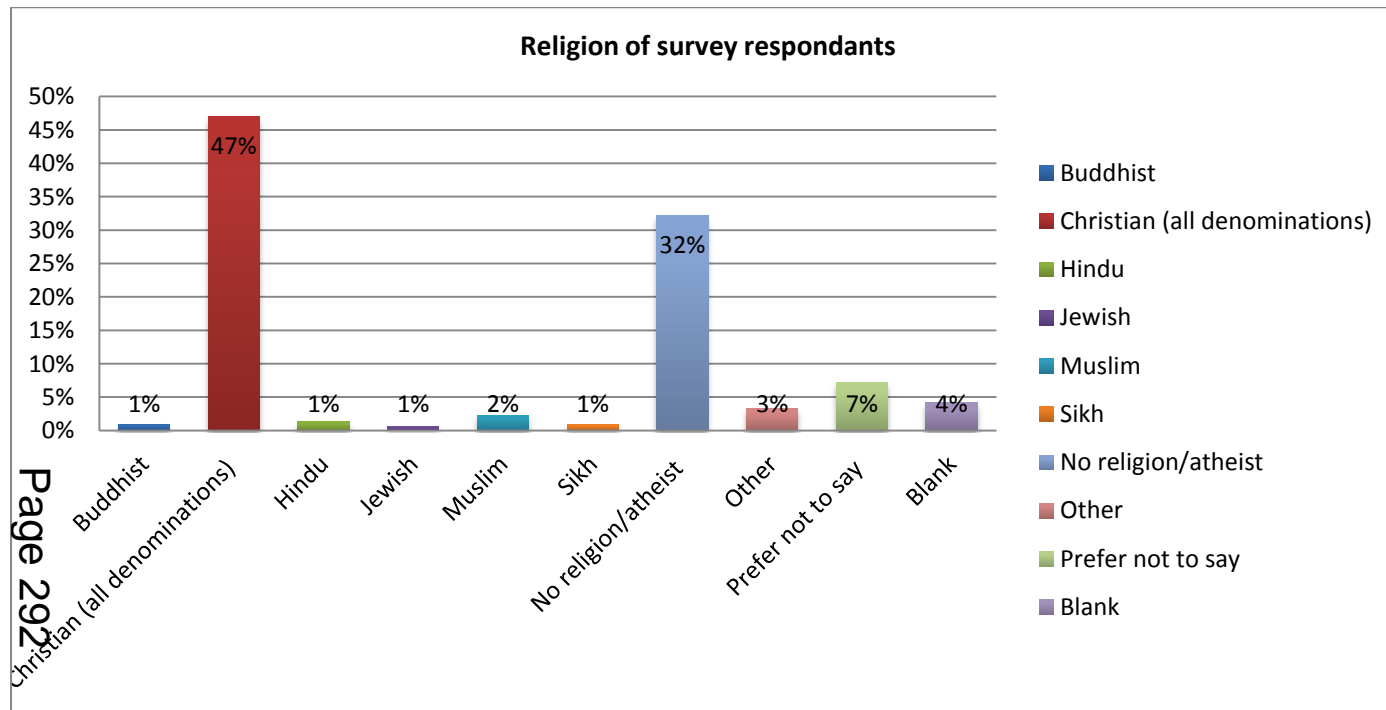
### 3.5 SEXUAL ORIENTATION



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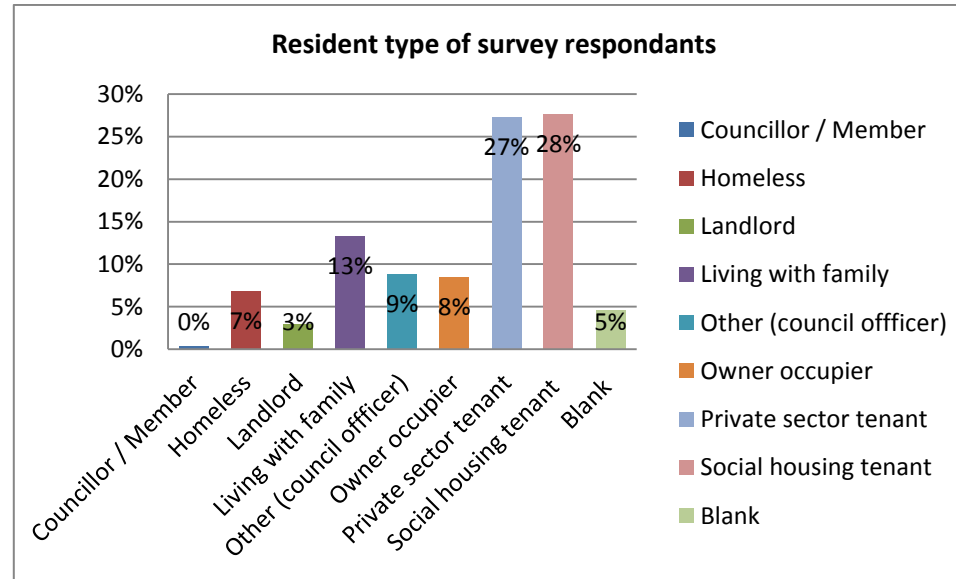
- There is limited availability of Borough wide data on sexual orientation and so this cannot be compared to demographic information with the consultation
- There is a low response rate from gay men, lesbian and bi-sexual respondents who from the minority of the sample

### 3.6 RELIGION



- There is limited availability of Borough wide data on religion and so this cannot be compared to demographic information with the consultation
- Christian respondents formed the greatest response to the consultation; there were very limited responses from all other religions. A large sample was formed from people who stated they had no religious belief.

### 3.7 RESPONDANT TYPE

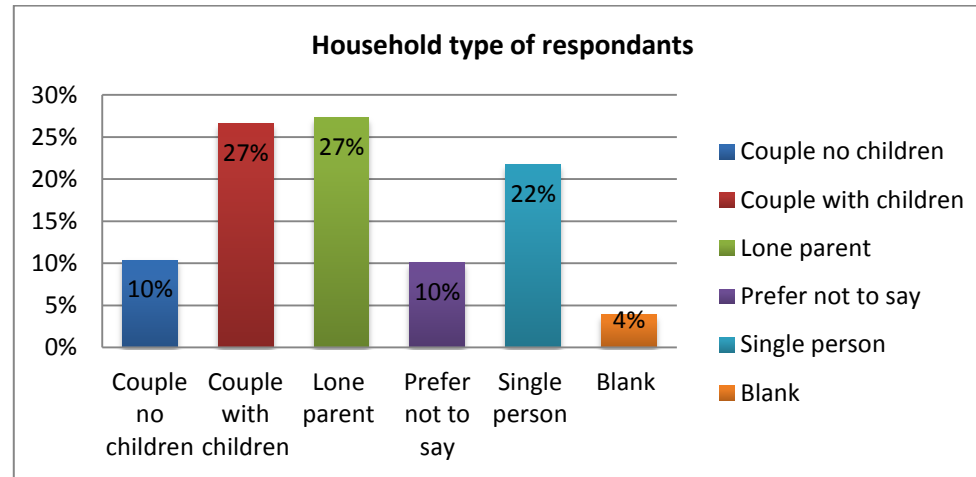


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The greatest proportion of sample respondents has come from council tenants and private sector tenants. It is thought that many people living in privately rented accommodation through the Council's social lettings agency 'Liberty Housing' ticked this option. The sample can therefore be found representative of those who policy change would most likely effect

- There was a fairly limited sample from all other types of respondents

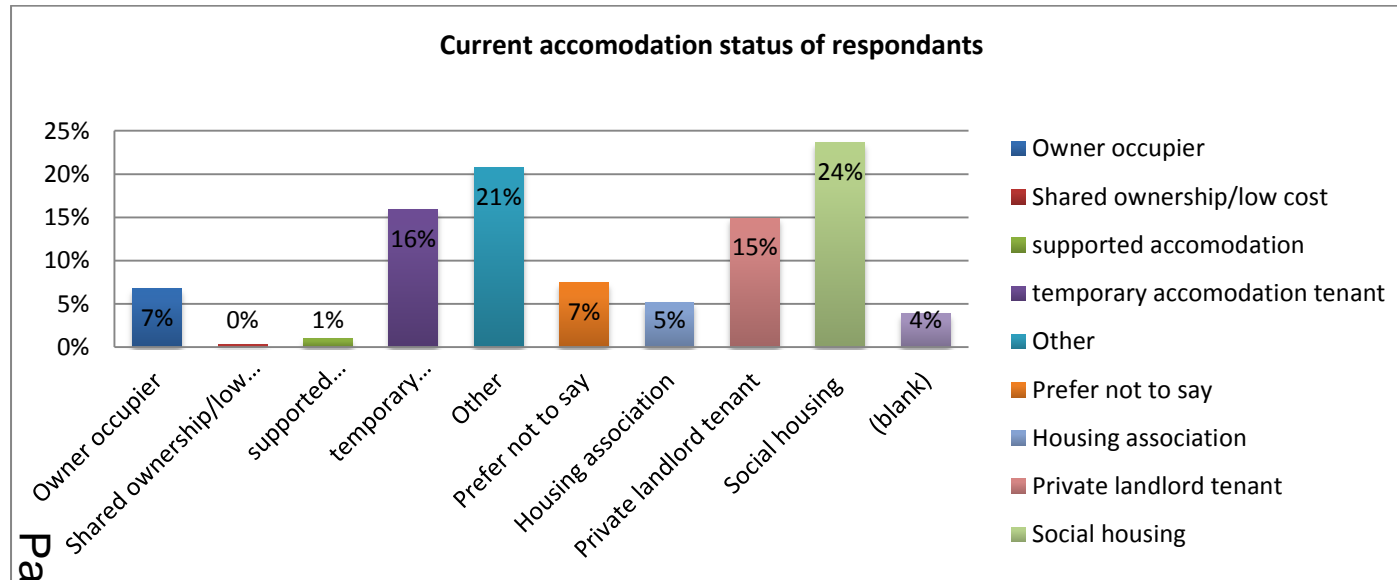
### 3.8 HOUSEHOLD TYPE



Page 294

The greatest proportion of consultation respondents came from couples with children and lone parents who under homeless legislation are more likely to fulfil a priority need homeless category.

### 3.9 CURRENT LIVING ARRANGEMENT

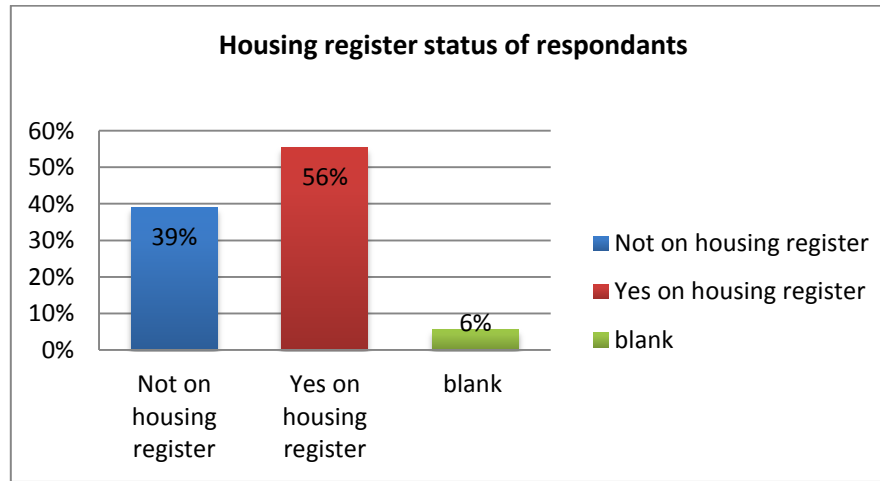


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The greatest proportion of sample respondents has come people living in council homes and in the private sector. It is thought that some people living in privately rented accommodation through the Council's social lettings agency 'Liberty Housing' may have ticked that they live in the private sector opposed to in temporary accommodation.

- The sample can be found representative of the opinions for whom the policy change would most likely effect

### 3.10 HOUSING REGISTER STATUS



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The greatest proportion of sample respondents was on the housing register. The sample can therefore be considered to be, on the whole, representative of those whose opinions that a policy change would affect. It must be noted there is still a significant sample for those not on the housing register.



## PART A: HOUSING ALLOCATION POLICY RESULTS

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A fundamental review is being undertaken on the Council's existing Housing Allocation Scheme which looks at who qualifies to be eligible for social housing and how it is allocated.

The proposed new allocation scheme aims to be;

- Simple, fair, transparent and understandable
- Realistic and to inform residents of stock availability
- Support local people in need of housing
- Reward those who contribute to their local community

The Housing Consultation asked respondents how they feel about 11 key aspects of the Housing Allocation policy that is proposed to change following reviews. Proposed changes include;

11. The qualifying criteria – residency period duration
12. The qualifying criteria – continuous period of residency
13. The qualifying criteria – financial circumstances, income threshold at which residents can join the housing register
14. The qualifying criteria – introduction of unacceptable behaviour provision
15. Changes made to identified housing need categories
16. Introduction of a reduced housing priority criterion
17. The priority banding system
18. Choice based lettings and assisted bidding system
19. Introduction of a 'one offer' only policy
20. Sheltered housing eligibility criteria
21. New policy implementation arrangements

The Council consulted on key elements of the allocation scheme that are proposed to change. This means that aspects not mentioned contained with the current policy will not be proposed to change; this includes the application process itself which will remain the same in principle and definitions relating to the type of households prioritised under each band and the qualifying criteria.

### Overview

Overall the reception to the main proposals for change with the allocation scheme has been positive, with most areas receiving high satisfaction results from the respondent sample.

There are three key policy areas which the Consultation found had a significantly lower satisfaction rate, whereby the majority of respondents were dissatisfied. This includes the residency period proposal, the one offer only proposal and the proposal to implement the policy immediately.

The Council would like to thank all respondents for submitting their view on the Housing Allocation Policy.

All consultation findings and the wider feedback from all stakeholders is being considered by the Council before the final policy version is drafted.

## Overview of Consultation Results

### 1. Proposal A1 Results: Qualifying criteria – the residency period

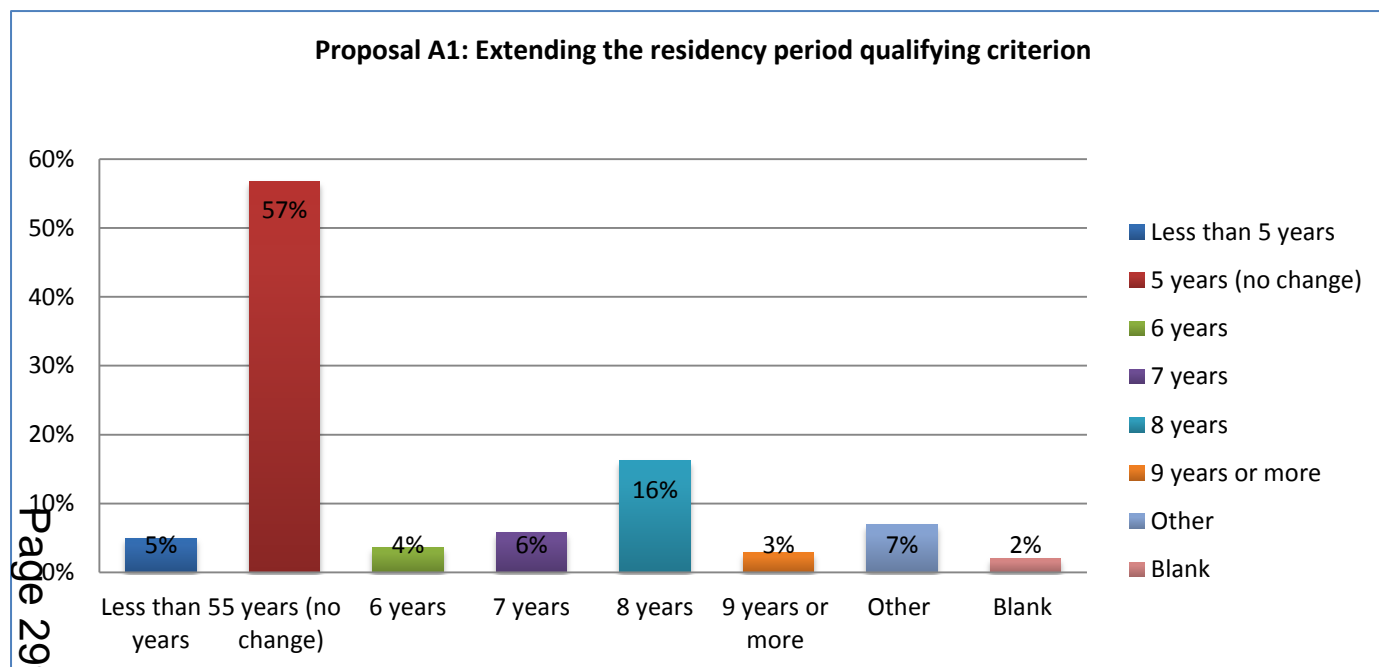
1.1 Under the Localism Act 2011, local authorities can decide to set their own qualifying criteria over who can and cannot join their housing register/Allocation Schemes.

1.2 As there is an extremely limited supply of social housing, the Council would like to reserve the stock for those most in need with the strongest local connection to the Borough.

In order to meet the aims mentioned above, the Council is proposing to extend the qualifying criteria relating to length of residency period that it requires local residents to have before they are deemed eligible to join the Housing Register.

a) Residency period - under the current policy, an applicant must have lived in Havering for at least 5 years OR 2 out of the last 5 years before they can join the housing register.

1.3 As the Council is considering increasing the residency period, the consultation asked respondents to consider the exact length of residency period it felt was appropriate. The results are outlined below;



1.4 The overwhelming majority of the respondent sample feels that the residency period should remain unchanged at 5 years (57%) and the Council should not be looking at a proposal to extend the residency criteria.

1.5 Although not a selected option, some respondents (5%) answered under 'other' that they felt the residency period should in fact be much lower to ensure the demand for social housing was met by the Council. Respondents in this category suggested a two or three year residency qualification period.

1.6 Residents who agreed with the proposal to extend the residency period formed the minority responses, indicating a combined total 29% of the sample was positively satisfied. Surprisingly, of the 29% who did want to see the residency period extended, 8 years was the highest selected preference with 16% of respondents believing this was a suitable duration.

1.7 Many respondents answered 'other' however then wrote a preference such as 5 years that was already an available response option. Such 'other' responses was analysed and filtered into the appropriate category, the final analysis is shown above under graph A1. The remaining responses classed as 'other' in the graph above (7%) included suggestions that could not be broken down into a category, such as:

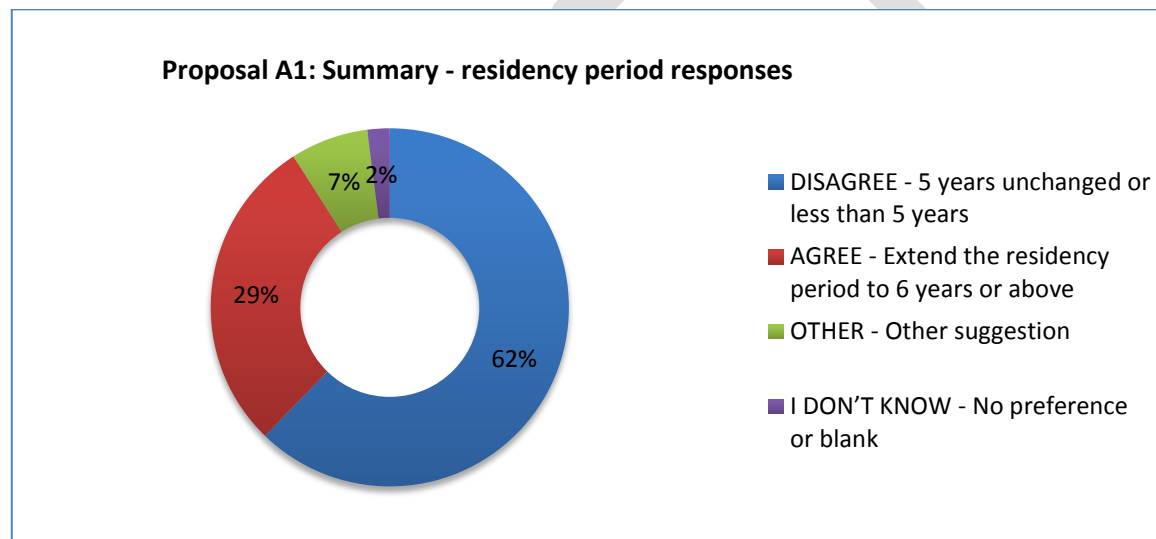
- 'as long as required'

- 'as long as the Council thinks appropriate'
- Other and then a blank comment failing to elaborate on the choice

1.8 Of the small proportion of respondents that answered 9 years or more, around 67% (8 of 12 respondents) described that the policy should be 10 years, 25% felt it should be a much higher level, for example 12 years, 16 years and 20 years, the remaining response felt 9 years was a suitable timescale.

1.9 A summary graph is shown below to provide a simple demonstration of the respondent proportion who is satisfied with the proposal to extend the residency period in some capacity compared to those dissatisfied who have indicated a negative response by choosing a period of 5 years or less than 5 years.

These responses have been distinguished by their preference, by agreeing with the proposal to those who disagree with the proposal.



1.10 As can be seen, the overwhelming majority of respondents are dissatisfied and disagree with the proposal to extend the residency period. Just under half the number who disagreed, chose options of 6 years and above to indicate satisfaction with the proposal

1.11 Respondents were advised to submit an open qualitative response to the Council's consultation contact details if they wished to feedback on this proposed policy. All feedback received in this area was negative and mainly included statements to reinforce an opposition to this proposal i.e. '*I feel strongly the residency period should be less than five years*'. The reason why some households were dissatisfied was because of the impact the policy would have on growing children who reach the age of 18 and have '*little housing options*'.

1.12 All comments from respondents in the consultation submitted have been formally responded to by the Council.

## Proposal A1: Respondent profile Analysis

1.13 Under the Public Sector Equality Duty, the Council is required have due regard to matters of discrimination and advance the equality of opportunity through any action it implements affecting local residents.

1.14 It is therefore extremely important for the Council to understand if there is any disproportionate or high dissatisfaction from any demographic group with any proposal made through the Consultation. This contributes to the Council's analysis on whether any proposal will have a negative impact upon any group. The Council has conducted an equality analysis on each policy that will include views expressed through the housing consultation.

1.15 As there is a noted high dissatisfaction with this proposal, a developed summary of the findings on how demographic groups responded is provided below:

- All age groups as a majority were dissatisfied (strongly disagreed or disagreed) with the proposal (above 50% dissatisfaction). The highest level of dissatisfaction arose from the 25-44 age group (65%), followed by the 45-59 age group (64%)
- All ethnicity groups as a majority were dissatisfied (strongly disagreed or disagreed) with the proposal (above 50% dissatisfaction). The highest level of dissatisfaction arose from 'other ethnic group' (75%) however a very low response rate was reported from this group overall.

Page 301 Respondents who did not have a disability were more opposed (65%) to the proposal to extend the residency period than disabled respondents. 50% of disabled applicants who responded to the survey disagreed with the residency period.

Of the female respondents who responded to the survey, the majority (66%) disagreed with the proposal. Whilst men had a lower dissatisfaction rate compared to women, 53% were more dissatisfied than satisfied with the proposal.

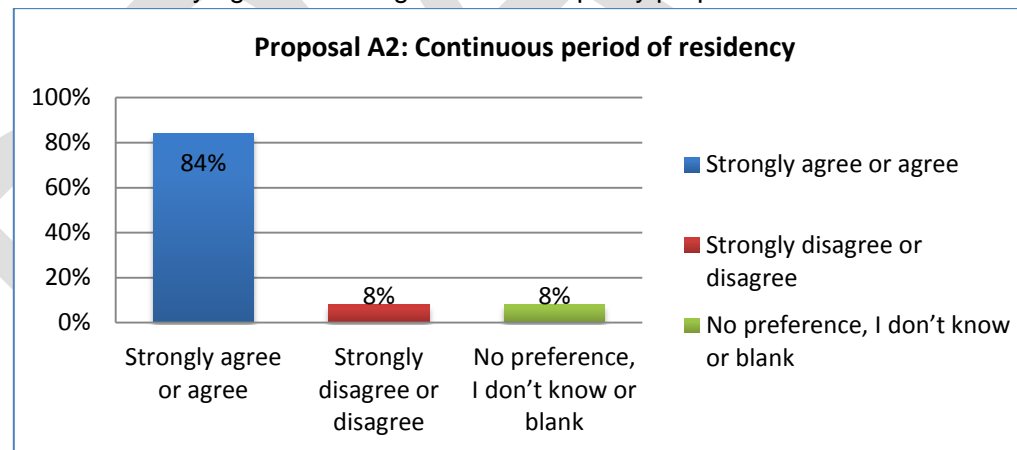
- Heterosexual, lesbian and other sexual orientation respondents and those who elected to prefer not to say all expressed majority dissatisfaction with the proposal. In contrast, gay male respondents, and those who left the demographic question blank voted they were satisfied with the residency proposal. It must be noted there was a low response rate from gay men. Bisexual respondents had an equally split preference between satisfied, dissatisfied and no preference, however again a low response rate is noted from this group.
- All religious groups were dissatisfied with the residency period criterion than satisfied; a majority dissatisfaction rate of over 50%. Jewish respondents were the only ethnicity group in favour of the residency period proposal (100% in favour) however a very small response rate was recorded (2 persons).
- All resident groups as a majority were dissatisfied (over 50%) with the residency proposal. Where there was a high response rate such as with private sector tenants, 75% was opposed to the policy to extend the residency criteria, a significant high proportion. A high dissatisfaction rate was also recorded from owner occupiers (74%). Interestingly 51% of social housing tenants were dissatisfied with the proposal compared to 40% who were satisfied. Social housing tenants formed the highest positive satisfied group in relation to the proposal followed by respondents living with family (37% satisfied).

- All respondents living in owner occupied properties, shared ownership properties, temporary accommodation, housing association, social housing and in the private sector were more dissatisfied than satisfied with the proposal (above 50% dissatisfaction). Supported accommodation respondents were the only group in favour of the policy (67% in favour) however there was an overall very small response rate so cannot be deemed statistically significant.
- All household groups as a majority were dissatisfied with the proposal to extend the residency period criteria (levels recorded above 50% dissatisfaction). Whilst on the whole more dissatisfied, the highest positive satisfaction rate come from single people where 36% of respondents was in favour of the policy proposal
- All organisations who responded to the survey (including private landlords, private and public sector developers, RSLs and supported home providers) were dissatisfied with the proposal
- Respondents both on and off the housing register were dissatisfied with the proposal to extend the residency period, people on the housing register were proportionately 5% more dissatisfied than those who were not.

## 2. Proposal A2 Results: Qualifying criteria – Continuous period of residency

2.1. Under the current policy's qualifying criterion, you can have lived in Havering for at least 5 years or 2 years continuous residency out of the past 5 years. The Council is proposing to ensure that whatever the residency period is, that this will be a continuous period of residency. This is to ensure the system is simplified, easier to understand and easier to administer. The impact will be that anyone who moves out of the borough on a temporary basis will lose their local connection to the borough and will not be able to join the housing register.

2.2. The consultation asked respondents to which extent they agreed or disagreed with the policy proposal. The results are detailed below



2.3. The majority of respondents are satisfied with the proposal to make the residency period qualification criterion a 'continuous' duration. Due to the response in proposal 1A, the findings indicate many who have voted positively under 1B within this group are satisfied that 5 years is a reasonable time period to be a 'continuous' resident in the borough and be eligible for social housing.

2.4. More respondents who disagree with the continuous period of residency are from the group who answered that the residency period should be extended in the previous question. Overall, the minority of respondents disagree with this proposal.

2.5. No open responses regarding this policy proposal question was submitted.

## Proposal A2: Respondent profile Analysis

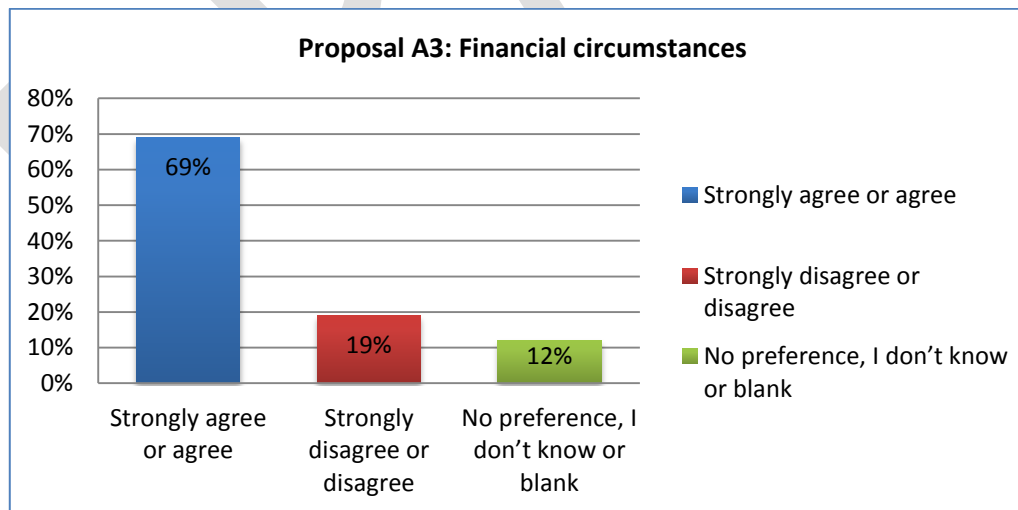
3.1 There was no disproportionately high dissatisfaction (a majority rate of over 50%) from any demographic group or resident type with this policy proposal.

## 3. Proposal A3 Results: Qualifying criteria – Financial Circumstances

3.2. As there is a severe shortage of social and affordable rented properties in the borough, eligibility for social housing has to be restricted to ensure availability for households on low income. Households are not able to join the housing register if they possess sufficient income and/or assets to be able to afford private rented housing in the borough. The current household income threshold to be able to join the housing register is up to a household income of £27,500.

3.3. There is increased competition for private rented housing in the borough and because of this, property prices to buy or rent are rising. In addition, the growing population and migration into Havering has meant there is an extremely limited availability of affordable housing in the borough. For this reason the Council is proposing to extend the income threshold to £36,000. For households who earn above this level, it is considered reasonable and affordable for households to secure an affordable home in the privately rented sector.

3.4. The consultation survey asked respondents to what extent they agreed with this proposal. The results are shown below;



- 3.5. The majority of respondents are satisfied with the proposal to extend the income threshold to £36,000.
- 3.6. The qualitative feedback on this proposal was from respondents satisfied with the Council's acknowledgement that the cost of housing in the borough is increasing. Comments include;
- *'I think the level at which you can join the housing register should be higher and agree with this policy. It is becoming generally more expensive for people living in the borough with general expenses and living costs'*
  - *'I support this because its becoming really difficult to find affordable accommodation in the private rented sector'*
- 3.7. All comments from respondents have been formally responded to by the Council
- 3.8. More respondents disagreed with the proposal than no preference submissions however the overall dissatisfaction rate is less than a third of those who were satisfied.

#### **Proposal A3: Respondent profile Analysis**

There was no disproportionately high dissatisfaction (a majority rate of over 50%) from any demographic group or resident type with this policy proposal. However,

- The 'other' sexual orientation group was more dissatisfied (25%) than satisfied (17%)
- Sikhs were more dissatisfied (67%) than satisfied (33%) however a very low response from this group is noted
- A Councillor/Member disagreed with the proposal (100%) of the sample from this group as there was only one respondent

#### **4. Proposal A4 Results: Qualifying criteria – Unacceptable behaviour**

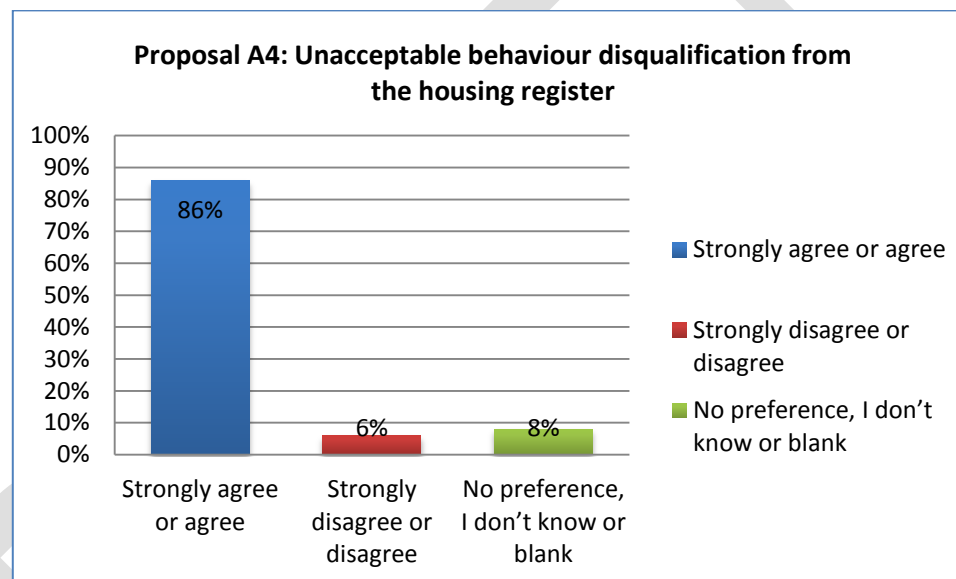
- 4.1. Under the current policy, an applicant found guilty of unacceptable behaviour can join the housing register but an offer of accommodation may be withdrawn once they are successful in bidding for a property.



4.2. Under the current policy, an applicant found guilty of unacceptable behaviour can join the housing register but an offer of accommodation may be withdrawn once they are successful in bidding for a property.

4.3. The Council is proposing that such applicants will be excluded from joining the housing register as such behaviour would prevent the person from being considered a suitable tenant. Examples of the behaviour includes anti-social behaviour; obtaining a tenancy by deception; sub-letting social housing; unspent housing or welfare benefit convictions; providing false or misleading information and threat or actual violence against neighbours, council staff, members and Council contractors. In order to comply with legislation, there are some exceptional circumstances where the qualifying criterion will not apply.

4.4. The online survey consultation asked respondents to what extent they agreed with the proposal to exclude applicants from the housing register who are guilty of unacceptable behaviour.



4.5. The overwhelming majority of respondents were satisfied with the proposal to disqualify applicants on the housing register guilty of serious unacceptable behaviour. Positive feedback from respondents covered vocalising support for the policy on the basis that social housing should be rewarded to good behaviour and tenants who can value and respect homes. Comments included:

- *'I'm sick and tired of seeing people abusing the system, their home and causing trouble in nice flats then to get rehoused again. Something is not morally right.'*

4.6. All comments from respondents have been formally responded to by the Council over the consultation period

4.7. A very small number of respondents disagreed with the policy proposal, 80% more respondents were more satisfied than dissatisfied.

## Proposal A4: Respondent profile Analysis

4.8. There was no disproportionately high dissatisfaction (a majority rate of over 50%) from any demographic group denomination or respondent type with this policy proposal. All group denominations were more satisfied than dissatisfied.

## 5. Proposal A5 Results: Housing Need Categories

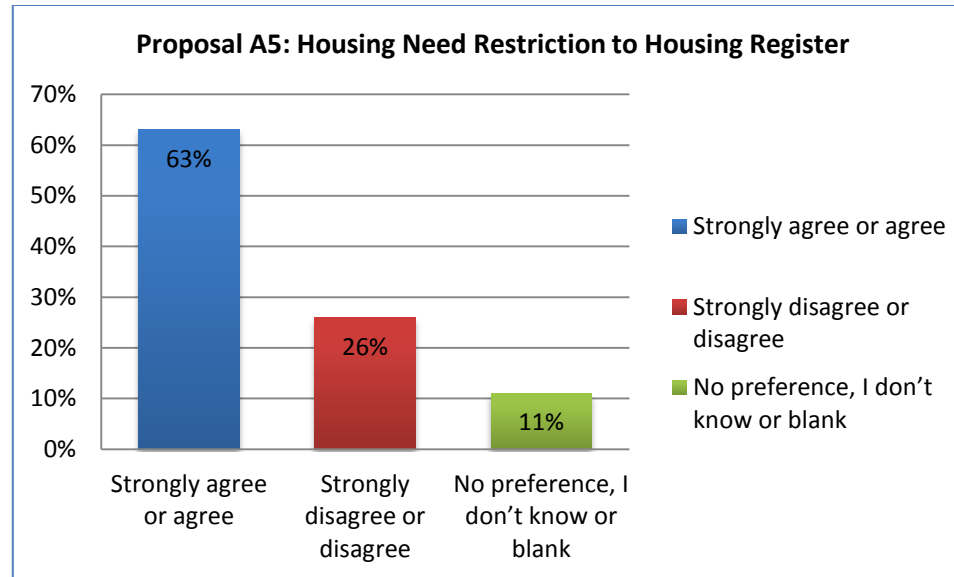
5.1 To join the housing register, a household has to demonstrate they have a housing need. Under the current policy, council or private sector leased tenants who have been in their accommodation for 5 years but are not in housing need or no longer in housing need can apply to be moved to alternative accommodation.

5.2 The Council is proposing to only allow people who can demonstrate they have a housing need to join the housing register. Applicants without an identifiable housing need will be given advice and supported by the Council to find their own housing solutions including private rented sector options.

Examples of housing need include:

- People who need to move for medical reasons, or to relieve some form of hardship that either they or someone they care for is suffering from
- People who are in life threatening circumstances and are at serious risk of harm by remaining in their current accommodation e.g. from violence
- Households living in overcrowded conditions
- Young care leavers
- People who need to move-on from supported housing
- Families with children who are homeless

5.4 The consultation asked respondents to what extent they agreed with the principle of restricting the housing register to those applicants who can demonstrate a housing need. The results are detailed below:



5 Page 307 Whilst the overwhelming majority voted in favour of the proposal to restrict the housing register for people who can demonstrate a housing need there was a higher dissatisfaction noted with this proposal compared to many of the proposals made through the consultation. Overall, respondents were more satisfied than dissatisfied indicating a preference to reserve the Council's housing stock for people with the highest demonstrable needs in the Borough.

Few qualitative responses were made on this proposal, excluding those that queried what would happen when your housing need changes whilst on the housing register. All comments from respondents have been formally responded to by the Council over the consultation period

### **Proposal A5: Respondent profile Analysis**

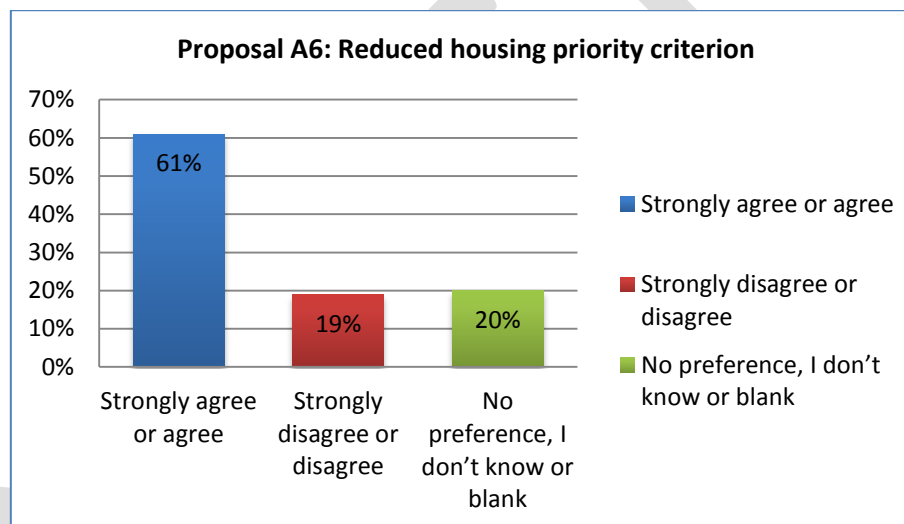
5.7 There was no disproportionately high dissatisfaction (a majority rate of over 50%) from any demographic group denomination or respondent type with this policy proposal. All group denominations were more satisfied than dissatisfied. This excludes:

- Under sexual orientation, amongst the gay woman/lesbian group there was an equal split preference between satisfied and dissatisfied

## 6. Proposal A6 Results: Reduced housing priority criterion

6.1 In addition to only assisting those in housing need, the Council is proposing to implement a new 'reduced priority' criterion to the banding system which will be awarded to accepted homeless households who do not meet the Havering residency period. This is because under the homelessness legislation, we cannot exclude such households from joining the housing register as they fall within a reasonable preference group (in housing need).

6.2 The Consultation asked respondents to what extent they agreed with the proposal to introduce a reduced housing priority criterion to the housing banding system. The results are detailed below.



6.3 The majority of respondents were satisfied with the proposal to introduce a reduced housing priority criterion indicating an understanding that the Council must meet its statutory obligations to house homeless households.

6.4 The minority proportion of sample respondents is dissatisfied with the proposal.

6.5 No qualitative comments have been made on this proposal through the consultation.

### Proposal A6: Respondent profile Analysis

6.6 There was no disproportionately high dissatisfaction (a majority rate of over 50%) from any demographic group denomination or respondent type with this policy proposal. All group denominations were more satisfied than dissatisfied. This excludes

- Under sexual orientation, amongst the bisexual group denomination, more disagree (67%) with the proposal than agree (33%) however, there is a very low response rate from this group overall and so the finding here is not statistically representative of trends.

## 7. Proposal A7 Results: Priority banding system

7.1 This proposal outlined the Council's plan to review the priority banding system for housing applicants on the Council's housing register for social housing.

7.2 Under the current policy, there are four priority bands with a number of different qualifying conditions which are complicated and can be difficult to understand and administer.

7.3 The Council is proposing to introduce five simple priority bands, with simple easily understood qualifying criterion. The proposed banding system is outlined below;

1. ER Band – Emergency Rehousing Band

For households with an urgent need to move, examples include serious health or medical needs, domestic violence, critical safeguarding issues and serious disrepair.

2. CC1 Band – Community Contribution 1 Band

For households with a need to move plus Community Contribution including working people, ex-service personnel or people fostering and adopting

3. CC2 Band – Community Contribution 2 Band

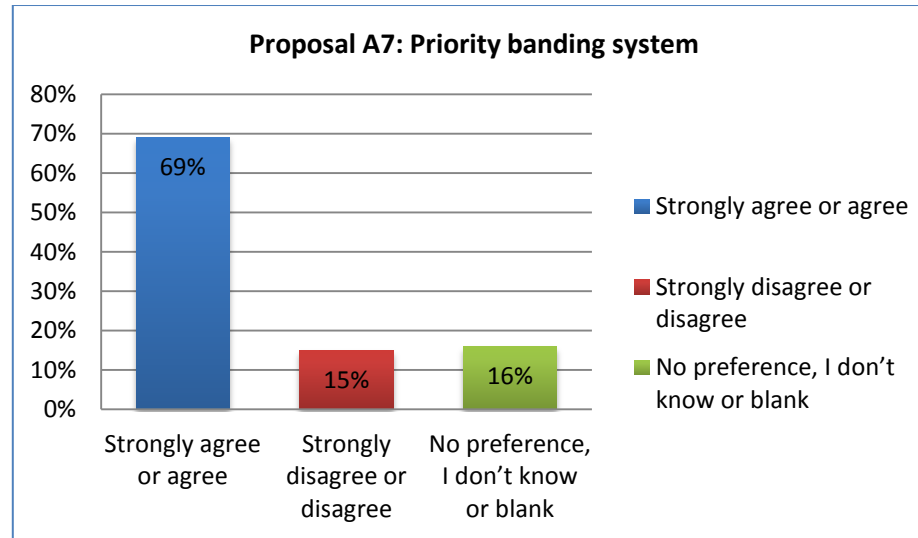
For households with a need to move plus Community Contribution including people volunteering, a Council tenant needing to downsize or households who are a carer for a Havering resident

4. Homeseecker Band

Households with a need to move only

5. Reduced Priority Band

People who are in housing need but have a reduced preference such as accepted homeless households who do not meet the local residency criteria



7.4 The majority of respondents were satisfied with the proposal to change the priority banding system for the housing register. Some respondents submitted additional positive feedback regarding the proposal, particularly in commandment that carers are recognised within the policy for their community contribution in providing care to local people in need;

*'I agree with all proposals outlined specifically the idea to place higher prioritisation to carers above the Homeseeker band. I feel the Council is adopting a common sense approach to allocations... I have real confidence in the proposed system'*  
*'I am glad to see carers are recognised for their contribution'*

7.5 The minority proportion of sample respondents are dissatisfied with the proposal. Applicants were encouraged submit feedback if they disagreed with the order of prioritisation or felt the bands should change. Applicants were also provided support in identifying how their individual position could potentially change if the proposed changes were implemented.

7.6 Feedback included themes on;

- Higher prioritisation for carers  
 Whilst respondents were grateful of the proposed banding system recognising carer's contribution, some respondents wanted to see higher prioritisation for carers so that carers would be placed in CC1 and not CC2 on the basis that working households should not be perceived as higher prioritisation than carers.  
*'Can carers be placed in CC1 as it's a form of work and saves the local authority money in social care?'*  
*'Carers need to be placed in a higher band'*
- Banding transparency and guidance

Comments made focused more on operational processes such as keeping applicants updated whilst on the housing register with the availability of social housing, waiting times and place on the housing register.

*'Can the policy be clearer about what happens when housing needs change and the impact this has on banding?'*

*'Please can you be more transparent with updates whilst applicants are in the bidding process?'*

7.7 All comments from respondents have been formally responded to by the Council over the consultation period

### **Proposal A7: Respondent profile Analysis**

7.8 There was no disproportionately high dissatisfaction (a majority rate of over 50%) from any demographic group denomination or respondent type with this policy proposal. All group denominations were more satisfied than dissatisfied. This excludes

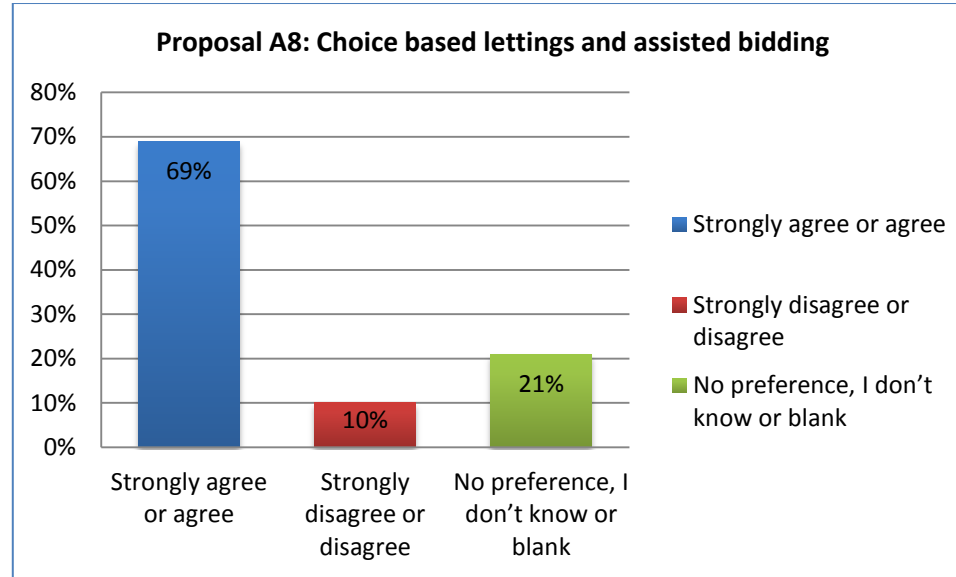
- Under sexual orientation, amongst the bisexual group denomination more disagree (67%) with the proposal than agree (33%) however there is a very low response rate from this group overall and so the finding here is not statistically representative of trends

### **8. Proposal A8 Results: Choice based lettings and assisted bidding**

8.1 The Council will continue to operate a Choice Based Lettings system and advertise properties through East London Lettings Company.

8.2 Under the current policy, assisted bids (direct offers) are made to most applicants in the Emergency Rehousing Band. In order to improve transparency of the process; the council is proposing to limit the number of circumstances under which assisted bids can be made. This will be supported by the proposed changes to the priority bands where most applicants placed on the Emergency Band will also have to bid for available vacancies themselves instead of waiting for an assisted bid.

8.3 The properties identified for assisted bids will not be advertised but the results will be publicised in the usual manner. It is expected that at least 70% of all allocations will be as a result of resident bidding activity.



8.4 The majority of respondents were satisfied with the proposal to limit the circumstances under which assisted bids can be made

8.5 The minority proportion of sample respondents was dissatisfied with the proposal

8.6 No specific qualitative comments or feedback has been made on this policy proposal

### Proposal A8: Respondent profile Analysis

8.7 There was no disproportionately high dissatisfaction (a majority rate of over 50%) from any demographic group denomination or respondent type with this policy proposal. All group denominations were more satisfied than dissatisfied. This excludes

- Under ethnicity the 'other ethnic group had a split satisfaction rate between satisfied (25%) and dissatisfied (25%) however, there was a low response rate from this group overall.



## 9. Proposal A9 Results: One offer only policy

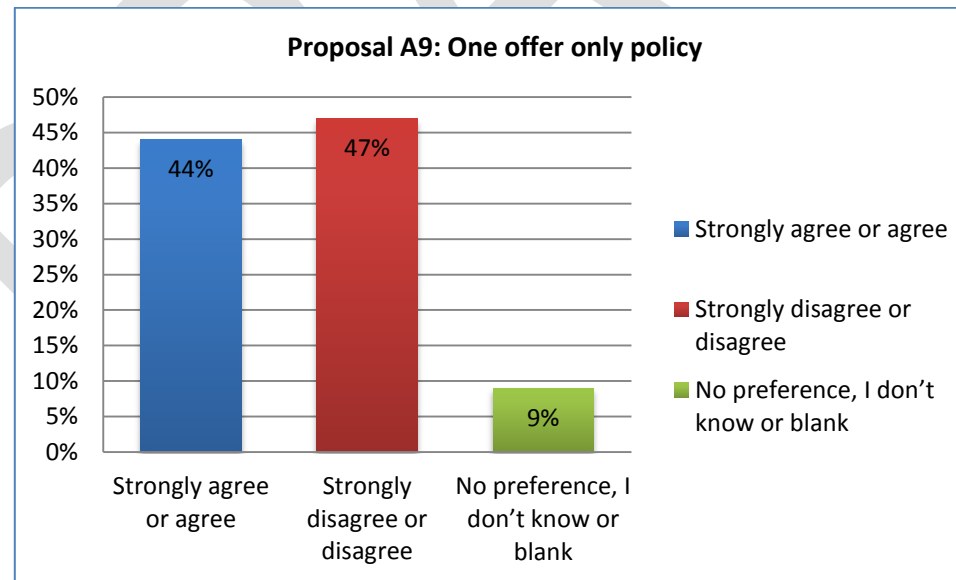
9.1 Under the current policy, there are different numbers of offers and penalties that can be made to households on the housing register depending on the priority housing band a household is placed in.

9.2 In order to make the process easier to understand and to encourage applicants to accept reasonable and suitable offers of accommodation, the Council is proposing to implement a one offer only policy. The Council has a severe shortage of accommodation and this proposed policy is expected to drive efficiencies in the allocation system and ensure those with the greatest needs for accommodation are adequately housed. The Council will support all people on the housing register in bidding for a suitable property that meets individual household needs and requirements.

9.3 If applicants refuse a reasonable and suitable offer of accommodation that meets their needs, it is proposed applicants will be removed from the housing register and not be allowed to re-apply for one year. Applicants will have the option to appeal against an offer made if they consider it to be unreasonable or unsuitable. If their appeal is successful, the applicant will receive another offer of suitable accommodation.

9.4 The one offer policy will not apply to sheltered housing.

The Consultation asked respondents to what extent they agreed with the proposal to introduce a one offer only policy. The results are detailed below.



9.6 While just under half of the respondents disagreed or strongly disagreed with the policy compared to the proportion that agreed, this indicated that there was a relatively higher dissatisfaction rate compared to those who were satisfied. Whilst more respondents disagree than strongly disagree, the split between these options is just 3%, indicating many of the sample felt strongly about this policy not being implemented.

9.7 Despite the high dissatisfaction rate, no qualitative additional comments were made on this proposal through the housing consultation.

### **Proposal A9: Respondent profile Analysis**

9.8 As there is a noted high dissatisfaction with this proposal, a developed summary of the findings on how demographic groups responded is provided below:

- Age – Interestingly, age groups expressed varying preferences under this proposal. The 18-24, 25-44, 60+ age groups and prefer not to say/blank group were all more dissatisfied with the proposal than satisfied. The highest dissatisfaction level came from the 18-24 age group (56%), prefer not to say group (57%) and 60+ group (50%). The 45-59 and 16-17 age groups were in favour and more satisfied with the proposal than dissatisfied.
- Ethnicity – There was an equal split proportion between those satisfied and dissatisfied amongst white respondents, black respondents and those who did not specify their ethnicity (blank). Asian households and ‘prefer not to say’ groups were more dissatisfied than satisfied. In contrast, mixed households and other ethnic group were more satisfied than dissatisfied.
- Disability – the majority of respondents with a disability were dissatisfied with the proposal to introduce a one offer only policy. Those without a disability were more satisfied with the proposal compared those dissatisfied
- Gender – there was a stark difference in how genders responded to this question. Females were 54% dissatisfied with the one offer only policy, whereas males were 59% in favour of the proposal with just a 35% opposition to the policy
- Sexual orientation – All groups were more satisfied with the proposal than dissatisfied however in contrast heterosexual respondents who formed the greatest overall response group were more dissatisfied (51%)
- Religion – all religious groups were more dissatisfied than satisfied, excluding those where who expressed ‘no religion’. The highest level of dissatisfaction came from Hindu, Sikh and Buddhist respondents however there was a low response rate from these groups.
- Resident type – owner occupiers (62%) other groups (consisting of council employees) and homeless groups were more satisfied (57%) with a one offer only proposal than dissatisfied. This may represent vested interests, for example homeless groups who are waiting for social housing and believe one offer system will drive efficiencies in the system meaning they may see a reduction in waiting time. For council employees, such a system might drive efficiencies in administration. By a small proportion, social housing respondents were just slightly more satisfied than dissatisfied with the proposal. Private sector tenants and people living with family were more dissatisfied than satisfied.
- Household types – Respondents of all household structures were mainly dissatisfied with the proposal, the highest level of dissatisfaction came from lone parents (61%) and couples with children (50%)
- Current Accommodation status – owner occupiers, respondents living in supported accommodation, ‘other’ blank and prefer not to say accommodation groups were all more satisfied than dissatisfied with the policy proposal. In contrast, temporary accommodation tenants, housing association tenants, private

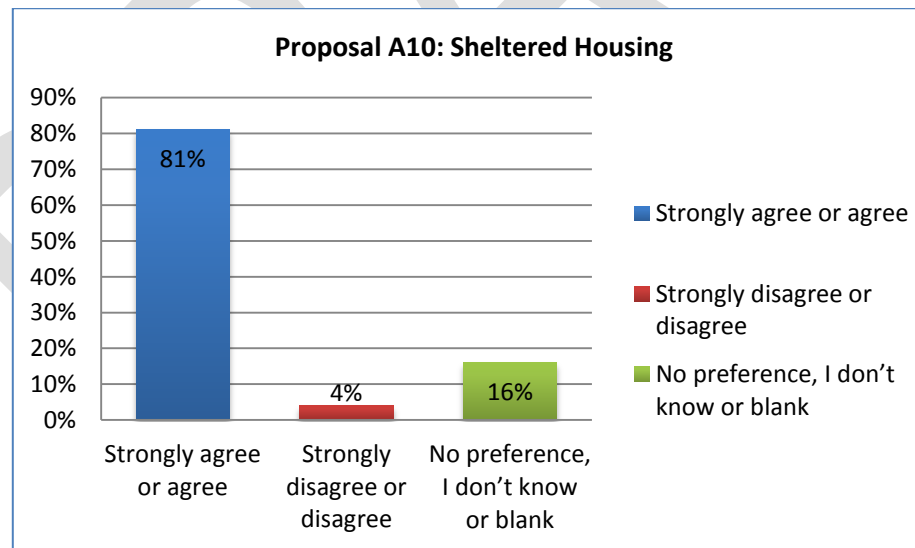
tenants and social housing tenants all were more dissatisfied with the proposal than satisfied. These are the groups most likely to be impacted by the policy proposal, where a high proportion are living in accommodation under the Council's provision

- Organisation types – landlords and supported home providers were more dissatisfied than satisfied with the proposal. In contrast, private sector and public sector developers were more satisfied. RSLs had a split opinion on this policy proposal.
- Housing register – the overwhelming majority of respondents not currently on the housing register was in favour of the one only policy. This may represent the views of people who may wish to go on the housing register, who feel that social housing should be reserved for those most in need, accepting of any form of reasonable and suitable accommodation offered. Those on the housing register were 58% dissatisfied with the policy proposal. This is the group most likely to be impacted by the policy if introduced.

## 10. Proposal A10 Results: Sheltered Housing

10.1 Sheltered housing enables older people to live independently with support. To ensure that the lifestyle of those in sheltered accommodation is compatible with the scheme, the Council is proposing to implement the following eligibility criteria:

- 60 years and over; or
- Aged 55 to 59 years and requiring a higher level of support due to frailty, ill-health or restricted mobility; and.
- Single or joint applicants with no children;
- Who are In need of the housing support provided by the scheme



10.2 The overwhelming majority of respondents were satisfied with the proposal to implement the above eligibility criteria for social housing.

10.3 This proposal received the lowest number of dis-satisfied respondents of all housing allocation policy consultation questions, further indicating the high level of support towards policy introduction.

10.4 No specific qualitative comments or feedback has been made on this policy proposal

### Proposal A10: Respondent profile Analysis

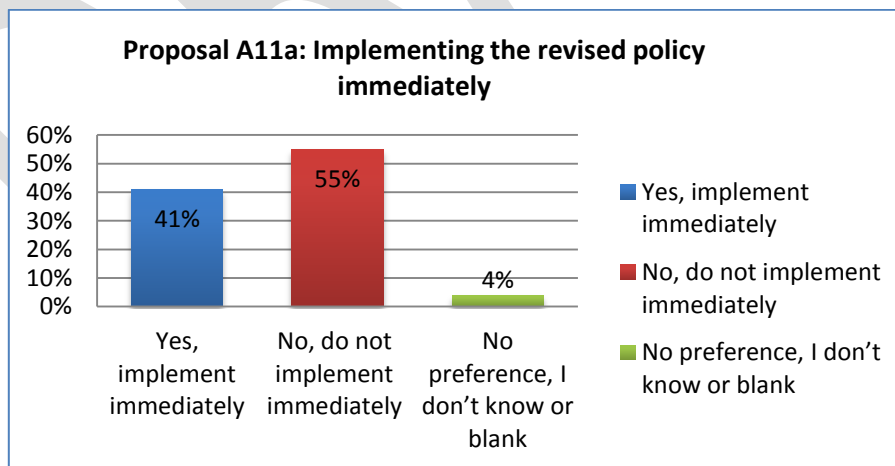
10.5 There was no disproportionately high dissatisfaction (a majority rate of over 50%) from any demographic group denomination or respondent type with this policy proposal. All group denominations were more satisfied than dissatisfied. This excludes

10.6 Under age group, the 16-17 year old respondents who were more dissatisfied than satisfied however there is only two respondents from this sample and so the finding cannot be classed as statistically significant

### 11. Proposal A11 (a-c) Results: Implementation of the revised housing allocation scheme

11.1 As the proposed changes will mean that some applicants currently on the housing register will no longer qualify, the Council asked through the consultation how respondents would feel about the implementation options once any change is approved.

11.2 The Council wanted to know if people would be satisfied with implementing the policy immediately or if transitionally, what preference people would have towards the time period.

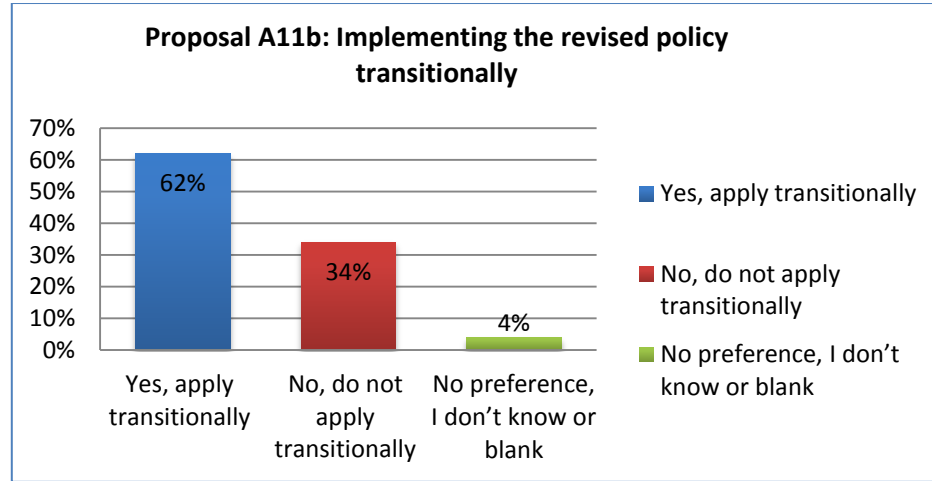


11.3 The majority of sample respondents would not like to see the changes implemented with immediate effect. Despite this surprisingly, a high proportion of respondents did agree with the proposal to implement changes immediately. When asked the following question which posed a transitional arrangement possible, many respondents changed opinion in favour of this option.

### Proposal A11: Respondent profile Analysis

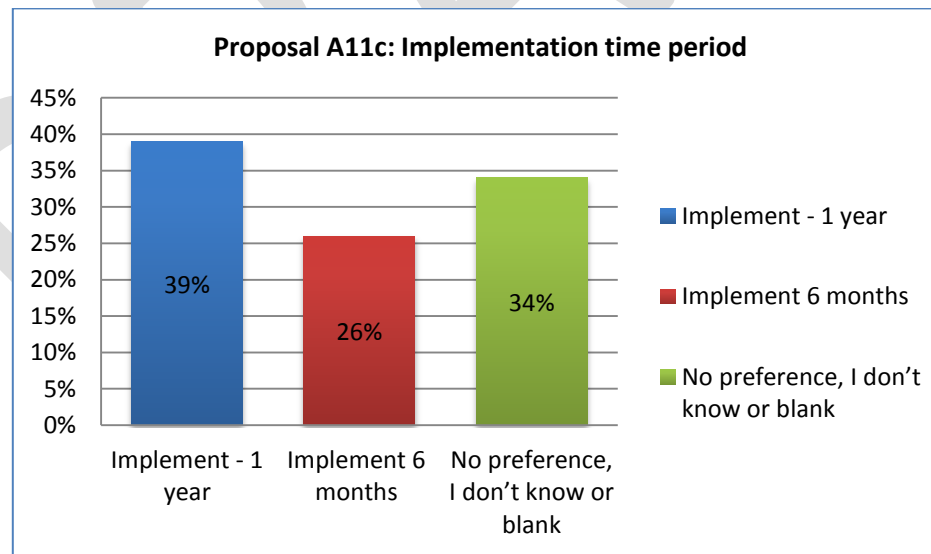
11.4 As there is a noted high dissatisfaction with this proposal, a developed summary of the findings on how demographic groups responded is provided below:

- Age – all age groups are dissatisfied with the proposal to implement the policy immediately
- Ethnicity – all ethnic groups excluding missed ethnicities and blank respondents are dissatisfied with the policy
- Disability – both disabled and non-disabled groups are more dissatisfied than satisfied with the policy
- Gender – as a majority females are dissatisfied with the policy proposal however the majority of men would like to see the policy introduced immediately
- Sexual Orientation – heterosexual group who have the largest overall response sample are more dissatisfied with the proposal. Gay men and bisexual groups are in favour of the policy
- Religion – All religious groups oppose the policy proposal, excluding Hindu and Jewish respondents however these groups had a small sample
- Resident type – Owner occupier and councillor respondents are the only two groups who would like to see the policy implemented immediately, all other resident types including existing tenants would like to presumably see a deferred introduction
- Household type – respondents of all household structures do not want the changes to be introduced immediately
- Accommodation status – All groups excluding supported accommodation tenants are dissatisfied with the idea of implementing the policy immediately
- Organisations – Registered Social Landlords was the only organisational group who were on the whole more receptive to the idea of implementing the policy immediately
- Housing register – Both respondents on/off the housing register oppose the idea of implementing the policy immediately. There is a higher dissatisfaction rate from people currently on the housing register.



11.5 When presenting with this proposal and asked the question if a transitional arrangement to policy introduction would be more preferable, the majority of respondents voted in favour of this option. It can be assumed respondents who previously voted in favour of an immediate arrangement dropped by around 7% once asked this question which then transferred to a transitional preference

6 Respondents were then asked when they felt the policy should be implemented and were given two options considered reasonable by the Council.



11.7 More respondents elected in favour of the proposal to implement the policy within a years' time period. This would mean that current housing applicants who are not eligible under the proposed scheme would have a year to continue bidding for accommodation before they are removed from the housing register.

DRAFT

## PART B: HOMELESS PLACEMENTS POLICY RESULTS

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The Homeless Placements Policy is a new policy which has been developed to cover the eligibility and placement process for temporary and settled accommodation available for homeless households.

The development of the Placements Policy is to provide guidance for the placement of homeless households in temporary and private rented settled accommodation, both inside and outside the Borough. It covers both *interim* placements made while homelessness enquiries are undertaken, and *longer-term accommodation* placements for households accepted as homeless which includes long term temporary PSL and offers of privately rented accommodation (PRSOs) under an Assured Shorthold Tenancy for a contract period of at least 12 months.

The Housing Consultation asked respondents how they felt about four key policies, proposed to be introduced through the Homeless Placements policy. These proposals include:

1. A Homeless Placements Allocation Pathway
2. Making offers of Privately Rented Accommodation (PRSOs) and Discharging Homelessness Duties
3. Procuring out of borough accommodation and applying prioritisation criteria households with the highest needs for in-borough placements (using suitability assessment factors to decide on the location of placements)
4. Applying transfer prioritisation criteria between existing tenants of temporary accommodation with a need to move

### 1. Proposal B1 Results: Homeless Placements Allocation Pathway

1.1 This proposal described the Council's pathway approach for offers and placements of temporary accommodation. It described the rationale for why the service is proposing to adopt this pathway due to the shortage of suitable accommodation and asked respondents if they agreed if it was a suitable process.

1.2 In general, the Council is proposing to implement a two stage accommodation pathway approach to fulfil its legislative requirements to provide suitable accommodation for households presenting as homeless.

1.3 The process is described below:

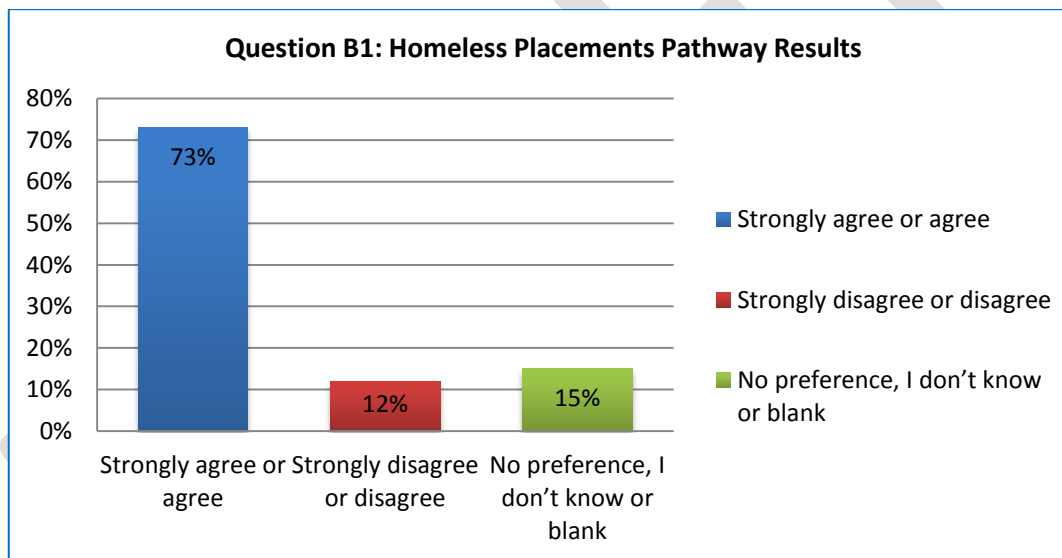
- a) **First stage** - homeless applicants who are housed under the Council's interim duty to accommodate whilst homelessness enquiries are being made will be initially placed in Council-owned hostel accommodation before an investigation is completed and a formal housing decision is reached.



In circumstances where there is no available supply of interim hostel accommodation, pursuant to Section 188 of the Housing Act 1996, applicants may be placed as a last resort in emergency B&B accommodation. To comply with statutory legislation the Council will not place households with pregnant members or families with children in B&B accommodation for periods longer than 6 weeks. The Council will endeavour to transfer the household in line with its transfer policy under proposal 4.

- b) **Second stage** - following completion of assessment and where the Council has accepted a full duty, households will be moved to longer-term private sector leased (PSL) accommodation as soon as a suitable vacancy becomes available, or offered a 12 month Assured Shorthold private rented Tenancy (AST) to end the homelessness duty.

The Council has not historically made offers of privately rented accommodation as settled accommodation as a means to discharge its homelessness duties. However, due to the extreme shortage of longer-term temporary accommodation and social housing in the borough and an overwhelming demand, the Council intends to utilise its powers under the Localism Act 2011 to discharge its homelessness duties wherever suitable and reasonably practicable.



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1.4 The overwhelming majority of respondents strongly agreed or agreed with this proposal. Where respondents submitted a positive response to this proposal, feedback included:

- *'I feel the process gives the tenant a chance to prove they are capable of looking after a property for themselves and allows the local authority to see that before giving an offer of settled social housing'*
- *'I am happy to see a common sense approach is being taken with the homeless placements and feel it is transparent'*

1.5 A minority number of respondents disagreed with the proposal. The feedback from respondents who disagreed included common themes on:

- Eligibility - *'I feel it is unfair to offer social housing to non-local people'*
- Hostel suitability - *'I don't think hostels are at all suitable for people with children who are homeless', 'Children placed in one room with adults has a medical impact on wellbeing'*
- Use of long-term temporary accommodation - *'I don't think TA should be relied upon. If properties aren't available then they shouldn't be supplied they should just be placed on a waiting list', 'Is it more cost effective to do some quick, new built hostel flats for those in needs with lower rents? 'If people are accepted as homeless, social housing should be offered straight away'*

## 1.6 Respondent profile

To summarise:

- All group denominations (age, ethnicity, disability, gender, sexual orientation, religion, resident types, household types, accommodation types, organisational types and housing register status) as a majority strongly agreed or agreed with the proposal

## 2. Proposal B2 Results: Offers of Privately Rented Accommodation (PRSO) and Discharge of Homelessness Duty

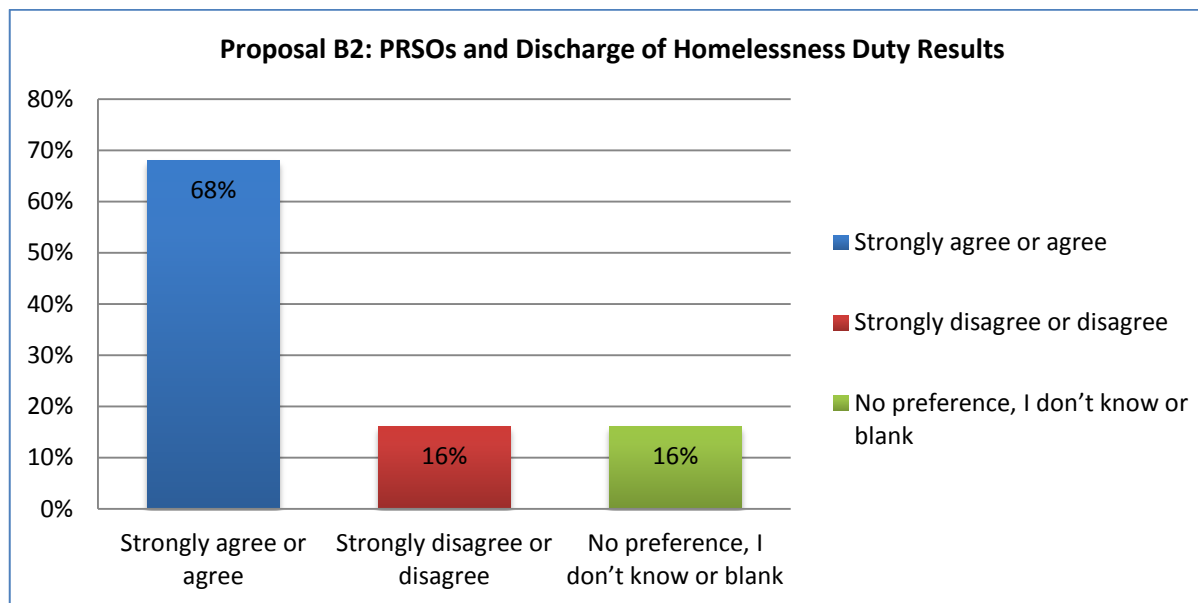
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This proposal described how the Council intends to utilise its powers as a local authority contained under the Localism Act 2011 to discharge its homelessness duty by arranging for a private landlord to make a suitable offer of private rented property to statutory homeless households for a period of at least 12 months.

This means that a PRSO offer could be made instead of long-term temporary accommodation, depending on property availability at any one time. The offer can be made at any stage to homeless people in the homeless placements process.

- 2.2 This change would enable the Council to increase the overall supply of long-term accommodation available for homeless people with a statutory duty in the borough. The consultation survey described how the Council intends to procure private rented properties both within and outside the borough in order to increase overall supply and drive efficiencies in the homeless placements process. All PRSO offers and discharge of homelessness duty decisions will be in line with the Policy's suitability assessment that will ensure the PRSO offer of the property is suitable for individual circumstance.

2.3 Respondents were asked if they agreed or disagreed with this proposal. The results are detailed below:



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2.4 This policy proposal had the lowest satisfaction rate of all the proposals made through the Homeless Placements Policy consultation. However, the overwhelming majority (over two thirds) of respondents strongly agreed or agreed resulting in an overall positive satisfaction rate. No respondent submitted a qualitative comment that approved of this policy.

2.5 Respondents who strongly disagreed or disagreed formed the minority of the overall sample, with just a single vote less than the total number of no-preference submissions. Whilst the overall number of people who disagreed with the policy is still low in comparison to the approval rate, the level of dissatisfaction with this policy was significantly higher than any other policy proposal.

2.6 There was little feedback provided from people who disagreed with this policy, however some comments included topics in relation to:

- Landlords as fit and proper persons – *‘If this policy is to be implemented, the Council needs to ensure adequate checks are made and tenant support is available as some landlords do not treat tenants as they should do. Fit and proper person checks need to be followed’*
- General dissatisfaction with Homelessness Duties being discharged – *‘It is underhand’*

2.7 All comments from respondents have been formally responded to by the Council over the consultation period

## 2.8 Respondent profile

To summarise:

- All group denominations, (age, disability, gender, sexual orientation, accommodation types, organisational types and housing register status), as a majority, strongly agreed or agreed with the proposal
- All ethnicity groups as a majority were satisfied, (strongly agree or agree), with the proposal (excluding people with 'other' ethnicities who answered largely with no preference however there was a low response rate overall from this group)
- All religious groups a majority were satisfied, (strongly agree or agree), with the proposal, (excluding 'other' ethnic groups where there was a split opinion between agree and I don't know)
- All resident group types as a majority were satisfied (strongly agree or agree) with the proposal. There was slightly higher levels of dissatisfaction from private sector tenants including tenants of temporary accommodation and homeless households, however the total proportion of those satisfied from these groups was over 60%
- All household types as a majority were satisfied (strongly agree or agree) with the proposal. There was a much higher dissatisfaction rate reported from temporary accommodation tenants, who are a respondent group with vested interests and most likely to be impacted by this policy. Whilst more temporary accommodation tenants are satisfied with the proposal than dissatisfied, the positive satisfaction rate is under 50%.

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### Proposal B3 Results: Offers of out of borough accommodation and application of in-borough placement prioritisation criteria

Havering Council is committed to securing suitable temporary and settled accommodation for homeless households where this is required by homeless legislation. It is the Council's aim to provide accommodation within Havering wherever possible however due to the increasing demand pressures in the borough, unfortunately this is no longer achievable. The Council is dependent on the supply of accommodation that is available and affordable. On-going increases in rents, changes to benefits and a growing population met with increasing competition for accommodation in the borough means that for some households, homes in Havering will not be affordable.

As a result there will be an increasing need to use accommodation that may be located outside the borough and we need to have a process in place to ensure that we prioritise those who have the greatest need to be in-borough or close to a particular location.

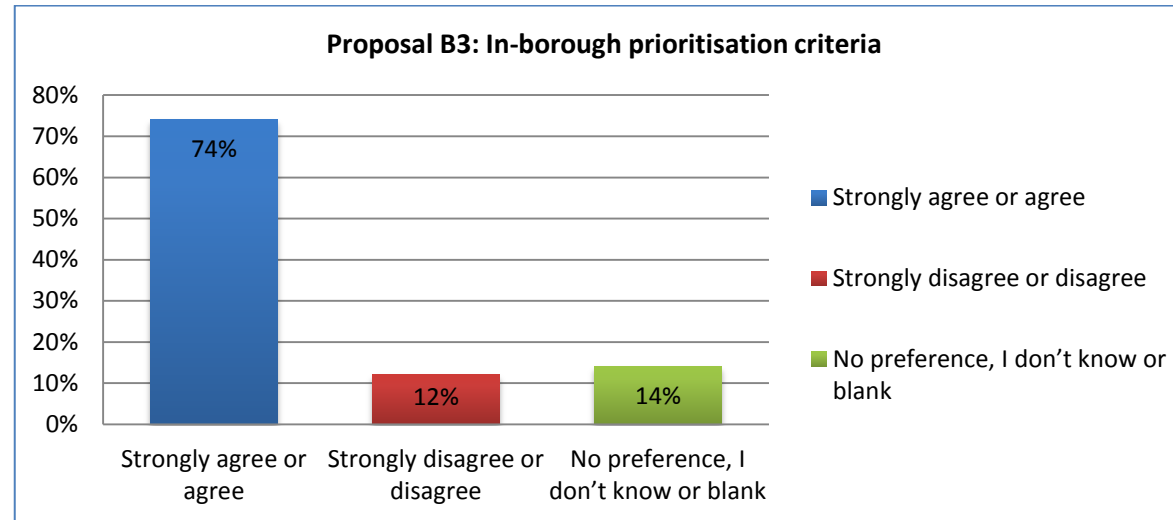
The Council intends to use a suitability assessment where factors will be used to consider the location of placements

**3.2** This survey question asked how respondents if they agreed to prioritise some households with the greatest needs under suitability factors.. The prioritisation for placements would apply wherever reasonably practicable, depending on stock availability at any one time.

**3.3** The proposed set of suitability factors included

- Medical or health needs needs
- Mental Health needs

- Welfare, Care and Support needs Employment needs
- Education needs



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The overwhelming majority of respondents strongly agreed or agreed (around three quarters of total respondents) with the proposal. This is a strong positive satisfaction rate. Despite this, only one respondent submitted additional positive feedback regarding this proposal:

- 'I agree with the prioritisation but think you are doing more than necessary. If you have found a suitable property and it meets all a homeless person's needs, then it should be accepted no matter the location'

**3.5** Respondents who strongly disagreed or disagreed with the proposal formed the minority of the total sample.

**3.6** Applicants were encouraged to submit feedback if they disagreed with the proposal or had a suggestion to change the prioritisation criteria to include other needs. Feedback included themes on:

- In-borough prioritisation for all school children  
*'If children are settled in schools they should not be made to move to a new school as it would be extremely traumatic and upsetting'*  
*'Homelessness is extremely upsetting for children and out of borough moves will be even more upsetting for children'*
- Friend and family support networks  
*'A wider view should be taken of the households overall need to be near family, for example due to child care reasons and need to rely on help more'*

*'I don't think you should place single or lone parents out of borough with children, as all the kids have is their local network of friends and family and they won't have anyone out of borough this is especially the case if the parent is working'*

3.7 All comments from respondents have been formally responded to by the Council over the consultation period

### 3.8 Respondent profile

To summarise:

- All group denominations, (age, disability, gender, sexual orientation, religion, resident types, accommodation types, organisational types and housing register status), as a majority, strongly agreed or agreed with the proposal
- All ethnicity groups as a majority were satisfied, (strongly agree or agree), with the proposal, (excluding people with 'other' ethnicities who answered with a split opinion between agree to disagree), however there was a low response rate overall from this group
- Sikh households had a split opinion between agree to disagree for this proposal however there was a low response rate overall from this group

## 4. Proposal B4 Results: Transfer moves prioritisation criteria

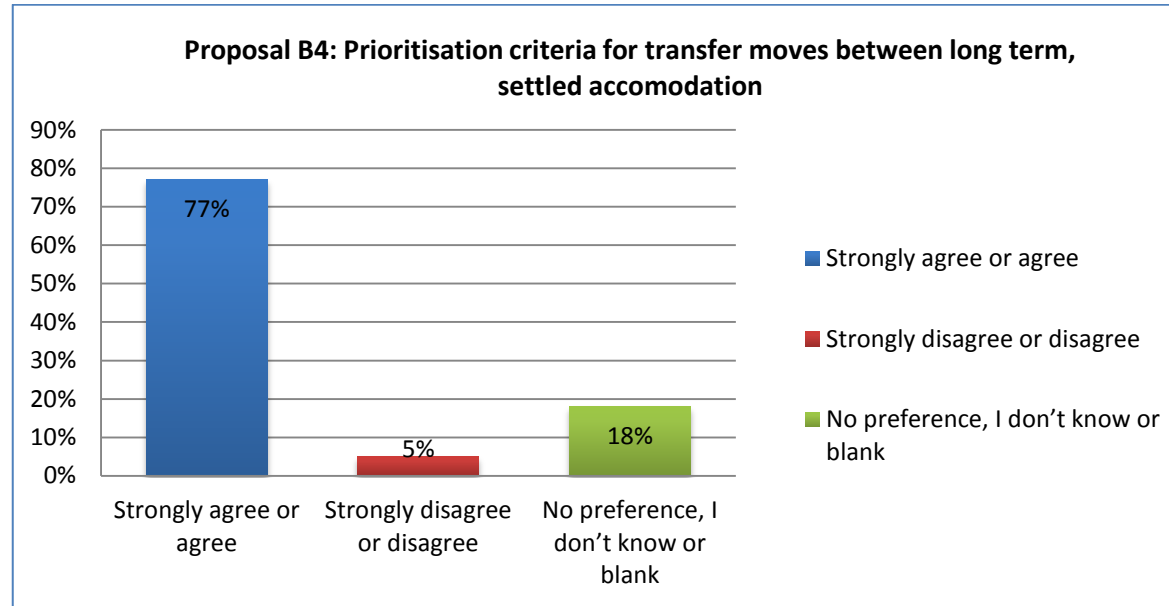
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The homeless demand for accommodation comes from not only new housing applicants but existing tenants of temporary accommodation. There are circumstances under which an existing temporary accommodation property may become unsuitable or unavailable for existing tenants. Therefore the Council has to move the household to alternative temporary accommodation.

4.2 In order to ensure there is a fair and transparent process to allocate the limited supply of temporary accommodation, the Council is proposing to adopt the following prioritisation criteria:

- a) Serious, emergency needs - Where the accommodation is found to be in serious disrepair which poses a threat to life or there is an urgent need to move because of domestic violence, critical safeguarding issue or an evidenced serious health or medical need is presented
- b) Emergency accommodation moves - Where households have been in emergency B&B accommodation for at least 5 weeks (to avoid statutory penalties under homeless legislation of placing pregnant households and families with children in emergency accommodation for a period beyond 6 weeks)
- c) Property handback requests - Where the long-term private sector lease is coming to an end and the landlord has requested for the property to be returned
- d) Unsuitability - Where the accommodation has been found to be unsuitable for the applicant household following a statutory review
- e) Serious disrepair - Where the accommodation is in serious disrepair that cannot be rectified while the tenant is in situ
- f) Under-occupation - Where the household is under-occupying the accommodation
- g) Overcrowding - Where the household is overcrowded

4.3 The online survey question asked respondents if they agreed with the proposed set of criteria. Respondents were encouraged to submit open feedback to the policy if they strongly agreed or disagreed or had suggestions for policy change. The results are detailed below.



4.4 The overwhelming majority of respondents strongly agreed or agreed with this proposal. This policy proposal received the highest satisfaction and lowest dissatisfaction rate out of all survey questions relating to the Homeless Placements Policy. Apart from submitting statement to say that they agreed with the policy, there was no developed positive feedback provided from respondents on this policy.

- *'I agree with this policy providing that the move does not remove the Council's homeless duty of care to the household'*

4.5 A very small sample of respondents were dissatisfied with the proposed order of prioritisation criteria. The feedback from respondents who disagreed included common themes on;

- Complimentary effective procedures  
*'I think the process of moving people into alternative temporary accommodation could be a lot smoother and transparent with the next move'*  
*'There is a period of real uncertainty when this happens (transfer requirement). Please review your process as I felt out of the loop... because the alternative accommodation is in short supply we was not provided a long timescale of when we had to move'*
- High prioritisation for tenants of properties where landlords have requested for properties to be returned  
*'I think the prioritisation for when landlords request their property back needs to be rethought and given higher prioritisation'*

*'I lived in long-term PSL accommodation and was informed the landlord wanted to sell the property so therefore had to undergo the eviction process and move into alternative accommodation. The Council staff was very helpful in guiding us through the process however I think the process around transfer moves could be more organised'*

- Preventing a 'need to move'

*'As properties are a temporary fix, families should not need to keep moving from one property to another'*

*Ensure the system is not open to abuse e.g. 'providing families do not move in extended family members to make it unnecessarily overcrowded?'*

4.6 All comments from respondents have been formally responded to by the Council over the consultation period

#### 4.7 Respondent profile

To summarise:

- All group denominations, (age, ethnicity, disability, gender, sexual orientation, religion, resident types, accommodation types, organisational types and housing register status), as a majority, strongly agreed or agreed with the proposal
- All ethnicity groups as a majority were satisfied, (strongly agree or agree), with the proposal, (excluding people with 'other' ethnicities who answered with a split opinion between agree to disagree), however there was a low response rate overall from this group



**CABINET**

15 June 2016

**Subject Heading:**

**HRA Business Plan Review 2016.**

**Cabinet Member**

**Councillor Damian White**  
**Councillor Roger Ramsey**

**CMT Lead:**

**Neil Stubbings**, Interim Director of Housing.

**Andrew Blake-Herbert**, Chief Executive Officer.

**Report Author and contact details:**

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**Policy context:**

HRA Policy and budgets

**Financial summary:**

To review the impact of various changes on the HRA Business Plan and agree a revised 30 year plan with associated expenditure on existing stock and services and investment in development of new units.

**Is this a Key Decision?**

**Yes**

**Is this a Strategic Decision?**

**Yes**

**When should this matter be reviewed?**

February 2017

**Reviewing OSC**

Towns and Communities

**The subject matter of this report deals with the following Council Objectives**

- |  |     |
|--|-----|
| Havering will be clean and its environment will be cared for | [X] |
| People will be safe, in their homes and in the community     | [X] |
| Residents will be proud to live in Havering                  | [X] |

**SUMMARY**

The HRA remains a ring-fenced account that is used to manage the Council's own housing stock. The proposed budget will enable the Council to manage the stock to a reasonable standard and to maintain the stock to the Decent Homes standard. It further sets rents, service charges and other charges for Council tenants for the year 2016/17.

This report is a follow up report to the annual budget and rent setting report that was presented to Cabinet on the 10<sup>th</sup> February this year. One of the recommendations agreed in that report was for a full review of the HRA Business Plan to be carried out and an update provided back to Cabinet by September 2016. This report complies with that recommendation. The reason for the review was to take account of various government initiatives announced since the General Election in May 2015 and up to the Comprehensive Spending Review announced in November 2015. Officers have also taken account of, where possible, announcements made in the Chancellor's Budget of March 2016.

Many of the initiatives that have emerged since May 2015 were enshrined within the Housing and Planning Bill. Royal Assent was given on the 12<sup>th</sup> May 2016. The Act has various commencement dates for the relevant clauses contained within it of April 2017. Prior to commencement, some of the clauses that impact on the HRA BP will need to go through a period of "determination" involving formal consultation, or the drafting of Regulations. Until this happens, the exact nature of the financial impact on the HRA finances will remain uncertain. The Business Plan provided to Cabinet therefore provides a prudent assessment of the projected resources available and will undergo constant review and report back to Cabinet as details of changes become known.

The key changes impacting on the financial situation are:

- Social rent setting policy in the years following the four years of 1% reduction.
- Any capping of Local Housing Allowance (LHA) levels.
- Rent policy regarding supported housing rents.
- Higher value sales levy.
- Pay to stay initiative.

These are described in more detail in the report along with assumptions made where necessary.

Other expenditure areas have also been fully reviewed. The key areas of expenditure are:

- Planned maintenance to existing stock.
- Responsive repairs costs to existing stock.
- Staffing costs.
- Financing costs of the borrowing in the HRA.
- Losses from bad debts, voids etc.

These are described in more detail in the report along with assumptions made. In addition, the Asset Management Strategy and Plan are also reported to Cabinet on this agenda.

The impact of each of the items above is identified in the body of this report and has been built into the 30 year business plan. An update to the 10 year HRA Business Plan is provided at Appendix 1 of this report.

## RECOMMENDATIONS

That Cabinet:

1. **Approve** the Housing Revenue Account Business Plan as detailed in **Appendix 3**.
2. **Agree** the HRA Major Works Capital Programme, detailed in **Appendix 2** of this report and **refer it to full Council** for final ratification.
3. **Agree** the proposed development of new council housing as detailed in **Appendix 4** and instruct officers to start consultation, initiate the procurement of preferred partners for the delivery of the enhanced development programme, the service of demolition notices where appropriate. All will be the subject of future reports back to Cabinet as the detail of specific sites and sites included will change following detailed financial and planning feasibility.

## REPORT DETAIL

### **1. BACKGROUND**

- 1.1 The Localism Act 2011 changed the financial system for the management of council housing. The old system, with its notional income and expenditure accounts, and its distribution of housing subsidy across the country has gone. In its place, Government has provided freedom and independence for the management of council housing finance, in return for a one off payment of the national housing subsidy debt (and a premium for the treasury).
- 1.2 The new system started in April 2012, and so the Housing Revenue Account (HRA) budget now looks very different from budgets in previous years. The business plan is designed to provide long term management of the Council's housing assets. We have more freedom to direct our resources to the best and most cost effective management of the Council's housing stock. However, we do not have complete freedom – some aspects remain centrally controlled, such as the use of capital receipts and rent setting.
- 1.3 The central driving aims of the Council is to maintain the Decent Homes Standard for its existing stock, improve the quality of the housing service and maximise the number of new homes built for local residents thus replacing some of the properties lost through Right to Buy.
- 1.4 The Council recognises that there is a need for good quality affordable homes, especially for elderly residents and first time buyers, and has set out its ambition to meet these needs by using resources generated through the Council's Housing

Revenue Account Business Plan. The Council also has ambition to use HRA new build development resources to facilitate and kick start regeneration of Havering.

- 1.5 However, there are many influences on the resources available to the HRA. These are all identified and quantified within the HRA Business Plan (HRA BP). The Business Plan is composed of various income and expenditure lines. Some of the items in the HRA BP are under the complete control of the council, whilst some are impacted upon by Government policy and legislation.

The items mentioned earlier in this report that have a direct impact on the income into the HRA BP are:

- Social rent setting policy in the years following the four years of 1% reduction.
- Any capping of Local Housing Allowance (LHA) levels.
- Rent policy regarding supported housing rents.
- Pay to stay initiative.

The items mentioned earlier in this report which impact on the levels of expenditure in the HRA BP are:

- Planned maintenance to existing stock.
- Responsive repairs costs to existing stock.
- Staffing costs.
- Financing costs of the borrowing in the HRA.
- Losses from bad debts, voids etc.
- Higher value sales levy.

## **2. INCOME**

### **2.1 Rents**

- 2.1.1 The Council's main source of income to manage its housing stock is tenants' rents.
- 2.1.2 As reported to Cabinet in the February 2016 report, Government has reviewed its original proposals for rents, which allowed rents to be increased by a maximum of CPI + 1% annually from 2015/16. This assumption was used to develop the HRA Business Plan for 2015/16 onwards, as reported to Cabinet in February 2015
- 2.1.3 The Council was required to reduce rents by 1% against July 2015 levels. This reduces the rental income available to the HRA over the four years of the reduction by just below £8m. This reduces the income into the business plan model by £68m over 10 years and is a significant reduction.
- 2.1.4 A major impact on income levels may arise from further Government welfare reform and social housing rent restrictions. If the policy continues to place restrictions on rent rises at the expiry of the current four year reductions rather than revert back to the previously agreed CPI plus 1% rise, then the HRA business plan will be placed under considerable financial pressure. It is still unknown as to what controls Government are going to impose on social rents after the 4 years of reduction. Therefore, as a prudent assessment, it has been assumed that there will be a freeze on rents for 2 years for 2020/21 and 2021/22. This has the impact of removing a further £3.026m from the February 2016 HRA BP.

- 2.1.5 The Government announced a one year exemption from the 1% reduction for supported housing in 2016/17. This is because the level of support provided to residents living in supported housing is higher and the maintenance and investment costs for the buildings are higher. At the time of writing, Government have not signalled their intentions for future years other than to have announced a review. No changes to the assumptions for supported rents have therefore been made from the February 2016 report. I.E. rents have been increased by CPI +1%.
- 2.1.6 The capping of new rents at LHA levels is now effective. In Havering, the LHA levels for each bed size is above the levels of the 2016/17 rents and so there is no impact on the HRA BP. However, the LHA levels have been frozen for 4 years. This also has no additional financial impact on the HRA BP over and above the impact of the 1% reduction and the assumed 2 year freeze. Future announcements on LHA levels may have a future impact and this will be kept under scrutiny and reported annually as part of the rent setting report.
- 2.1.7 The “pay to stay” initiative, now confirmed by Government, requires local authorities to charge higher rents to council tenants who earn over £40k. Local Authorities will be required to collect this additional rent and forward this money to the Government. Whilst the HRA BP will not benefit financially from these higher rents, each local authority will be able to collect a reasonable administration fee for the collection of this rent. Therefore no increase in staffing has been accounted for in relation to this in the HRA BP.

## **2.2 Service charges**

- 2.2.1 The aim of the Council, in respect of service charges, is to ensure that those receiving the service are paying for them. We are now in a position where the cost of each service can be fully recovered from the service charges raised. This principal continues in this HRA BP and therefore has no financial impact.

## **3. EXPENDITURE.**

### **3.1 Stock investment.**

- 3.1.1 The major expenditure from the HRA BP is the investment in existing stock or the capital programme. The level of expenditure is controlled by each local authority and is dependent on the investment levels in the Asset Management Strategy (AMS). In the report elsewhere on the agenda, the AMS identifies a move from “life cycle” investment to “just in time”. The impact of this change is to reduce the average annual expenditure from £13.9m to £8.6m, a reduction of £5.3m per year. Over the 30 years of the HRA BP, this amounts to a reduction in spend of £160m.
- 3.1.2 As detailed in the AMS, this level of expenditure allows the decent homes levels to be maintained and all health and safety requirements to be met. Planned expenditure on new kitchens and bathrooms has not been reduced along with planned expenditure on electrical works. What it reduces is the high levels of “hypothetical” investments in building elements that would be unnecessary such as walls, chimneys and roofs.

**3.2 Repairs service.**

3.2.1 The expected level of expenditure on the repairs service will continue at an average of £12m per year. This is a reduction of £6m per year but still projects spending of £1,242 per year per property. A level that is considered sufficient for the type of properties Havering owns. This is an investment per property of £37k over the 30 years.

**3.3 Staffing costs.**

3.3.1 The restructuring of the Housing Service completed in April 2016 has reduced the staffing costs to the HRA of £1.7m per year, a change of 15%. Across the 30 year HRA BP this reduced the cost by £50m.

**3.4 Debt costs.**

3.4.1 There has been no change to the current cost of borrowing or the debt management strategy contained in the February 2016 plan. The assumption is that there will be £119m of debt paid of over 8 years from 2026 to 2034. This strategy creates a pressure on the HRA BP during these years. The Treasury Management accountants will look to refinance this debt at an appropriate point in the future when the cost of borrowing can be reduced.

**3.5 Void losses and bad debts.**

3.5.1 It is anticipated that the high level of performance around void properties will be maintained. The vastly improved void loss figure of £744k per year (1.5%) has been included in the HRA BP.

3.5.2 Despite the implementation of universal credit and payments direct to tenants, the arrears and losses figures have remained low. The bad debt provision currently stands at £665k.

**3.6 New build.**

3.6.1 As the main level of income to the HRA BP comes from rents, it is imperative that the number of rental properties is maximised. The current HRA BP expects to lose 80 properties per year through RTB. This reduces rental income by around £330k per year, assuming a full year loss of income per property.

3.6.2 As increased demand for properties continues and the number of families presenting as homeless rise, there is a trend for more families to be housed for longer in the hostels and also more use of B&B. This is a General Fund cost. More properties available in the HRA mean more properties available for permanent housing and therefore reduced spend on B&B in the GF.

3.6.3 The HRA BP resources can be used to fund new build and can be augmented by right-to-buy receipts as the Council has struck an agreement with the GLA to use 100% of the usable element of right-to-buy receipts on the building of new social housing within three years of their generation. Failure to use right-to-buy receipts in this way would see the Council having to pay the receipts over to the GLA with additional interest. Some council housing new build schemes have also attracted grant from the GLA.

- 3.6.4 The existing level of new build already approved by Cabinet of 535 units at a cost of £96M is included with the HRA BP.
- 3.6.5 The new HRA BP identifies a further £73m that is available for new build over a period of 10 years. This report therefore identifies a total of £169m (£96m + £73m) available within the HRA BP over the next 10 years that is available for investment in new units of affordable housing to help replenish losses of units through the right to buy and the expected high value sales regime. This report therefore seeks approval to continue with the land and estates review already in progress and to authorise officers to use the available resources to maximise the number of units of new build provided by the HRA.
- 3.6.6 The focus of new build units will be to provide general needs rented properties, low cost home ownership and supported housing for Havering residents. This will be achieved by looking to build on unused or derelict land in the HRA, such as garage sites as well as looking to maximise the number of units on existing estates where there are opportunities for estate regeneration or in-fill developments. The additional resource will also be used to focus on out dated units, such as bedsit sheltered units and those estates where there is a negative or low value to the HRA.
- 3.6.7 There are also opportunities associated with being one of only 8 London boroughs with two Housing Zones. Officers have reviewed HRA housing associated with the Rainham and Romford Housing Zones and are seeking opportunities to maximise the number of units on estates such as Napier and New Plymouth and the Waterloo Estate.
- 3.6.8 **Appendix 4** identifies the estates where significant increase in numbers of units can potentially be achieved. Officers are seeking approval from Cabinet to start consultation with residents on those estates and schemes and to initiate procurement of preferred partners for the delivery of an enhanced development programme.

#### **4. 30 year Business Plan 2016/17 to 2046/47**

- 4.1 Attached at **Appendix 3a and 3b** are extracts from the reworked HRA Business Plan financial model. Years 1 to 10 have been included. Year 1 of the business plan is based on the 2016/17 proposed budget.
- 4.2 The plan for the HRA is based on keeping a minimum of £2m in working balances and using current reserves above this figure to invest in the major works programme. It has been assumed that all available resources over and above those required for revenue spend, payment of interest on debt and maintaining reserves at £2m are available for major works, for as long as the stock condition survey need to spend exists, and new development.
- 4.3 It can be seen from **Appendix 3b** that such a need remains until 2019/20. (It should be noted that the investment gap shown is against the stock condition survey need to invest which is at a higher level than decent homes).
- 4.4 There have been a number of changes to the Business Plan since it was first approved in February 2012. In particular, the Government changes to Right to Buy have increased the number of sales completed above that originally anticipated. In addition, now that the majority of borrowing (self-financing debt) has been fixed at

3.26% for the next 12 years this has stabilised the long term interest charges in the Business Plan at a very low level. There is a significant beneficial impact caused by the Council's proposals to move directly to formula rents in 2015/16. However, the latest negative impact has been the 1% reduction in rent levels against July 2015 levels. This reduces the rental income available to the HRA over the four years of the reduction by just below £8m. This reduces the income into the business plan model by £68m over 10 years and is thus a significant change.

4.5 A major impact on income levels may arise from further Government welfare reform and social housing rent restrictions. If the policy continues to place restrictions on rent rises at the expiry of the current four year reductions rather than revert back to the previously agreed CPI plus 1% rise, then the HRA business plan will be placed under considerable financial pressure.

## **5. CONCLUSION**

5.1 The Self Financing Business Plan extracts (**Appendix 3a and 3b**) show that the Council is able to maintain and improve its stock and provide good quality housing services over the next 4 years. The Housing Revenue Account budget which is set out in this report is a prudent budget, designed to maintain a good level of service, and inject further resources into a programme of major investment in the housing stock that will maintain the Decent Homes standard for our housing stock and carry out additional much needed investment.

## **REASONS AND OPTIONS**

### **Reasons and Options**

#### Reasons for the Decision

The Council is required to set the housing rent, service charges and a budget in accordance with the Local Government and Housing Act 1989.

#### Alternative Options Considered

There are no alternative options in so far as setting a budget is concerned. However, there are options in respect of the various elements of the budget. These are considered in preparing the budget and cover such things as the rent and service charge increase, budget growth and major works programme proposals.



## IMPLICATIONS AND RISKS

### **Financial implications and risks:**

#### **HRA Revenue**

This report largely concerns the financial implications and risks concerning the setting of the HRA budget for 2016/17 and the revision of the figures for the 30 year Self Financing Business Plan. The HRA is sufficiently healthy to generate working balance reserves of an estimated £2m at the end of 2016/17 and for the 3 years beyond this until 2019/20.

There are risks associated with any HRA budget, but it is felt these can be managed. The council has reviewed its resource requirement for 2016/17. On repairs, there are unbudgeted volume risks, but these can be managed by ensuring the HRA working balance is maintained at a minimum of £2m. The bad debt provision contribution has been set based on an allowance for increasing arrears for the possible consequences of welfare reform. An assumption has been made in the business plan projections for this amount to increase in future years.

In addition to £2m reserves on the HRA, the following estimated provisions / reserves are predicted as at 31 March 2016:-

- Bad and doubtful debt provision of £2.295m (including leaseholder major works) - calculated according to best practice
- Leaseholder Major Works Reserve of £1.505m – this is the balance remaining on the reserve. £0.2m is generated from this reserve each year as a contribution to the HRA Investment programme.

The underlying assumptions concerning rent levels underpinning the HRA Business Plan however, have been materially changed with the introduction of the Government's announcement that social housing rents would be reduced by 1% a year for the next four years. This is set out in detail in the main body of this report.

The financial effect of the change is a 4% reduction from levels previously assumed in the model; moving from CPI plus 1% (assumed to be 3% in total) to -1%. In cash terms this amounts to just under £1.9m a year and around £7.9m a year by the end of the 4 year freeze period. This equates to around £68m after 10 years.

This assumption is the principal reason that the Business Plan now shows a significant financial pressure from 2020/21.

Officers have reviewed the HRA Housing Business Plan to determine the most appropriate strategy to meet the forecast shortfall which is outlined in this report. This is still subject to the final details of the rent reduction and Council Homes High value sales levy legislation, which is still being considered by Parliament. When known this will be reported back to Cabinet.

## **HRA Investment Capital Budget**

**Appendix 2** sets out the Major Works Programme 2016-19. This is funded from resources available for housing expenditure:-

- HRA resources/revenue surpluses
- Right-to-buy receipts subject to the Council's agreement with the DCLG to use them to fund new housing.

Commitments will not be entered into that effect the longer term viability of the HRA until the Business Plan review is complete.

### **Legal implications and risks:**

Under Part V1 of the Local Government and Housing Act 1989 any local authority that owns housing stock is obliged to maintain a Housing Revenue Account. The HRA is a record of revenue expenditure and income relation to an authority's own housing stock. The items to be credited and debited to the HRA are prescribed by statute. It is a ring fenced account within the authority's General Fund, which means that local authorities have no general discretion to transfer sums into or out of the HRA. The Council is required to prepare proposals in January and February each year relating to the income of the authority from rents and other charges, expenditure in respect of repair, maintenance, supervision and management of HRA property and other prescribed matters. The proposals should be made on the best assumptions and estimates available and should be designed to secure that the housing revenue account for the coming year does not show a debit balance. The report sets out information relevant to these considerations.

Section 76 Local Government and Housing Act 1989 places a duty on local housing authorities: (a) to produce, and make available for public inspection, an annual budget for their HRA which avoids a deficit; (b) to review and if necessary, revise that budget from time to time and (c) to take all reasonably practicable steps to avoid an end-of-year deficit. The proposed HRA budget fulfils these requirements.

The report seeks approval for major investment estimates in relation to a variety of schemes. In compliance with Section 151 of the Local Government Act 1972, the Council has in place Financial Regulations and Financial Procedures which provide appropriate arrangements for the approval of major works estimates. The various major works schemes must be capable of being carried out within the Council's statutory powers. To the extent that the details of the schemes appear from the body of the report, it does appear that the proposed works meet this requirement. In particular the maintenance and repair of dwellings may be considered consistent with the Council's repairing obligation under Section 11 of the Landlord and Tenant Act 1985.

Any demolition notices served under s.138A/138B of the Housing Act 1985 must comply with the provisions of Schedule 5/5A of the Housing Act 1985 in terms of the form and content of those notices. Demolition notices have the effect of suspending or extinguishing the right to buy of tenants who are subject to such notices. In certain circumstances affected tenants have a right to compensation.

### **Human Resources implications and risks:**

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

**Equalities implications and risks:**

As reported to February Cabinet, an equalities impact assessment has been carried out. Of note, rent levels are influenced by central government. Furthermore, best practice and guidance dictates that service charges should be set at a level which covers the cost of providing the service to which the charge relates. Therefore, the Council cannot operate in an unfettered way within regard to the rents and service charges it sets. That said, the Council has examined the proposals in this report from an equalities perspective.

71% of council tenants are in receipt of Housing Benefit. The proposed rents and service charges eligible for housing benefit are within the housing benefit caps for Havering, therefore those in most financial hardship, which can include particular minority groups, will be protected

The major works programme makes available resources to bring forward works to make the remaining sheltered bedsits with shared bathrooms / showers fully self-contained or to consider complete redesign of unsuitable schemes as part of the review of older persons housing. This will advantage this section of the community who are people over the age of 55 and will be subject to further consultation. In addition, any council new build or regeneration proposals will be the subject of full consultation with all affected residents.

**BACKGROUND PAPERS**

There are none.

**APPENDIX 1 – HRA budget 2016/17**

	<b>2015-16 Final Budget</b>	<b>2016-17 Final Budget</b>	<b>Variance</b>
<b>Income and Expenditure</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>Income</b>			
Dwelling rents	(49,152,660)	(48,551,860)	600,800
Garages	(400,710)	(400,710)	0
Charges for services and facilities - Tenants	(5,589,580)	(5,296,060)	293,520
Charges for services and facilities – Leaseholders	(1,574,340)	(1,574,340)	0
Shared ownership	(113,980)	(113,980)	0
Other	(493,890)	(445,890)	48,000
<b>Total Income</b>	<b>(57,325,160)</b>	<b>(56,382,840)</b>	<b>942,320</b>
<b>Expenditure</b>			
Repairs and maintenance	7,348,120	6,238,120	(1,110,000)
Supervision and management plus recharges	22,580,980	22,344,510	(236,470)
Depreciation and impairment	14,184,490	16,590,400	2,405,910
Debt management costs	47,820	49,670	1,850
Bad debt	665,000	665,000	0
<b>Total Expenditure</b>	<b>44,826,410</b>	<b>45,887,700</b>	<b>1,061,290</b>
<b>Net cost of HRA services</b>	<b>(12,498,750)</b>	<b>(10,495,140)</b>	<b>2,003,610</b>
Interest payable and similar charges	5,852,370	5,853,300	930
Interest and investment income	(64,810)	(64,810)	0
<b>Surplus or deficit for the year on HRA services</b>	<b>(6,711,190)</b>	<b>(4,706,650)</b>	<b>2,004,540</b>
<b>Statement on movement of HRA balances</b>			
Surplus or deficit for the year on HRA services	<b>(6,711,190)</b>	<b>(4,706,650)</b>	<b>2,004,540</b>
Major works expenditure funded by the HRA	25,679,000	11,353,057	(14,325,943)
Transfer to or from Major Repairs Reserve (MRR)	(13,934,490)	(16,340,400)	(2,405,910)
<b>Net (income)/Expenditure</b>	<b>5,033,320</b>	<b>(9,693,993)</b>	<b>(14,727,313)</b>
HRA balance brought forward	(5,310,044)	(2,652,308)	2,657,736
Net (income)/Expenditure	<b>5,033,320</b>	<b>(9,693,993)</b>	<b>(14,727,313)</b>
In year Surplus 14-15	(1,620,000)	(2,000,000)	(380,000)
RTB receipts (Debt Element)	(755,584)	(1,385,238)	(629,654)
<b>HRA balance carried forward</b>	<b>(2,652,308)</b>	<b>(15,731,539)</b>	<b>(13,079,231)</b>

## Cabinet 15 June 2016

### Appendix 2 – Funded 2016/17 – 2018/19 HRA Major Works Capital Programme

#### Major Works Programme 2016-19

	16/17	17/18	18/19	3yr Totals
<b>New Build Programme and pre commitments in 2016/17</b>				
New Build Programme	£ 17,342,948	£ 35,758,718	£ 22,626,536	£ 75,728,202
<b>Total</b>	<b>£ 17,342,948</b>	<b>£ 35,758,718</b>	<b>£ 22,626,536</b>	<b>£ 75,728,202</b>
<b>Stock Upkeep works to maintain standards including Major Repairs</b>				
Major Voids	£ 500,000	£ 600,000	£ 300,000	£ 1,400,000
Structural	£ 50,000	£ 50,000	£ 50,000	£ 150,000
Electrical Upgrade/Mains Supplies	£ 150,000	£ 150,000	£ 150,000	£ 450,000
Legionella	£ 170,000	£ 170,000	£ 170,000	£ 510,000
Fencing / Boundary Walls	£ 50,000	£ 50,000	£ 50,000	£ 150,000
Drainage/Sewers	£ 50,000	£ 50,000	£ 50,000	£ 150,000
Asbestos Removal/Management	£ 120,000	£ 120,000	£ 120,000	£ 360,000
External Redecorations	£ -	£ 1,199,000	£ 1,199,000	£ 2,398,000
DDA Fire Protection/Mean of Escape	£ 50,000	£ 50,000	£ 50,000	£ 150,000
Careline equipment	£ 50,000	£ 50,000	£ 50,000	£ 150,000
Stock condition surveys 10%	£ -	£ -	£ -	£ -
Aids and Adaptations	£ 500,000	£ 500,000	£ 500,000	£ 1,500,000
<b>Total</b>	<b>£ 1,690,000</b>	<b>£ 2,989,000</b>	<b>£ 2,689,000</b>	<b>£ 7,368,000</b>
<b>Stock Reinvestment to improve conditions including maintaining the Decent Homes Standard</b>				
Stock Investment "Replacements"	£ 2,428,765	£ 3,987,951	£ 5,395,233	£ 11,811,949
Non Trad Houses/Flats System Build	£ 2,725,000	£ -	£ -	£ 2,725,000
Kitchen/Bathrooms at Void stage	£ 600,000	£ 850,000	£ 300,000	£ 1,750,000
<b>Total</b>	<b>£ 5,753,765</b>	<b>£ 4,837,951</b>	<b>£ 5,695,233</b>	<b>£ 16,286,949</b>
<b>Stock Remodelling</b>				
Bedsit Remodelling	£ 98,100	£ 545,000	£ 109,000	£ 752,100
<b>Total</b>	<b>£ 98,100</b>	<b>£ 545,000</b>	<b>£ 109,000</b>	<b>£ 752,100</b>
<b>Future Investment</b>				
Major Improvements (inc hostels)	£ 708,500	£ -	£ -	£ 708,500
Environmental Improvements (Minor)	£ -	£ -	£ -	£ -
<b>Total</b>	<b>£ 708,500</b>	<b>£ -</b>	<b>£ -</b>	<b>£ 708,500</b>

	16/17	17/18	18/19	3yr Totals
Programme Totals	£ 25,593,313	£ 44,130,669	£ 31,119,769	£ 100,843,750
New Build Development	£ 17,342,948	£ 35,758,718	£ 22,626,536	£ 75,728,202
Works to existing stock	£ 8,250,365	£ 8,371,951	£ 8,493,233	£ 25,115,549

## Appendix 3a: HRA Projections from Business Plan: Years 1 to 10

Year	2016.17	2017.18	2018.19	2019.20	2020.21	2021.22	2022.23	2023.24	2024.25	2025.26
	1	2	3	4	5	6	7	8	9	10
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
<b>INCOME:</b>										
Rental Income	49,295	50,055	51,105	51,628	51,306	52,079	52,862	53,656	54,461	55,277
Void Losses	(743)	(985)	(986)	(983)	(976)	(991)	(1,005)	(1,020)	(1,035)	(1,050)
Service Charges	6,870	7,008	7,148	7,291	7,437	7,585	7,737	7,892	8,050	8,211
Non-Dwelling Income	401	409	417	425	434	442	451	460	469	479
Grants & Other Income	560	571	582	594	606	618	631	643	656	669
RTB Debt Adjustment	1,385	1,385	1,385	1,385	735	735	735	735	735	714
<b>Total Income</b>	<b>57,768</b>	<b>58,443</b>	<b>59,651</b>	<b>60,341</b>	<b>59,541</b>	<b>60,469</b>	<b>61,411</b>	<b>62,366</b>	<b>63,336</b>	<b>64,299</b>
<b>EXPENDITURE:</b>										
General Management	(22,345)	(22,536)	(22,987)	(23,447)	(23,916)	(24,394)	(24,882)	(25,380)	(25,887)	(26,405)
Bad Debt Provision	(665)	(996)	(1,136)	(1,262)	(1,370)	(1,509)	(1,531)	(1,554)	(1,577)	(1,600)
Responsive & Cyclical Repairs	(6,238)	(6,447)	(6,708)	(6,887)	(6,979)	(7,083)	(7,187)	(7,294)	(7,401)	(7,510)
<b>Total Revenue Expenditure</b>	<b>(29,248)</b>	<b>(29,980)</b>	<b>(30,832)</b>	<b>(31,596)</b>	<b>(32,265)</b>	<b>(32,985)</b>	<b>(33,601)</b>	<b>(34,227)</b>	<b>(34,865)</b>	<b>(35,515)</b>
Interest Paid & Administration	(5,903)	(5,805)	(6,135)	(6,532)	(6,765)	(6,765)	(6,765)	(6,765)	(6,765)	(9,454)
Interest Received	65	15	11	25	66	120	175	231	289	340
Impairment	(250)	(250)	(250)	(250)	(250)	(250)	(250)	(250)	(250)	(250)
<b>Net Operating Income</b>	<b>22,432</b>	<b>22,424</b>	<b>22,445</b>	<b>21,988</b>	<b>20,326</b>	<b>20,588</b>	<b>20,970</b>	<b>21,355</b>	<b>21,744</b>	<b>19,419</b>
<b>APPROPRIATIONS:</b>										
Revenue Contribution to Capital	(23,295)	(24,156)	(22,526)	(16,105)	(9,809)	(9,582)	(9,772)	(9,965)	(10,162)	(10,363)
<b>Total Appropriations</b>	<b>(23,295)</b>	<b>(24,156)</b>	<b>(22,526)</b>	<b>(16,105)</b>	<b>(9,809)</b>	<b>(9,582)</b>	<b>(9,772)</b>	<b>(9,965)</b>	<b>(10,162)</b>	<b>(10,363)</b>
<b>ANNUAL CASHFLOW</b>	<b>(863)</b>	<b>(1,732)</b>	<b>(81)</b>	<b>5,883</b>	<b>10,518</b>	<b>11,006</b>	<b>11,198</b>	<b>11,390</b>	<b>11,582</b>	<b>9,056</b>
Opening Balance	2,652	3,789	2,057	1,976	7,859	18,377	29,383	40,581	51,971	63,553
	-	-	-	-	-	-	-	-	-	-
<b>Closing Balance</b>	<b>1,789</b>	<b>2,057</b>	<b>1,976</b>	<b>7,859</b>	<b>18,377</b>	<b>29,383</b>	<b>40,581</b>	<b>51,971</b>	<b>63,553</b>	<b>72,609</b>

## Cabinet 15 June 2016

### Appendix 3b: HRA Capital Investment Requirement Projection from Business Plan

Year	2016.17	2017.18	2018.19	2019.20	2020.21	2021.22	2022.23	2023.24	2024.25	2025.26
	1	2	3	4	5	6	7	8	9	10
	£	£	£	£	£	£	£	£	£	£
<b>EXPENDITURE:</b>										
Planned Variable Expenditure	(8,627,289)	(8,899,245)	(9,176,875)	(7,871,323)	(9,269,916)	(9,029,675)	(9,205,870)	(9,385,231)	(9,567,806)	(9,753,644)
Planned Fixed Expenditure	-	-	-	-	-	-	-	-	-	-
Disabled Adaptations	-	-	-	-	-	-	-	-	-	-
Other Capital Expenditure	-	-	-	-	-	-	-	-	-	-
Procurement Fees	-	-	-	-	-	-	-	-	-	-
Previous Year's Overall Shortfall	-	(13,213)	(2,881,660)	(484,381)	-	-	-	-	-	-
New Build - net cost	(14,680,966)	(28,054,755)	(20,939,699)	(21,749,679)	(538,657)	(552,123)	(565,926)	(580,074)	(594,576)	(609,441)
<b>Total Capital Expenditure</b>	<b>(23,308,255)</b>	<b>(36,967,212)</b>	<b>(32,998,233)</b>	<b>(30,105,383)</b>	<b>(9,808,573)</b>	<b>(9,581,798)</b>	<b>(9,771,796)</b>	<b>(9,965,305)</b>	<b>(10,162,382)</b>	<b>(10,363,085)</b>
<b>FUNDING:</b>										
Major Repairs Reserve	-	-	-	-	-	-	-	-	-	-
Right to Buy Receipts	-	-	-	-	-	-	-	-	-	-
Supported Borrowing	-	-	-	-	-	-	-	-	-	-
Unsupported Borrowing	-	10,000,000	10,000,000	14,000,000	-	-	-	-	-	-
Other Receipts	-	-	-	-	-	-	-	-	-	-
Other Reserves	-	-	-	-	-	-	-	-	-	-
Revenue Contributions	23,295,364	24,155,837	22,525,666	16,105,383	9,808,573	9,581,798	9,771,796	9,965,305	10,162,382	10,363,085
<b>Total Capital Funding</b>	<b>23,295,364</b>	<b>34,155,837</b>	<b>32,525,666</b>	<b>30,105,383</b>	<b>9,808,573</b>	<b>9,581,798</b>	<b>9,771,796</b>	<b>9,965,305</b>	<b>10,162,382</b>	<b>10,363,085</b>
<b>In Year Net Cashflow</b>	<b>(12,890)</b>	<b>(2,811,375)</b>	<b>(472,567)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>



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## Appendix 4

The following estates and sheltered schemes are those identified with potential for regeneration or enhanced development opportunities:

<b>Estate/Scheme</b>	<b>Ward</b>
Waterloo Estate	Romford Town
Maygreen (inc Park Lane)	Hylands
Oldchurch	Oldchurch
Napier and New Plymouth	South Hornchurch
Delta TMO (Elvet Ave)	Squirrels Heath
Farnham Hilldene (New)	Gooshays
Royal Jubilee Court	Pettits
Solar, Serena, Sunrise	St Andrews
Brunswick Court	Cranham
Dell Court	St Andrews
Delderfield	Pettits
Queen Street	Romford Town



## Cabinet

15 June 2016

### Subject Heading:

**Overarching Borough Agreement with the GLA to support the reinvigoration of Romford town centre.**

### Cabinet Member:

**Councillor Damian White**  
Deputy Leader and Cabinet Member for Housing

### CMT Lead:

**Steve Moore**  
Director of Neighbourhoods

### Report Author and contact details:

Tom Dobrashian Head of Economic Development.  
tom.dobrashian @havering.gov.uk  
x2583

### Policy context:

National Planning Policy Framework (2012)

London Plan (2015)

Havering Local Development Framework (including Romford Area Action Plan (2008)

Romford Development Framework.(2015)

Approval of the Overarching Borough Agreement will result in the Greater London Authority allocating £34.9m to the Romford Housing Zone subject to approval of project intervention agreements.

### Financial summary:

The Overarching Borough Agreement is the in principle funding agreement that enables the GLA to allocate £34.9m to the Romford Housing Zone for future draw down, subject to approval of project intervention agreements.

### Is this a Key Decision?

**Yes**

### When should this matter be reviewed?

2019/20

### Reviewing OSC:

Towns and Communities OSSC

**The subject matter of this report deals with the following Council Objectives**

Havering will be clean and its environment will be cared for	X
People will be safe, in their homes and in the community	X
Residents will be proud to live in Havering	X

**SUMMARY**

Cabinet on 8 July 2015 approved the Romford Development Framework which set a vision for Romford town centre as a place for an inclusive and sustainable community which builds on the existing historic context of Romford and capitalises on the opportunity to enhance Romford along with the new Crossrail development.

The Framework set out potential new developments and improvements to the environment and physical infrastructure. Cabinet also agreed that the Council should take a proactive role to bring these forward.

With the Framework in place, and in the light of the demonstrable progress being made by the Council on the Rainham & Beam Park Housing Zone programme, the Greater London Authority (GLA) invited the Council to submit a proposal for Romford to be granted Housing Zone status. With the agreement of the Leader, the Council submitted a proposal and the former Mayor of London announced in March that Romford had provisionally been granted Housing Zone Status. The GLA has subsequently confirmed that funding of £34.9m has been earmarked for Romford subject to the process described in this report.

The Romford Development Framework supported residential led schemes providing high quality urban living for a new economically active community alongside enhanced infrastructure to serve existing and new residents. Housing Zone status and funding will enable the Council to unlock or accelerate the delivery of three residential led schemes in Romford, to improve access from the West of the town, and also encourage investment by the private sector. The Romford Housing Zone programme will make a substantial contribution to meeting the London Plan target of an average of 1,170 new homes in Havering each year between 2015-2025.

As with the Cabinet report for the Rainham Housing Zone last year, this report seeks Cabinet approval to enter into an Overarching Borough Agreement with the GLA for the Romford Housing Zone. Cabinet is also asked to support the principle of development at Bridge Close, the Waterloo Road estate and Angel Way subject to future Cabinet reports, the first of which is in a separate report on the June agenda.

To improve the environment and access to the town centre and in line with the Romford Development Framework, Cabinet is asked to support the preparation of detailed proposals to create an 'East- West' pedestrian and cycle access linking Waterloo Road with Romford Station, together with improved access points across the ring road.

The Council has a longstanding policy commitment through its adopted planning and regeneration policies to enhance Romford's status as metropolitan centre and improve the retail and leisure offer. Increased residential living will support this objective. The Council

recognises community infrastructure will need to be delivered alongside housing and the Housing Zone governance arrangements will monitor and support that intent as well as the Housing Zone programme.

## RECOMMENDATIONS

That Cabinet:

1. **Agree** to the Borough entering into the Overarching Borough Agreement with the Greater London Authority in respect of the Romford Housing Zone.
2. **Delegate** to the Leader, Cabinet Member for Housing and the Section 151 Officer the authority to approve individual funding agreements.
3. **Agree** to the establishment of the Romford Housing Zone Delivery Board and governance arrangements as set out in Section 6 of this report, and request officers to arrange twice-yearly briefings for all Members to include consideration of the overall programme of development and the implications for Council services.
4. **Agree** to the principle of repaying recoverable grant to the GLA through S106, Community Infrastructure Levy contributions and receipts from the sale of land arising from developments in the Housing Zone. The terms of any repayment to be delegated to the Cabinet Member for Housing and the Section 151 Officer
5. **Agree** to the principle of new development at Bridge Close noting that the business rationale is subject of a separate report.
6. **Request** the Head of Economic Development in conjunction with other services to prepare a report for Cabinet on future parking arrangements for the town centre to meet the requirements of businesses and visitors and, subject to that, report on options for the redevelopment of the Angel Way Car Park and adjacent land.
7. **Authorise** the Director of Neighbourhoods and the Director of Housing, in conjunction with the Cabinet Member for Housing, to evaluate options for new residential development and community facilities within the Waterloo Road estate, and take the necessary action to prepare a Masterplan, initiate procurement and formulate proposals for consideration by Cabinet.
8. **Authorise the** Head of Economic Development to prepare, in conjunction with other services, detailed plans and business cases for a new pedestrian and cycle route from Waterloo Road to Romford Station, enhancement of the entrance to the southern entrance to the Station, and other linkages connecting the west of Romford to the Station and town centre. The approval of proposals and any funding applications to be delegated to the Cabinet Member for Environment, Regulatory Services and Community Safety.
9. **Confirm** the Council's commitment to consult with those who may be affected by the Housing Zone proposals and officers to include the outcome of consultation in reports to Members.

**REPORT DETAIL**

**1.0 BACKGROUND**

- 1.1 The London Housing Zones programme was launched by the former London Mayor in 2014. It is designed to accelerate home building in a designated area which can provide at least 1,000 new homes on brownfield land. The local authority must drive delivery and contribute resources such as land, financial investment and officer time. The GLA will provide grant or repayable loans to support land assembly, various forms of infrastructure and the delivery of affordable housing.
- 1.2 The GLA invited the Council to submit a proposal for Romford to be awarded Housing Zone status. In consultation with the Leader, a proposal was submitted and the former Mayor of London announced in March 2016 that this was one of 11 new Housing Zones, making Havering one of only 8 Boroughs to be awarded a second Housing Zone. The GLA subsequently informed the Council that it was making £34.9m available for Romford; £22.7m in grant and £12.2m in recoverable grant (loan).
- 1.3 The Council has a longstanding policy commitment through its adopted planning and regeneration policies to enhance Romford's status as metropolitan centre, improve access and public transport to and within the town centre, to enhance the retail and leisure offer, and to significantly increase the number of people living in the town centre. In making the case for Romford to be granted Housing Zone status, the Council was able to point to factors such as:
- the inherent strengths and potential of the town centre, enhanced by the introduction of Crossrail in 2019;
  - the clear vision and delivery plan set by Members through the Romford Development Framework approved by Cabinet in July 2015 including the vision referred to earlier in this report;
  - the good progress that is being made on the Rainham and Beam Park Housing Zone which was one of the first phase of schemes granted Housing Zone status in 2014;
  - the establishment of Mercury Land Holdings which will play an important role in the delivery of private sector housing in the Romford Housing Zone, and the Council's affordable housing delivery programme funded through the Housing Revenue Account; and
  - a track record of delivering projects and current investment plans for Romford.
- 1.4 The latter includes Cabinet approval for investment in the new leisure centre, transformation of the Market, a package of public realm improvements, implementation of Crossrail Complementary Measures at Romford Station, and the delivery of homes at Como Street by the Council and Mercury Land Holdings.
- 1.5 Underlying the GLA programme is the requirement to deliver an average of 49,000 homes in London each year between 2015-2025, even if not all of these will be delivered in Housing Zones. Havering is expected to accommodate a minimum average of 1,170 homes per annum which was calculated on the basis of a

previous (and lower) London wide target. The new Mayor has also emphasised housing delivery.

- 1.6 Focussing new development on the two Housing Zones is consistent with the Council's adopted planning and regeneration strategies since it will locate new development in areas where there is good provision of existing infrastructure and facilities to support new development. Development in these locations will help will mitigate the risk of development that might adversely impact on the Green Belt or the green environment and character of the Borough.
- 1.7 The Housing Zone proposals for Romford (and Rainham) however go beyond simply the delivery of housing. Through investment in infrastructure, transport and community facilities, and with good design quality, the town centre will be a vibrant metropolitan centre. The developments will bring on-going economic growth, and encourage private sector investment in the town's retail and leisure offer for the benefit of all Havering residents and for visitors.

## **2.0 The programme of schemes supported by Romford Housing Zone funding**

- 2.1. The GLA will provide £34.9m (including affordable housing grant) to support the schemes described below. The location of these areas is indicated on the attached map.

Scheme	GLA funding £m		
	Grant	Recoverable grant (loan)	Total
Bridge Close (including construction of East-West Link)	8.9	6.5	15.4
Waterloo Road Estate	10.1	3.6	13.7
Angel Way	3.7	2.1	5.8
<b>Total</b>	<b>£22.7m</b>	<b>£12.2m</b>	<b>£34.9m</b>

- 2.2. The proposal to the GLA indicated that funding above would support a comprehensive redevelopment of 840 new homes on Bridge Close, the delivery of 300 new homes at the Angel Way site and an additional 220 new homes within the Waterloo estate.
- 2.3. The proposed GLA investment will also indirectly support the delivery of schemes by private sector developers (already in the pipeline or identified within the Romford Development Framework) making a total Romford Housing Zone programme of 3,304 units.

**3.0. Individual schemes supported by Housing Zone funding**

**a) Bridge Close**

- 3.1. Bridge Close is a 2.97 hectare site currently occupied by mixed industrial, warehouse and ancillary units, an ambulance station, Islamic Cultural Centre and a number of terraced properties to the front of the site. The site is in multiple ownerships and for some years one of the main landowners has been attempting to bring forward a comprehensive redevelopment of the site.
- 3.2. The 2008 Local Development Framework declassified the site as strategic employment land and this is endorsed by the 2015 Havering employment land review produced as evidence for the new Local Plan.
- 3.3. The Housing Zone proposal is in line with the Romford Development Framework approved by Members in 2015 which identified Bridge Close for comprehensive redevelopment with the ability to provide c.850 new homes.
- 3.4. A separate report for Cabinet sets out proposals for this site and explains the measures that will be taken to assist residents, businesses and other occupants affected by proposals.
- 3.5. As well as providing housing, redevelopment at Bridge Close will enable the delivery of the East-West pedestrian and cycle link thereby improving access from Waterloo Road and surrounding areas.

**b) Waterloo Road Estate**

- 3.6. The Waterloo Road Estate was built by the Council in the 1960's. Whilst the Council has invested to maintain its properties, parts of the estate are dated.
- 3.7. The density of the site is lower than some adjacent areas and there is potential to utilise land to provide additional housing and improve the quality of open space.
- 3.8. There is potential to create infill development or undertake more comprehensive schemes. Community consultation was initiated in 2015 and a review has been undertaken identifying a number of options for the estate. The Housing Zone proposal sought investment to deliver 220 new homes, which has now been supported by the GLA.
- 3.9. GLA investment allows the Council to potentially review further options. Rather than take a piecemeal approach and risk fragmenting the estate, the Cabinet Member for Housing has asked that a full option review, viability assessment and comprehensive Masterplan for the area is prepared. A procurement exercise will be initiated for advisers to assist with this work including potential delivery partners.
- 3.10. Residents will continue to be consulted and assist in the shaping of proposals and a report will be presented to Cabinet to report on progress later in the year.

**c) Angel Way**

- 3.11. The Romford Town Centre Development Framework approved by Members in 2015 identified Angel Way as an available area for development in the town centre. The area referred to in the framework includes the privately owned former decathlon site which has planning permission for 350 homes plus associated retail and a hotel.

- 3.12. The Council owns and operates the Angel Way Car Park, and also owns the freehold of the buildings known as River Chambers and Ballard Chambers which comprise shops at ground floor, offices on the 1st floor and residential above. The residential accommodation is occupied by Council tenants or owned by Council leaseholders.
- 3.13. The Housing Zone submission related solely to the Council owned elements of the site, which studies indicate could accommodate in the region of 300 residential units and other uses at ground floor. This is in line with the Romford Development Framework approved in 2015.
- 3.14. The Romford Town Centre Development Framework set aspirations for this site to complement residential development:
- a new route linking Trinity Methodist Church and St. Edward the Confessor Church;
  - a route along the River Rom and enhancements to the ecological and environmental quality of the river;
  - a new public square; and
  - new community infrastructure.
- 3.15. Architects will undertake a concept design and cost appraisal exercise which will be accompanied by an assessment of overall viability of a development at Angel Way by Mercury Land Holdings and Council officers. This work will include consideration of whether any of the existing buildings might be retained and refurbished or whether the whole site must be redeveloped in order to ensure a comprehensive and viable development.
- 3.16. Whilst the Angel Way site provides an opportunity to enhance the area and provide a substantial amount of housing, it does result in a reduction in public parking. A detailed analysis of parking provision undertaken in 2014 measured occupancy levels across the all main Car Parks in Romford and forecast future demand taking into account seasonal factors, anticipated economic and residential growth, and the underlying shift away from car usage to other forms of travel that has been achieved in London in recent years and is reflected in national and London policy.
- 3.17. On that basis, the consultants concluded that the loss of both Angel Way and Como Street Car Parks could be accommodated. Usage of these car parks is relatively low and is highest during the week when partly occupied by Council staff. Cabinet subsequently in May 2015 agreed in principle to Como Street's redevelopment with Mercury Land Holdings being the principal developer in partnership with a future private sector partner.
- 3.18. However before any recommendation to proceed is made, a Romford Town Centre car parking assessment will be undertaken. This will review the previous conclusions in the light of latest growth projections within the Housing Zone. Also, whilst the policy framework and the nature of the new developments will mean that the ratio of car ownership in Romford town centre will be lower than if the Council instead focused new housing development on other towns and settlements across Havering, the parking assessment is expected to recommend changes to policies and practices in order to encourage people to make more sustainable choices for their journeys and to reduce the proportion of journeys made by car. This likely to

include an increased emphasis on the preparation and implementation of travel plans so that major employers, including the Council itself, encourage alternative ways of travelling including car sharing and public transport.

- 3.19. The parking assessment will form part of an integrated approach to access and transport which is addressed in section 4 of this report. The work will be co-ordinated with the Head of Environment's review of resident parking across the Borough.

**d) New 'East-West' pedestrian and cycle route**

- 3.20. A large part of the housing development, existing and planned, including the Housing Zone sites, is located on the west side of the town centre. There are physical difficulties that hinder people living in these communities accessing the town centre and the station, including the River Rom and the Ring Road.
- 3.21. A surface crossing of the Ring Road will be funded by an existing planning legal agreement associated with the development of the former Oldchurch Hospital site at Union Road. However under this agreement, and with no direct access eastwards through the Bridge Close area and then across the River Rom, pedestrians seeking to access the town centre would be directed northwards to use the inhospitable tunnel under the rail corridor and then onwards to Exchange Street and The Battis towards the station. This is not considered a satisfactory option.
- 3.22. The proposed East -West Link would make provision for a more direct and accessible route eastwards, through the new residential development at Bridge Close, across the River Rom via a new foot and cycle bridge and then onwards to the station. This will integrate with proposals currently being explored by the Council and its partners to improve the southern entrance to the station as part of the Crossrail programme.
- 3.23. Housing Zone funding (grant and recoverable grant) would enable this project to proceed through the compulsory purchase of land at Bridge Close, and land to the east of the River and the construction of a new bridge with associated landscaping of the very unsightly River corridor culvert

**4.0 Access, transport and impact on other services**

- 4.1 The East-West Link will form part of a wider approach to maintain and improve access to and within Romford and to cater for an increase in the number of people living in the area. A separate Romford Transport Assessment has been commissioned to review transport issues and to identify possible interventions to improve transport (including car, bus, cycling and pedestrian access), thereby reducing congestion and improving air quality.
- 4.2 Capital investment through sources such as Transport for London, the rail operators, the Council through developer contributions and, in due course, Community Infrastructure Levy will help fund measures to make the town centre easier for pedestrians and cyclists to navigate, and to improve the connectivity of bus, train, pedestrian and cycle access at Romford Station.
- 4.3 The level of new development in Romford will bring economic benefits as well as mitigating the need for housing development in the green belt and in other towns and settlements within Havering. It will however increase demand on some public services in particular schools. As there is already a shortfall of school places within



the Romford area, officers are modelling the future additional demands created by the Housing Zone. This will ensure that plans can be developed that appropriately meet the need for school places for the children of Romford. The Assistant Director of Learning and Achievement, the Head of Economic Development and the Head of Regulatory Services will undertake a detailed assessment of future need and phasing, and work to identify a suitable site for new school provision.

- 4.4 The Council will also continue to make the case for additional investment in local health provision and will consider the potential to incorporate facilities into new developments. It will reflect these in its Infrastructure Development Plan within the emerging Havering Local Plan and will consider the potential to incorporate facilities into new developments.

### **Overarching Borough Agreement**

- 5.0 The London Borough of Havering is being asked by the GLA to enter into an Overarching Borough Agreement with the GLA in respect of the Romford Housing Zone. The Overarching Borough Agreement is the agreement which embodies the basis of the Housing Zone principles and arrangements with Boroughs. It may be revised and/or amended at the discretion of GLA and Boroughs to reflect Zone specific or other provisions. Upon signing of the agreement, the GLA will allocate budget resources of £34.9m for the delivery of the Romford Housing Zone programme comprising £22.7m grant and £12.2m recoverable grant (loan). The Overarching Borough Agreement makes clear that the provision of GLA Housing Zone funding is dependent on a number of factors namely: the GLA carrying out due diligence, the availability of GLA resources and the Borough entering into individual project Intervention Agreements. The Overarching Borough Agreement is supported by a number annexures which set out the broad overall key agreed inputs, outputs and deliverables.
- 5.1 The terms of the repayment of grant to the GLA will be set out in the contracts for individual interventions. The Borough mechanism for repayment would be through recouping payments from s106 and Community Infrastructure Levy contributions, and receipts from the sale of Council owned land in the Housing Zone area (which would have been purchased using GLA funding). It is therefore it is proposed to ring-fence CIL payments and developer s106 contributions from development schemes within the Housing Zone to repay the forward funding. Due regard will be made to 2010 CIL Regulations specifically those limiting up to 5 the maximum number of contributions through S106 that can be pooled to provide a particular project.
- 5.2 Each element of the Housing Zone programme will be subject to an individual funding agreement which will form the contractual basis for drawing down Housing Zone funding.
- 6.0 **Governance**
- 6.1 It is intended to establish a Housing Zone Board to monitor and shape the delivery of the Romford Housing Zone programme. It is proposed that the Board will consist of the Leader, Cabinet Member for Housing, Deputy Cabinet Member with particular responsibility for the Romford Housing Zone, Group Director and a GLA nominated representative.

- 6.2 Through the Group Director, the Head of Economic Development will be responsible to the Board for the overall delivery of the Housing Zone and the majority of schemes. The Director of Housing Services will be responsible for the Waterloo Road Estate project.
- 6.3 The Board will ensure consistency with the vision in the Romford Development Framework, consider the implications for other services (including schools and parking), shape operational strategy, agree specific investments and monitor delivery.
- 6.4 Individual Project Teams will be established as appropriate.

## **7.0 Communications and Consultation**

- 7.1 Letters have been sent to the owners and occupiers of all properties likely to be directly impacted by the proposals for Bridge Close explaining the Council's intended approach.
- 7.2 Letters have been sent to Council tenants and leaseholders of the residential properties at Angel Way and the Council's commercial tenants. These explain that the Council will be investigating a potential redevelopment, will keep people informed and will work with tenants and leaseholders on an individual basis if development does proceed.
- 7.3 Regeneration proposals for the Waterloo Estate will involve a process of full resident and stakeholder consultation. There will be further communication with residents in July 2016.

## **REASONS AND OPTIONS**

### **Reasons for the decision:**

The Housing Zone programme gives access to significant investment to accelerate the delivery of Members' objectives set out in the Romford Development Framework.

### **Other options considered:**

Not entering into the Overarching Borough Agreement – REJECTED. The Council has satisfied the GLA that the housing schemes within the Romford Housing Zone will not come forward as outlined without financial support. These schemes will make a significant contribution to meeting housing need and the target set for Havering in the London Plan. Not to proceed with these schemes would increase the pressure for housing elsewhere in the Borough. Not to proceed with plans for the construction of the pedestrian and cycle link from Waterloo Road to Romford Station and the town centre would be a missed opportunity to enhance access for existing residents as well as the occupiers of new developments.

**IMPLICATIONS AND RISKS**

**Financial implications and risks:**

Entering into the Overarching Borough Agreement does not commit the Council to any immediate capital outlay, but does seek support for the overall package of GLA and Council funding.

The GLA Grant of £34.9m would be a combination of £22.7m grant and £12.2m recoverable grant which combined with Council funding will accelerate housing and infrastructure developments within Romford Housing Zone for the Bridge Close, Waterloo Road Estate and Angel Way.

It is proposed to repay the GLA recoverable grant that is interest free by ring fencing s106 and CIL contributions from developers and receipts from the sale of land arising from developments in the Housing Zone (funded with LGA monies). The recoverable grant would be paid back over a period of time to be agreed with the GLA.

Contractual commitments will be through the Intervention Agreements. These will contain full details of projects, an appraisal, business plan, delivery programme, cash flows and exit strategy; these will be completed as the major projects are refined later in the Housing Zone delivery. These will be the contractual basis for project delivery.

**Legal implications and risks:**

The overarching agreement is a comprehensive agreement with the following main provisions within:

Clause 2 - The provision of GLA zone funding is dependent on a number of factors provided at clause 2 – namely: GLA carrying out due diligence, the availability of GLA resources and the Borough entering into an Intervention Agreement with the GLA.

Clause 4 – In the event that there is a failure on the part of the Borough to deliver or procure a Borough Direct Zone Output within the timescales set out in the zone output schedule the GLA have a number of measures at their disposal which they **may** employ such as : a) terminate the agreement , where the failure has a material adverse effect , b) Cancel any undrawn final intervention sum, c) Recover sums paid to the borough and require the Borough to remedy and submit a plan of action to GLA for approval within 10 business days, or adjust the Final Intervention sum.

Clause 5 – There are a number of obligations placed on the Borough restricting the Borough from disposing of the whole or part of a Borough site (defined as meaning the land upon which the Agreed Interventions and Borough Zone Outputs are to be constructed) within the zone unless expressly prescribed within the Intervention Agreement. The remaining obligations centre largely around the employment of staff employed by the Borough complies with the requirements of the London Living Wage.

Clause 6 – The Borough as part of the GLA's notification & reporting procedure will be required to attend review meetings within 10 business days of each quarter date to discuss progress, in addition to the schedules quarterly meetings the GLA can call a review meeting at any time, with reasonable notice given.

In addition to entering into the Overarching Agreement the Borough will be required to enter into “Intervention Agreements” which will set out the terms and conditions upon which specific sums of funding will be advanced to the Borough by the GLA. Much of the contract detail will be contained within this agreement which will be specific to the Borough.

Due regard will need to be paid to the 2010 CIL Regulations and to the limit of up to 5 the maximum number of contributions through S106 that can be pooled to provide a particular project in establishing the funding packages for individual infrastructure items.

**Human Resources implications and risks:**

The Economic Development Service will be required to dedicate resources to the programme management and delivery of projects. Additional temporary resources will be required and will be discussed with CMT. Funding for resources to deliver components of the Housing Zone programme can be drawn down from the GLA funding allocated.

The Housing Zone Programme will require the input and resources of a number of Council services particularly Planning, Highways, Legal and Property Services.

**Equalities implications and risks:**

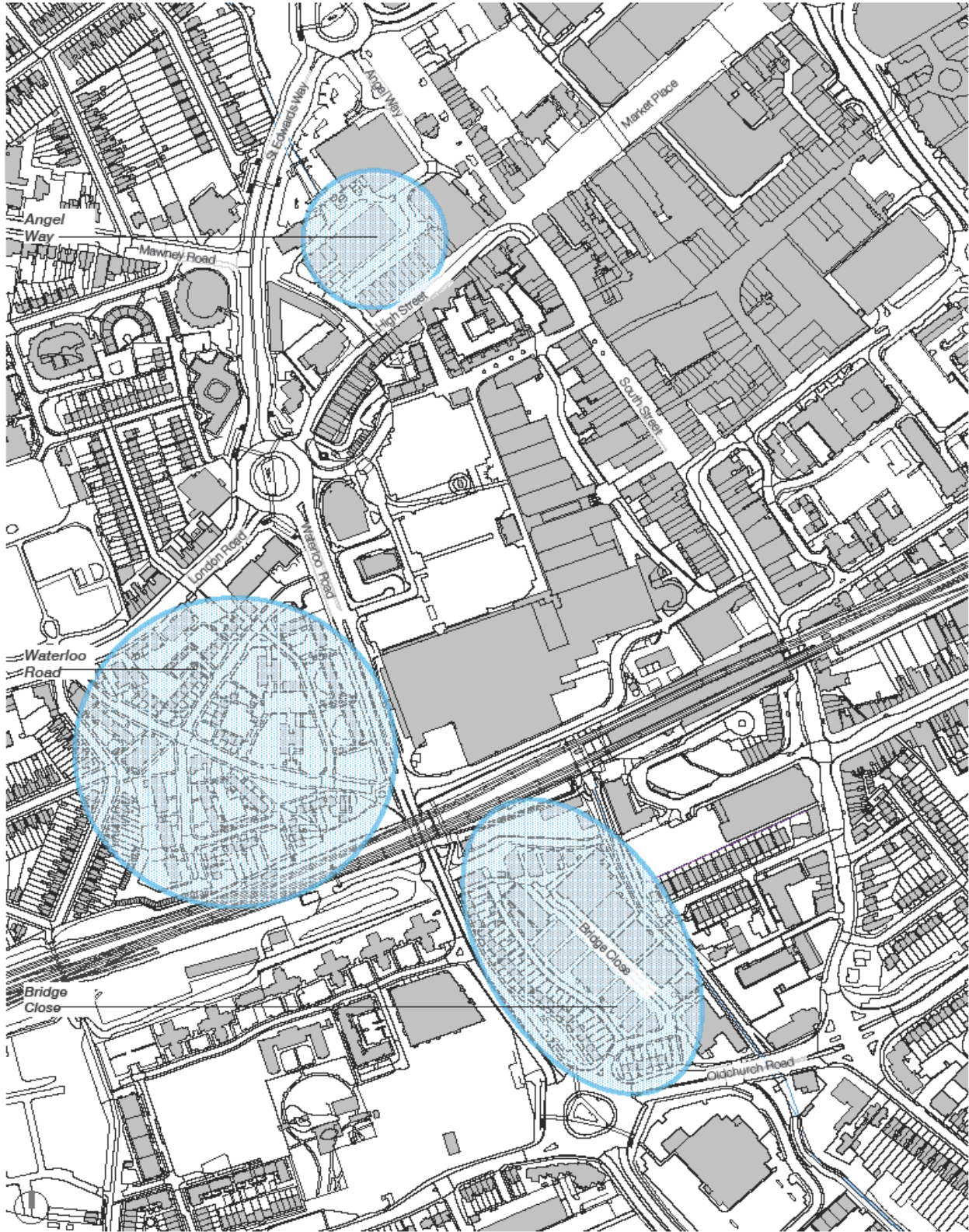
The Romford Housing Zone will unlock significant investment for market and affordable homes, including a proportion of homes built to lifetime homes and disabled living standards. It will make it easier and safer for people to travel through provision of a new accessible link.

It is proposed that an overarching EIA will be completed for the Housing Zone programme and EIAs will be undertaken for each of the four schemes.

Background Papers

None.

Romford Housing Zone



Not to scale

May 2016



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**CABINET**

15 June 2016

**Subject Heading:**

**Housing Services Asset Management Strategy**

**Cabinet Member:**

**Councillor Damien White**, Deputy Leader of the Council, Lead Member for Housing

**CMT Lead:**

**Neil Stubbings**, (Interim) Director of Housing

**Report Author and contact details:**

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01708 434091

**Policy context:**

HRA Policy and budgets

**Financial summary:**

Agreement of policy directing capital investment into the existing housing stock ensuring a viable HRA business plan.

**Is this a Key Decision?**

**Yes**

**Is this a Strategic Decision?**

Yes

**When should this matter be reviewed?**

February 2017

**Reviewing OSC:**

Towns and Communities

**The subject matter of this report deals with the following Council Objectives**

- Havering will be clean and its environment will be cared for X
- People will be safe, in their homes and in the community X
- Residents will be proud to live in Havering X

## SUMMARY

The Housing Services Asset Management Strategy (AMS) sets out a framework within which the Council is proposing to manage, maintain and invest in its housing stock. The strategy outlines how capital investment, cyclical maintenance and repairs service will be managed to ensure that homes are safe, secure and well maintained for the benefit of residents.

This report is to outline to members the policy aspects of managing and maintaining the Council's housing stock and is aligned to the detailed review of the HRA Business Plan. This was previously considered by members in February 2016 and a follow on report is being presented to Cabinet in June 2016. This report presents the criteria and proposals for investment in the Council's housing stock and have been used to support the business plan assumptions.

The revised strategy is attached to the report as appendix one.

## RECOMMENDATIONS

That Cabinet:

- 1 **Approve** the Housing Services Asset Management Strategy as detailed in Appendix 1.
- 2 **Delegate** to Interim Director of Housing authority to make any revisions to the strategy that may be deemed necessary following resident feedback
- 3 **Note** the HRA Major Works Capital Programme, detailed in HRA Budget for 2016/2017 and HRA Major Works Capital Programme 2016/17 – 2018/19 subject to full Council final ratification.

## REPORT DETAIL

1. The Council is a complex and diverse organisation and provides services to a wide variety of people; the provision of affordable housing is one part of the Councils broad range of functions. This presents challenges when looking to achieve a holistic approach to the management and maintenance of the affordable housing property portfolio as well any new properties acquired or built. The Housing Services Asset Management Strategy (AMS) sets out the approach to maintaining and investing in the existing portfolio



and complements the direction relating to the production of new properties to meet the needs of current and future tenants and residents. The AMS also recognises there must be a commercial and prudent approach to the use of council resources. This approach will ensure that the portfolio not only retains and indeed increases in value but serves the needs and aspirations of the community in which we work.

2. The AMS is an inter-relationship between many aspects of the areas of operations and the strategy recognises this, and reinforces these. The relationship between new build development, management services and direct services to residents (repairs, servicing etc.) is addressed and ensures that an intelligent and commercial approach is adopted. In addition to these, the AMS supports and informs the Business Planning process and is of significant consideration in all strategic and operational decision making activities.
3. An Asset Management Strategy is, in simple terms, a continually evolving approach and consolidation of plans to target and prioritise investment in the Council's housing assets – its properties. It is key to the Council's strategic and operational business plans and ultimately impacts on customer satisfaction and participation in the service. The proposed strategy is a revision to the previous AMS developed by the former ALMO to address the issues of the Decent Homes backlog. The primary focus of the previous asset management strategy has been the completion of the DHBF programme following the award of Decent Homes Backlog Funding (DHBF). This followed the achievement of the two star rating, under previous regulatory frameworks, and the changes to rebidding requirements introduced in 2010.
4. The strategy sets out the principles, objectives, themes and definitions which will govern the future decision making process of investment into the housing stock. These will allow the Council to have clear and definitive statements supporting the investment or indeed disinvestment in its housing properties.
5. There are two significant policy matters contained within the strategy which should be of particular consideration by members. The matters are
  - The change to the “Just in Time” principle as detailed in paragraph 4.3 of appendix one.
  - Adoption of new options appraisal model detailed in paragraph 4.6 of appendix one.
6. With regards to the “Just in Time” policy, the significant change is that the industry accepted life cycle of a component or element will no longer be the main basis for making decisions on replacement or other type of major interventions. The policy proposed means action will be taken when total failure is imminent or it is not economically viable or affording value for money to undertake works. The decision to invest will be based on
  - Components or elements function relating to building use and income stream

- Materials used in construction.
  - Age of component or element
  - Ability to obtain replacement parts and ease of maintenance.
7. A detailed assessment of previous financial forecasts observing potential future investment requirements has been undertaken to establish the impact of a change of approach. It must be noted previous forecasts were based on a hypothetical scenario that building elements and/or components will require renewal at the end of the life cycle attributable. The “Just in Time” method assesses the known and/or actual performance of elements and components and forecasts on this basis. This is continually affirmed by the regime proposed in 4.3.2 of appendix one.
8. To support this and accurately forecast condition it is necessary to continually re-assess items to which the Just in Time policy is applied.. The Council will be committing to, as part of the strategy, to undertake periodic annual surveys and a detailed survey every five years.
9. For the purposes of application of “Just in Time” main elements have been divided into high and low risk. The criteria to distinguish “high risk” is proposed to be items inside of residents homes, therefore not easily surveyed, and can affect the basic function of their home. The items identified as high risk are
- Bathroom installations
  - Common building services
  - Communal heating
  - Domestic heating
  - Kitchen installations
10. In order to ensure risks associated with health and safety or a failure to comply with tenancy terms and conditions are managed, a combination of periodic survey programmes and empirical data from maintenance and servicing regimes will be used to identify trends in demand. This requires flexibility to be maintained in financial planning over the 30 year cycle with priorities being reassessed on the main annual review of the Business Plan.
11. The other key change is the adoption of a new options appraisal model. In considering reinvestment and remodelling of stock the Council must consider capital investment and long term maintenance costs..
12. It is proposed the Council will adopt a new Options Appraisal model to critically assess the suitability of properties for development or disposal when the tenancy or other occupation has terminated. The criteria to be utilised in reaching a decision to redevelop or dispose of a property will be
- Location of the property and its relationship to potential redevelopment opportunities.
  - The number and duration of sustainable tenancies or occupation over the previous 12 months period.
  - The period required to secure a tenant or occupant of the building.
  - The levels of investment required as a Reinvestment unit.

- The potential net value the sale of property with a minimum 5% yield and any loan security arrangements.
  - The relationship of the property to the primary functions of Housing Services.
  - The results of an analysis of all financial factors including rental income, costs to manage and maintain and market value.
13. Each option appraisal will be presented to the Cabinet member for Housing with the range of redevelopment or disposal options. The formal decision will be taken in accordance with the Councils constitution.

## REASONS AND OPTIONS

### **Reasons for the decision:**

As a large scale owner of built assets it is essential for an Asset Management Strategy to provide a structure and rationale to direct and inform the decisions and assumptions used for the Business Plan. Also the AMS sets out the parameters for the physical management of the buildings (housing) owned by the Council in its capacity as a landlord. It is also intended to reference the Housing Services position with regard to growth and regeneration.

### **Other options considered:**

To continue with the existing asset management strategy.

REJECTED – The existing asset management strategy relates to the regime associated with the Decent Homes programme which has now come to an end. Changes in funding assumptions within the HRA have led to a significant reduction in available resources. Therefore investing on the basis of a predetermined life cycle is unsustainable.

## IMPLICATIONS AND RISKS

### **Financial implications and risks:**

The implementation of this strategy is linked to the financial implications and risks concerning the setting of the HRA budget for 2016/17 and the revision of the figures for the 30 year Self Financing Business Plan. The HRA is sufficiently robust to generate working balance reserves of an estimated £2m and provide the levels of investment for stock investment and development as detailed.

There are risks associated with any HRA budget, but it is felt these can be managed.

The underlying assumptions concerning rent levels underpinning the HRA Business Plan however, have been materially changed with the introduction of the Government's announcement that social housing rents would be reduced by 1% a year for the next four years.

The financial effect of the change is a 4% reduction from levels previously assumed in the model; moving from CPI plus 1% (assumed to be 3% in total) to -1%. In cash terms this amounts to just under £1.9m a year and around £7.9m a year by the end of the 4 year freeze period. This equates to around £68m after 10 years.

Officers have completed a further review of the Business Plan, to determine the most appropriate strategy to meet the forecast shortfall. To some extent this is dependent on the final details of the rent reduction legislation, which is still being considered by Parliament.

HRA Investment Capital Budget sets out the Major Works Programme 2016-19. This is funded from resources available for housing expenditure:-

- HRA resources/revenue surpluses
- Right-to-buy receipts subject to the Council's agreement with the DCLG to use them to fund new housing.

The strategic shift to the "Just in Time" arrangements has reduced the forecast liabilities and enabled for a realistic level of future liabilities to be provided within the HRA Business Plan. The other aspects associated with the strategy gives a clear statement of management arrangements to maintain a long term viable position.

**Legal implications and risks:**

As a large scale building owner the Council has a variety of statutory obligations to comply with. One of the main duties is that of the council as landlord under the Landlord and Tenant Act 1985. Under the Act, the council must maintain the structure and exterior of its dwelling houses and installations for the supply of gas, water and electricity. Where this duty is breached the council may be sued and found liable for damages and costs. To minimise such claims, it is important that any disrepair caught by the Act is remedied as soon as possible, whether or not the triggers for works under the 'Just in Time' policy are met.

Under the Housing Act 2004, the council has a duty to keep under review housing conditions in their area and deal with any hazards that exist which are determined by reference to a Housing health and safety rating system (HHSRS). The HHSRS is a method of assessing housing conditions. It employs a risk assessment approach to enable risks from hazards to health and safety in dwellings to be minimised. The system applies to all dwellings, regardless of ownership. The HHSRS addresses all the key issues that affect health and safety. It provides an analysis of just how hazardous a property is and includes evidence and statistical information to assist surveyors in making their judgements. Whilst council cannot enforce against themselves, they are expected to apply this system when assessing the condition of their own stock and to ensure that it meets the decent home standard. Again, this will continue to apply and necessary action/works will

need to be taken whether or not the triggers for works under the 'Just In time' policy are met.

In essence, wherever there is requirement to repair under any legislation that will take precedence over the 'Just in Time' policy.

Whilst the proposed changes are not such as to trigger the need for a statutory consultation under S.105 of the Housing Act 1985, it is recommended that residents views on the proposals are sought and taken on board. In this regard, Paragraph 11 of the strategy document refers to some proposed actions.

**Human Resources implications and risks:**

There are no direct HR implications or risks to the Council or its workforce that can be identified from the recommendations made in this report.

**Equalities implications and risks:**

There are no direct equalities implications or risks to the Council that can be identified from the recommendations made in this report.

**BACKGROUND PAPERS**

None

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**LONDON BOROUGH OF HAVERING**

**HOUSING SERVICES**

**ASSET MANAGEMENT STRATEGY**

**JUNE 2016**

DRAFT

## HOUSING SERVICES ASSET MANAGEMENT STRATEGY

### 1.0 Executive Summary

1.1 The Housing Services Asset Management Strategy (AMS) sets out a framework within which we will manage, maintain and invest in our housing stock. We will manage our capital investment, cyclical maintenance and repairs service to ensure that our homes are safe, secure and well maintained for the benefit of our residents. We will deliver a cost effective service that makes the best use of resources, and seeks to invest in new homes within our overall Asset Management Strategy for the benefit of future tenants and residents.

1.2 The Council is a complex and diverse organisation and provides services to a variety of people; the provision of affordable housing is one part of the Council's broad range of functions. This presents challenges when looking to achieve a holistic approach to the management and maintenance of the affordable housing property portfolio as well as any new properties acquired or built. This document provides the approach to maintaining and investing in the existing portfolio and complements the direction relating to the production of new properties to meet the needs of current and future tenants or residents. The AMS also recognises there must be a commercial and prudent approach to the use of our resources. This is to ensure the portfolio not only retains and indeed increases in value but serves the needs and aspirations of the community in which we work.

1.3 The AMS is an inter-relationship between many aspects of the areas of operations and this document recognises this, and reinforces these. The relationship between development, management services, a direct service to customers (repairs, servicing etc.) is addressed and ensures that an intelligent and commercial approach is adopted. In addition to these the AMS supports and informs the Business Planning process and is of significant consideration in all strategic and operational decision making processes.

1.4 The vision of the Housing Asset Management Strategy is to

- Provide a commercially viable and socially relevant property asset appropriate to the Council's objectives, and the people we provide services to.
- Be compliant with our statutory, regulatory and contractual obligations.
- Provide a statement of purpose, policy framework and implementation obligations to the delivery of the AMS.

1.5 The key policy statements directing the AMS are

1. Our residents are at the heart of our business operations and we actively seek their views and input into the decision making process set out in the Community Engagement Strategy.
2. The Council will ensure its operations will make a positive difference to the quality of our residents' lives and the neighbourhoods in which they live.
3. The Council will be an intelligent and learning organisation and listen to customers concerns, complaints and suggestions.
4. The Council will ensure that Asset Management is financially robust and protects the value of the Council's assets.
5. All investment decision making relating to the property portfolio considers the impact on customers, viability, tenure and the future housing needs of the residents of Havering.



6. The adoption of standard definitions of work types to remove ambiguity.
7. The Council will make decisions about the future investment requirements based on a rational view of current and future housing needs, resources available from the Housing Revenue Account, disposing or adapting properties which do not serve the needs of local people
8. We are a responsible public sector service provider with regards to our environment.
9. We will derive the maximum benefit to the community embracing the Social Value agenda with particular emphasis on opportunities for employment and supporting the requirements of the Care Act.

1.6 The following paragraphs provide further details of the AMS and gives detailed information of the decision making processes. The document can be categorised into four parts

- a) Purpose and Strategic Context
- b) Definitions and policy statements
- c) Significant Data and Profile Characteristics
- d) Implementation

1.7 There are also a series of annexes which are referred to in the document and these are as follows

- I. Corporate Plan
- II. Implementation Plan
- III. Housing Stock Profile and Land Holdings
- IV. HRA Business Plan

## 2.0 **PURPOSE AND STRATEGIC CONTEXT**

### **Purpose**

2.1 It is excepted good practice for any large scale property owner to have a statement of how its assets will be managed and developed. Indeed previously all Registered Social Landlords were required, by their regulators, to develop an Asset Management Strategy. This document sets out the approach for Housing Services to develop our Asset Management Strategy and provide a framework which sets targets for business planning and implementation priorities. The previous regulators code set out its expectations for all Social Landlords in this respect. Whilst the regulation regime has now been significantly altered it is good business practice to produce an Asset Management Strategy as a basic requirement investment strategy is in place to ensure that social housing is lettable, of a good standard and relevant to changing demands and aspirations.

2.2 This document is a revision to the previous AMS developed by the former ALMO to address the issues of the Decent Homes backlog. With the award of Decent Homes Backlog Funding (DHBF) following the achievement of two star rating, under previous regulatory frameworks and the changes rebidding requirements introduced in 2010. The primary focus of asset management has been the completion of the DHBF programme.

### **Introduction**

2.3 An Asset Management Strategy is, in simple terms, a continually evolving strategy and consolidation of plans to target and prioritise investment in the Councils housing assets – its properties. It is key to the Council's strategic and business plans and ultimately to customer satisfaction and participation in the

service.

- 2.4 This strategy focuses on the needs of our current housing portfolio following the completion of the Decent Homes Backlog Funding programme. At the end of the 2014-15 fiscal year the levels of decency reached 98%. During the duration of the DHBF programme, where internal works were required, many residents refused works. Whilst these properties could be considered decent, under compliance rules, this leaves a legacy of works required. It was agreed this would be undertaken when properties became void to limit disruption to residents and alleviate the need for the use of adversarial orders for undertaking the works. The strategy does not reference the Development strategy in detail. However it recognises the close links between the two areas of operation and a separate Development strategy is being developed and it recognises and dovetails in to the recommendations and actions.
- 2.5 In 2012 there were two significant changes which had a fundamental impact of the provision of affordable housing in Havering. The first and most significant of these was the abolition of the subsidy regime and the reform of Housing Revenue Account (HRA) legislation coming into operation. This, known commonly as Housing Self Financing, allowed all local authority landlords to retain all receipts from rental income and by the use of a 30 year business plan take greater control over how HRA was used. In exchange for the release from the subsidy regime each local authority agreed to take a part of a formulaic proportion of debt associated with housing provision. This for Havering resulted in a loan requirement of £167m. The second change was the former ALMO was brought back in house. This was due to changes in the requirements to acquire decent homes funding and followed a survey of residents who, by a significant majority, expressed a wish to have their homes managed by the Council.
- 2.6 In recent times various reforms associated with the rent setting regime are having a significant impact on the income stream in the Business Plan. One of these, the required reduction of rents by 1% from the 1 April 2016 for a period of four years, will remove an estimated £8.5m of resources available. Therefore it is essential the appropriate balance is achieved between operational costs and investment levels to ensure a robust and sustainable Business Plan. The AMS must adopt stratagem and set an investment plan to retain the assets in an economically sustainable condition.

### **Corporate Plan Context**

- 2.7 The Council has in place a Corporate Plan which sets out its vision and strategic level objectives for the organisation. In order to bring relevance to the AMS in the wider corporate perspective salient extracts of the Corporate Plan have been referenced below.
- 2.8 We own and manage over 9,600 homes and provide services to 2,418 leaseholders. In addition, as an important service of the Council, we provide support and signposting services to many more people. The Council faces significant challenges with regards to budget management and the impact on the range of services it provides to the residents of Havering. In addition the continuation of austerity measures nationally will further impact on other public sector partners in health, social care, emergency services and third sector partners.
- 2.9 The role Housing Services will play in the future delivery of wider services will change. We will have to work very closely with colleagues in all service areas to look at innovative and financially viable ways to meet the needs of residents.

### 2.10 AMS OBJECTIVES

Over the next three years (2016-2019) we will deliver the following four objectives associated with the housing portfolio, efficiently and effectively, to meet or surpass our current and future customers' expectations:

Manage and maintain a portfolio of top quality affordable homes within sustainable communities by

- Maintain our assets to a “just in time” standard seeking environmental and life time homes solutions at every opportunity
- Investing in stock which as a sustainable future and provides relevant accommodation to our residents by modification if required.
- Develop new homes, maximising the use of underutilised land assets, appropriate for the community.
- Deliver community investment activities to support the communities we serve.

## 2.11 AMS PRINCIPLES

Our objectives will be achieved by embedding the following values, in line with and following the principles set down in Havering’s Corporate Strategy 2015 “Safe, Clean & Proud”:

- 2.11.1 • We will do the right thing by our residents, by cutting our running costs first, to safeguard frontline services where we can.
- 2.11.2 • We will focus our efforts where they will provide support to the communities and individuals we assist, to make the best use of public money.
- 2.11.3 • We will influence individuals and communities able and willing to help themselves, to do so without unnecessary interference from the Council.
- 2.11.4 • We will be fair to those people who rely on our help and provide more choice, freedom and flexibility in the services they receive

### **The Role Of Asset Management**

2.12 The role of Asset Management is to build and maintain a framework to provide rationale to the decisions and assumptions used for the Business Plan, and to set out the parameters for the physical management of the buildings (housing) owned by the Council in its capacity as a landlord. It is also intended to reference the Housing Services position with regard to growth and regeneration.

2.13 Asset Management is a well-established practice for organisations who own portfolios of property to adopt in order to establish the short, medium and long term strategies in regards to investment. The Chartered Institute of Building defines this as

***“A holistic approach to the development, management and maintenance of an asset to maintain functionality, efficiency and value.”***

2.14 Asset Management, at a strategic level, can also be viewed as having “the right properties in the right place at the right time”. In terms of the management of the homes we manage and the services we provide, that philosophy holds true, and the Council will actively seek and work to:

- Work in partnership with key stake holders in taking a strategic view on the overall demand for social housing within the Borough we work, seeking to identify our role in bringing about real change,
- Review the changing demographics and housing needs of our tenants in the community and understand and embrace how the characteristics of the homes we manage and services we provide meet both current and future needs and aspirations,
- ‘Look at a variety of options and strategies to ensure the Council is active in being at the forefront to meet changing social, economic or demographic needs and aspirations of residents,
- Maintain and improve our assets in a sustainable way, to ensure that they meet current and future standards and aspirations,

- Manage the portfolio in a manner that contributes to the overall corporate objectives of the Council,
- Take a long term view on investment and disinvestment decisions that reflect ‘whole life’ costs and benefits and most importantly
- Involve residents in the decisions that affect their homes.

### **Key Themes**

2.15 Whilst it is recognised, in its purest form, the Asset Management Strategy relates to the built assets we own, there are other contributing factors we must acknowledge and adopt as a landlord. For the Council,, this focus on buildings is not the only consideration. We are in the “people sector” and as such a primary consideration will be the tenants and leaseholders we provide services to and key stakeholders in the community we serve. The Council wishes to provide its residents with good quality homes currently and for the future. To ensure this is achieved 5 key themes have been established.

#### 2.15.1 *Residents*

Provide the appropriate types of accommodation with facilities that meet their current and future requirements and expectations. To ensure their homes are safe and secure with good quality modern facilities and be somewhere they are proud to live. Furthermore this strategy should look to embrace, enhance and give full consideration of the ways in which the Council will meet our tenants’ requirements in respect of equality and diversity.

#### 2.15.2 *Markets*

The Council recognises that key partners have different expectations and priorities. These will be assessed and be built into all areas of operations whilst providing consistent and quality solutions. We will also ensure that market trends and opportunities are noted and our strategic plans are flexible and adaptable to rise to any challenges we face. A clear link between strategies for the management and maintenance of its existing assets and for the procurement of new property is also vital in ensuring our position within the markets in which we currently, and may wish to in the future, operate in is clearly communicated.

Maintaining demand for our properties is absolutely vital to our service provision. The reasons for low and changing demands are multi-faceted and inter-linked and include the following: -

- Quality and condition of stock.
- Reputation of an area.
- Aspirations.
- Choice.
- Demography.

#### 2.15.3 *Locations*

To be an effective provider of affordable housing as well as an enabler it is critical that the Council address the wider issues of place that help create sustainable areas for people to live. Having a strong focus on neighbourhood is vital. This means engaging with the local community to ensure that issues of crime, poor health and environmental degradation are addressed.

It is impossible for any single agency to improve the prospects of a neighbourhood. It is only by “working together” that service areas will deliver more integrated and accessible services to residents. The role of different partners will be different in different neighbourhoods. Client groups needs and expectations differ in various locations in the borough. We further recognise that the Council has a key role to play in working with agencies to reduce social exclusion in the affected areas.

#### 2.15.4 *Quality*

The Council is committed to maintaining, revitalising, improving, and where necessary, changing these

assets in order to maintain homes to a quality that meets customers changing expectations.

#### 2.15.5 *Value*

The Asset Management Strategy aims to ensure that the Council obtains best value in the use of its assets. This requires the Council to have plans in place for day to day maintenance, cyclical maintenance, planned maintenance and reinvestment.

The Council will tailor its programmes to meet these needs and other business priorities that impact on the long-term viability of the Business Plan.

In doing so we intend to ensure:

- Good standards are achieved.
- Customers are fully involved
- Resources are effectively utilised and distributed equitably
- Resources are strategically invested
- Programmes of work are efficiently and professionally implemented

### **3.0 Political, Social and Economic Environment**

#### 3.1 *Political Environment*

Government policy decisions affect the way in which the Council will be directing its work in the short, medium and long term. A selection of the factors in Government policy which affect us are:

1. Changes in legislation which impact on service delivery such as the Care Act, Universal Credit, Welfare Reform, Localism Act etc.
2. The pressure on funding which impacts aspects of people's lives, other than just housing. This includes employment, training, enterprise, and education leading to long term sustainable communities.
3. Reductions in government subsidy and further reforms to funding the public sector.
4. Acknowledging the financial pressures across all the Council's General Fund services
5. The impact of the recent changes to the Right to Buy discounts, the expansion to Registered Providers and proposed funding of this by sales of high value Council stock.

The range of legislation and the potential for change at national level of government policy will impact on the Council's activities. We must be mindful of these changes and incorporate these into our Business Plan projections.

#### 3.2 *Economic Environment*

At the time of production of this strategy the economy has recovered from one of the most dramatic and rapid declines in economic growth to be experienced by the British and global economies. Whilst the effects of this are at the forefront of Business Planning processes, it must be recognised as this position fluctuates key assumptions have to be regularly reviewed and plans of investment should be flexible to take full benefit of this.

Some of the key aspects of the economic climate that the Council is affected by are:

1. The reduction in rental income for the next four years from April 2016 challenging forward planning assumptions on surpluses use.

2. the low inflation rate and low interest rates which may bring the benefits of lower costs, but also the dis-benefits of potential lower income and pressures from lenders with regards to loan coverage.;
3. Overheating of property prices and the restriction of available funding for purchasers in the private sector and for part ownership schemes.
4. The continued impact of loss of capacity in the construction and related services industry due to a contraction of opportunities, lack of key skilled labour and construction sector inflation driven by high demand construction work.
5. The lack of consumer confidence in the economy and its effects on growth and recovery.

### 3.3 *Social Environment*

There are pressures in meeting the housing needs of the population which affects London and the South East of England. The Holmans Report gave a clear indication of the required output of new homes required to meet this ever increasing need. In addition, the changing housing market in the borough, driven by an outward migration from inner London areas, is adding to demand for all forms of housing.

The supply and demand for the homes we provide or facilitate and the services we provide have a number of primary factors which must be considered when looking at our investment plans. Amongst the factors which affect these are:

- The mobility of households in areas of high housing cost to relocate to seek affordable housing opportunities adding pressure to local supply
- the pressures on housing need in the South East;
- Acceptance by planning authorities of greater density of accommodation and/or developed space.

Other demographic changes that we will need to respond to are:

- the ageing of the population;
- the different ways in which people now want to live;
- the diversity of client groups we deal with and the range of services provided
- the importance of location and property type in the provision of housing for older people;

The provision of sustainable communities is vital to the long term stability of any stock holding we have. It is therefore vital we are able to assess a composite sustainability indicator which reviews internal and external indicators including:

#### *Internal Indicators*

- % of properties void and available for letting
- % of properties void and unavailable for letting
- % of tenancy turnover for previous 12 months (no. of lettings as % of stock)
- % of tenants in receipt of full or part housing benefit
- average level of rent arrears in £
- average expenditure on reactive repairs over previous 12 month period

#### *External Socio-Economic Indicators*

- Index of Multiple Deprivation (national ranking) ward level

- Burglaries per 1000 population at ward level
- Average sale price for housing based on postal sectors broadly corresponding with neighbourhood boundaries

This empirical data will allow part of the assessment of investment to be formulated adding the softer dimension that pure economic drivers.

## 4.0 DEFINITIONS AND POLICY STATEMENTS

### Key Definitions

- 4.1 The Royal Institute of Chartered Surveyors have defined Building Maintenance as *“work undertaken in order to keep, restore or improve every facility, i.e. every part of the building its services and surrounds to a currently accepted standard, and to sustain the utility and value of the facility.”*
- 4.2 Whilst there is an element of making good and mending to be carried out essentially we are looking at a far wider range of solutions to deliver the standard of housing we wish to for our residents.
- 4.3 Consequently in order to clearly communicate to residents, stakeholders and staff what we are trying to achieve a set of clear definitions need to be established. In reviewing the investment requirements the previous standard has been driven by the Decent Homes standard and the industry recognised life cycle of key components. In order to optimise investment the Council will be moving to the standard of “Just in Time”. The definition of this standard is
- 4.3.1 Where the life of a component or element is not the main driving factor to its replacement or other type of major intervention. It adopts the approach that action will be taken only when total failure is imminent or investment in maintaining becomes economically restrictive. The decision to invest is based on the following
- Components or elements function relating to building use and income stream
  - Materials used in construction.
  - Age of component or element
  - Ability to obtain replacement parts and ease of maintenance.
- 4.3.2 This regime requires building owners and managers to be able to accurately forecast condition and to continually re-assess items where Just in Time is applied to. Havering will be committing to, as part of the AMS, to undertake periodic annual surveys and a detailed survey every five years.
- 4.3.3 A detailed assessment of previous financial forecasts of future investment requirements has been undertaken to establish the impact of a change of approach. It must be noted previous forecasts are based on a hypothetical scenario that building elements and/or components will require renewal at the end of the life cycle attributable. The Just in Time method assess the known and/or actual performance of elements and components and forecasts on this basis. This is continually affirmed by the regime proposed in 4.3.2.
- 4.3.4 For the purposes of application of Just in Time main elements have been divided into high risk and low risk. The criteria to distinguish “high risk” is proposed to be items inside of residents homes, therefore not easily surveyed, and can affect the basic function of their home. The items identified as high risk are
1. Bathroom installations
  2. Common building services
  3. Communal heating
  4. Domestic heating
  5. Kitchen installations

4.3.5 In order to ensure risks associated with health and safety or a failure to comply with tenancy terms and conditions, and in addition to the periodic survey programme, empirical data from maintenance and servicing regimes will be used to identify trends in demand. This requires flexibility to be maintained in financial planning over the 30 year cycle with priorities being reassessed on the main annual review of the Business Plan.

4.4 Maintenance relates to works that in principle restores a component like for like or the introduction of additional components to address factors reducing the usability of the asset.

#### *4.4.1 Reactive Maintenance*

Responsive maintenance (or reactive/day to day maintenance) is the repair of a building element or component that has been damaged, worn out or does not function as it should.

#### *4.4.2 Planned Maintenance*

The undertaking of works that renews a building element and ensures continued functionality of the facility in its present form. A separate policy statement has been produced for this area of investment and is detailed in appendix one.

#### *4.4.3 Cyclical Maintenance*

The undertaking of work that is scheduled on a set time period and is of a necessary nature for a component or element to continue to perform the function it was originally designed for or to comply with a set regime.

The other activities we have to define in the context of our business plan are;

#### *4.4.4 Reinvestment*

The undertaking of works that improves facilities, provision of accommodation, and upgrades the built asset to meet the current and future expectations of the **existing** client group.

#### *4.4.5 Stock Upkeep*

The undertaking of works that maintains a facility, component or building service to ensure its use is continued to minimise the necessity of high cost interventions.

#### *4.4.6 Remodelling*

The undertaking of works that improves facilities, provision of accommodation and generally upgrades the built asset to meet the current and future expectations of a **new** client group.

### **Redevelopment proposals and voluntary sales**

4.5 In considering reinvestment and remodelling of stock the Council must consider the key aspects of capital and long term maintenance costs where the nature of the investment would not address some of the other aspects associated with the stock holding.

4.6 The Council will adopt a new Options Appraisal model to critically assess the suitability of properties, when the tenancy or other occupation has terminated. The criteria to be utilised in reaching a decision to redevelop or dispose of a property will be

- Location of the property and its relationship to potential redevelopment opportunities.
- The number and duration of sustainable tenancies or occupation over the previous 12 months period.
- The period required to secure a tenant or occupant of the building.
- The levels of investment required as a Reinvestment unit.
- The potential net value the sale of property with a minimum 5% yield and any loan security arrangements.
- The relationship of the property to the primary functions of Housing Services.



- The results of an analysis of all financial factors including rental income, costs to manage and maintain and market value.

4.7 Each option appraisal will be presented to the Lead member for Housing with the range of redevelopment or disposal options. The formal decision will be taken in accordance with the Councils constitution.

### **Development and Future Growth**

4.8 Whilst this strategy appertains to existing holdings there is a direct relationship with the Development Strategy. The introduction of the self-financing regime has afforded local authorities significant flexibility in the delivery of new homes. The balance between the use of HRA resources for investment and the delivery of new property will have to be balanced against factors associated with the duties placed on the Council as a landlord and the availability of other funding streams (grant, right to buy receipts etc.)

### **Working with our Residents**

4.9 The Council is committed to providing for the needs of the community we serve and we are updating and refining a number of key policies associated with channel shifting activity relating to Customer Service and Resident Involvement. This strategy will work in parallel with these when the implementation plan is operational. All areas of our operations have key performance targets to achieve that look to provide continuous improvement to all of our services.

4.10 We have a clear customer focus throughout our service area which links to the Councils corporate plan and strategic objectives.

4.11 The Council offers a wide range of access to our services; through our contact centre and PASC in Romford. There are also office receptions in Harold Hill for face to face contact. Many of our services are available through the internet and the programme associated with the Customer Transformation project remains a key feature of service planning.

### **Environmental Sustainability**

4.12 The Council has a well-established Climate Change Strategy and Housing Services have played a significant role in taking forward key initiatives in delivery of measures to reduce our energy usage and carbon foot print. Notwithstanding there remains a number of challenges facing the organisation in this respect can be summarised as detailed below

*4.12.1 Legislation:* The current social and political emphasis on the Climate Change issue will continue to result in legislation that will be incrementally introduced and impact on most aspects of building activity related to housing. Government (DCLG) guidance already exists recommending how organisations can reduce their Carbon and Environmental 'footprints'.

*4.12.2 Carbon Footprint:* The challenge of measuring and then reducing the Carbon Footprint of the Housing portfolio is something that we are cautiously assessing, and this takes into account both our operations and our buildings.

*4.12.3 Sustainable Resources:* Wherever practical or reasonable to deliver within current economic frameworks, we will make use of sustainable resources or use resources in the most efficient way possible.

*4.12.4 Stock Energy Consumption:* To achieve our aspirations and reduce costs to our residents we will be continuing to replace all obsolete and inefficient services installations to reduce the cost in use and consumption.

4.12.5 *Renewable Energy Sources*: The Council is already committed to installing modern installations that exploit renewable energy on new developments. We will consider how this technology, in the appropriate manner, can further enhance the life of our residents and promote the environmental agenda.

4.12.6 *Tenant Behaviour*: There are limitations on the scope we have to influence behaviour of individual tenants in their day-to-day decisions and choices. We have introduced services via the Tenant Energy Efficiency Advisor to work directly with tenants to help provide guidance and evidence of the benefits this can bring.

## Procurement

4.13 The procurement methods used are directed by the Delivery Strategy for development, redevelopment and investment and the Councils Contract Procedure Rules (CPR's).

4.14 A strategy to encourage and develop greater involvement of local business and Small and Medium sized Enterprises (SME's) is well established and will continue to be a key consideration in delivering projects to the housing stock.

## SIGNIFICANT DATA AND PROFILE CHARACTERISTICS

### 5.0 Stock Profile

5.1 As at 1<sup>st</sup> April 2015 the Council own and or manage 9,612 rented homes and 2,218 leasehold homes. There are also 64 shared ownership properties.

5.2 With regard to the age profile of the stock, the date built records are as follows

### Property Type

Year Built	Number of properties
1900-1944	549
1945-1964	5593
1965-1974	2568
Post 1974	902
<b>Grand Total</b>	<b>9612</b>

Archetype	No. of properties
Bungalow	397
Flat	5067
House	3604
Maisonette	544
<b>Grand Total</b>	<b>9612</b>

Classification	Count of MRA Archetype (HIP)	Percentage
i) Pre-1945 Small (<70m2) Terr House (Trad)	180	1.87%
ii) Pre-1945 Semi House (Trad)	207	2.15%
iii) All other Pre-1945 House (Trad)	22	0.23%
iv) 1945-64 Small (<70m2) Terr House (Trad)	532	5.53%
ix) Pre-1945 Low Rise <3 Storey (Trad + Non-Trad)	75	0.78%

v) 1945-64 Large Terr House/Semi (>70m2) (Trad)	1072	11.15%
vi) 1965-74 House (Trad)	428	4.45%
vii) Post-1974 House (Trad)	214	2.23%
viii) All House (Non-Trad)	950	9.88%
x) Post-1945 Low Rise <3 Storey (Trad + Non-Trad)	2233	23.23%
xi) Medium Rise 3-5 Storey (Trad + Non-Trad)	2715	28.25%
xii) High Rise >6 Storey (Trad + Non-Trad)	586	6.10%
xiii) Bungalow (Trad + Non-Trad)	398	4.14%
<b>Grand Total</b>	<b>9612</b>	<b>100.00%</b>

Type of property					Grand Total
Number of Bedrooms	Bungalow	Flat	House	Maisonette	
Bedsits	160	233			393
1	168	2664		2	2834
2	52	2028	1108	273	3461
3	17	130	2368	257	2772
4		12	120	12	144
5			8		8
<b>Grand Total</b>	<b>397</b>	<b>5067</b>	<b>3604</b>	<b>544</b>	<b>9612</b>

### Decent Homes Standard

6.1 The Government established a target “to ensure that all social housing meets standards of decency by 2010 “. The general principles of applying the standard are as follows:

6.2 It was a minimum standard that all social landlords should have met by 2010 and can be measured consistently across all social housing stock. Furthermore it is a standard that triggers action, not one to which work is necessarily carried out. Therefore Landlords were not expected to make a home decent if it is against the tenant’s wishes as work can be carried out when the dwelling is next empty.

6.3 There are four criteria used to determine if a dwelling meets the decent homes standard. These are as follows:

Criterion 1 - The dwelling must meet the Housing Health and Safety Rating System.

Criterion 2 – The dwelling fails if one or more specified key components, or two or more non-key components are beyond a specified notional life **and** in disrepair.

Criterion 3 – The dwelling fails if it lacks three or more of the six specified facilities and services.

Criterion 4 – The dwelling must have effective insulation **and** efficient heating.

6.4 The Council completed the major investment associated with the Decent Homes programme by the end of the 2014-15 financial years. A residual of 2% of the portfolio remain classified as non-decent. The remaining properties will be addressed when they next become empty or as part of continued programme relating to the non-traditional stock.

### 7.0 Stock Condition

7.1 One of Housing Services key priorities is to maintain high quality stock and maximise the benefit of existing and new stock. The provision and upkeep of high quality, well-managed housing is a cornerstone of any sustainable community.

7.2 The stock condition survey has recently been updated following a major review of the Keystone Asset Management system. Notwithstanding this a programme of stratified surveys will continue to ensure trends in deterioration and/or misuse are recognised and recorded.

7.3 The objectives of the survey will be to collect sufficient data on each property to:-

- Identify properties in disrepair or which are unfit
- Identify the general condition of homes by assessing the condition of internal, external and common parts.
- Identify component condition to inform life cycle predictions.
- Identify improvements required to increase the life of the properties.
- Establish energy efficiency details for each property.

The financial information produced from the surveys will be used to inform the Business Plan and future financial projections. The categories of cost, for assessment calculation and reporting are to be determined as follows (the text in italics are brief extracts from government office definitions):

7.3.1 Catch Up Repairs “...*the backlog of repairs needed to make good observable defects in a dwelling, usually works which ought to have been done in the past under cyclical or responsive repairs or where planned maintenance has not been carried out.*” E.g. *old and defective Kitchen units and worktops.*

7.3.2 Future Major Works “*replacements/major overhauls necessary once catch-up repairs have been completed.*” e.g. *the predicted need to renew boilers assuming a life cycle of 15 years from the date of installation.*

7.3.3 Contingent Major Repairs “*works which could be reasonably anticipated but for which there is no direct evidence of a problem in the properties concerned.*” E.g. *the future cost of renewing drainage where widespread failure may occur.*

7.3.4 Improvements “*works which increase the standard of accommodation either by providing something which did not exist, or upgrading an element to be replaced.*” E.g. *the installation of door entry systems to a block of flats.*

7.3.5 Preliminaries e.g. *costs associated with the provision of scaffolding for properties with three or more storeys.*

7.4 The overall results of these surveys are as detailed below. Survey results assume replacement of elements at life cycle intervals reflecting the “Just In Time” standard. All values stated are as at 1<sup>st</sup> April 2015 and include delivery preliminaries, except in respect to scaffolding which is in accordance with normal Stock Condition Survey Procedures. All values are for a 30-year period, with the exception of Catch-Up Repairs and Improvements. No further allowances are made for:

- Build Cost Inflation
- Fees
- Management Charges
- VAT
- Decanting of Tenants
- Responsive/Void and Cyclical Costs
- Disabled Adaptations

The details of the forecast of investment are set out in appendix two

7.5 We will constantly review the assumptions made on the expected life of building components by a programme of sample surveys of 10% of the stock with a major review being conducted every five years. Where required adjust the data base and life cycles so that programme contents reflect actual necessary expenditure rather than replacement to comply with intellectual assumption.

7.6 The Council will utilise in house and contracted resources to continue with a rolling programme of stock condition surveys to remove the levels of assumed data (cloned) within the Asset Management data base. This will also give occasion for staff to collate data on neighbourhood aspects and the individual needs of our tenants to feed back into other customer facing strategies.

## 8.0 Financial Considerations

8.1 The levels of investment required will be dictated by a number of factors as identified within this strategy. They will largely be driven by condition and our obligations to comply with legislative requirements. However, the facility to allocate funds to specific aspects of the key themes must also be available.

8.2 The Asset Management Strategy is underpinned by the long term business plan (BP). The BP is a financial projection of the HRA delivering its corporate objectives of improving customer service and meeting the objectives associated with the BP and Development programme.

8.3 The Asset Management Strategy will operate within the context of the Business Plan and the broader policy of the Council. It is recognised where resources for development, redevelopment and investment change during the life of the Business Plan a minimum base point will be maintained. This will be the built assets are in a condition which poses no health and safety risk to residents and complies with the Housing Health and Safety rating scheme.

## IMPLEMENTATION

### 9.0 Current Position

9.1 The stock was, prior to the decent homes funding being received, invested in with limited resources available. The significant investment since 2011 has made a positive impact to the overall condition of our property. However, some aspects of the portfolio were deferred to ensure the resources were focused on the delivery of the backlog funding.

9.2 In addition to works deferred at the request of residents, parts of the estate require attention. These are as follows

- External out buildings (store sheds, garages)
- Building Services to common parts (landlords lighting, communal water storage, passenger lifts)
- Landscaped areas (soft and hard)
- Other communal facilities (play equipment, drying areas)

9.3 It is recognised some of these items whilst presenting expenditure liabilities also present redevelopment opportunities. Due to their nature it is complex to quantify these as detailed in paragraph 3.3.2. However, technical and financial parameters will be established to predict the viability of development in the round and these can be applied to sites where disinvestment is appropriate.

9.4 The balance between reactive and planned maintenance is incorrect. A disproportionate amount of funding is being directed to reactive solutions for short-term problems with little regard for longer-term

investment. The levels of activity will be closely interrogated to review trends and factors that impact on property investment criteria and target resources in a more considered and planned nature.

9.5 The stock, in some cases, is provided in a form that is not acceptable or desirable to residents as a long-term option for a home. The expectations of society, in the main, have changed and some of the stock falls short in terms of form, size and value for money. This leads to the properties becoming difficult to re-let and consequential rental loss. A programme of review associated with properties identified as “hard to let” or support the requirement to sustain tenancies will be undertaken in line with the parameters set out in the Asset Management Strategy.

9.6 The recent changes in the Business Plan assumptions have led to a review of investment priorities. The move to the “Just In Time” standard will affect programme delivery timescales previously communicated. The potential impact on individual residents will be reviewed and a communication strategy developed to minimise dissatisfaction and reputational risk will be devised.

## 10.0 Vision for the Future

10.1 With the end of backlog funding it is now incumbent on the Council to detail a vision for investment priorities within the resources available. It is also recognised the opportunities presented by the HRA self-financing regime will also have a call on the resources available.

10.2 The objectives have been set out clearly giving strategic context to where we want to be. The principal themes being

- Residents
- Markets
- Locations
- Quality
- Value

10.3 However it is important to state the desired outcomes of any plan to be adopted. This will give a clear line of communication to our residents and stakeholders of our continued strategy to invest in and maintain the value, both economic and social, of our property holdings.

10.4 The Council will endeavour to achieve

10.4.1 *The stock will become relevant in terms of type, size and quality with the facilities and services provided have a relevance to customers’ expectations and is flexible to facilitate a variety of uses and/or support provisions.*

10.4.2 *That the unit costs for the provision of both reactive and planned maintenance will decrease making the revenue requirements less in the long-term. It is necessary for the Council to use all of its resources associated with maintenance in a more effective manner and carry out investment in a more proactive way.*

10.4.3 *A clear methodology is will be in place to ensure that the Cost/Value relationship is appropriate.*

*As a result of the investment we will achieve one of the following*

*A return on capital invested within a five-year period. If this cannot be achieved this will be reviewed by Housing Board*

Or

*Reduces an anticipated loss or long term investment liability.*

10.4.4 *In the event of investment being required to reduce losses of a particular scheme rather than increase its value this will require a separate approval by Housing Services Management team*

## 11.0 **Action required**

11.1 We will establish what our residents expectations are of the homes they live in. This will supplement our detailed plans derived from survey data and deferred works from previous years. This will give us the data to make decisions on the investment programmes post the completion of the decent homes programme. It is proposed to use focus groups to explore the outcomes of previous surveys to further support this.

11.2 A better approach is required for reactive maintenance to deliver the vision of the future. This must limit the use of reactive resources for replacements of elements or facilities and focus on carrying out routine repairs. A feedback mechanism is required to ensure the items outside the scope of this are noted and planned and those residents are informed of when they can expect these works to be done.

11.3 It will be necessary to limit works to properties identified for reinvestment/remodelling to a level to maintain our statutory obligations. This will focus resources in a cost-effective manner. In addition to this a contingency provision made available to ensure statutory issues are addressed and resident satisfaction can be managed.

11.4 Furthermore controls with regards to cost allocation and general financial management relating to maintenance in its broadest sense become more activity based, simpler, accessible and robust. The Council must ensure that resident repair responsibilities under the tenancy agreement or lease are adhered to.

11.5 A better strategic approach is required for planned maintenance to deliver the vision of the future. It is essential that where works are outside of reinvestment or remodelling packages they are undertaken in such a way that:

- Resources are used effectively to support other services activities (customer dissatisfaction, addressing void issues, management problems etc.)
- Have a positive impact on reducing the use of reactive maintenance spending.
- Utilise contractual and other relationships to enhance the programme of reinvestment and remodelling.

This will have a positive action on the revenue stream.

11.6 In order to make communication of investment plans more relevant to the service pressures being faced it is proposed to create a series of property definitions associated with stock investment. There are set out below

### *11.6.1 Reinvestment/Remodelling*

The vision of the future will require a re-alignment of current operational practices within Housing Services to achieve our end goal. The assessment and classification of properties must relate to our key objective of making our homes relevant and sustainable. The key definitions are the catalyst for this and will allow for the following categories. The additional consideration is the prioritisation of the classes of property will be based on short, medium and long term investment requirements and impact of revenue position.

### *11.6.2 Planned Maintenance Units*

Properties that provide good levels of facilities and accommodation for at least a ten year period whose condition is such that routine/minimal investment of less than 10% of its market value is required.

#### *11.6.3 Reinvestment Units*

Properties that provide basic levels of facilities and accommodation whose condition is such that they would require intervention to meet expectations of the service

The investment criteria will be that value of works are less than £16,000/unit or exceed 10% but not exceeding 20% of the market value.

#### *11.6.4 Remodel Units*

Properties that provide poor levels of facilities and accommodation whose sustainability is limited in their current form and condition is such that they would require intervention to meet expectations of the service.

#### *11.6.5 Investment Appraisal Units*

Properties that provide poor levels of facilities and accommodation whose condition is such that the works required to bring them to a basic standard would exceed the criteria stated previously, require a full review, with a view to disposal or re-provision of the accommodation.

11.7 The level of detailed assessment and classification is substantial. The assessment of properties not just relating to its condition but in terms of assessing the possibility of unit increase on existing sites needs to be collated so that classification can begin. Following on from this will be the development of a suitable financial appraisal model to prioritise and justify investment.

11.8 The exercise above and further detailed analysis of maintenance activity will take a reasonable amount of resources as the majority of the data required is held on our systems and is already being collated relating to control of maintenance expenditure.

11.9 The implementation plan in appendix three sets out the allocation of resources and a key schedule of activities to be implemented in the short medium and long term.



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PLANNED MAINTENANCE DEFINITION

**1.0 Introduction**

The purpose of this paper is to introduce to Housing Board the concept of a definition of planned maintenance. This was a matter raised by the Chartered Institute of Housing (CiH) during its recent review of Housing Services.

The absence of a clearly defined approach to maintenance was seen as a shortcoming in providing quality services to residents and having the ability to take a longer term view of the performance of the built assets in the Housing portfolio.

The Asset Management Strategy (AMS) is currently under review by the CiH and will set out a range of standards, policies and actions which will govern how the stock is managed. Not just from the perspective of repairs and improvements strategy, but also looking at the financial viability of the stock. Therefore the refined detail of the definition is a part of the AMS review.

In its most fundamental form planned maintenance is

*“Works carried out to maintain, prolong or enhance the overall performance of a built asset. This includes*

***Cyclical maintenance** defined as work that requires to be carried out on an agreed cycle and can be annually or every number of years.*

***Major Repairs** are by definition fairly substantial works carried out over a longer time frame and would result in the replacement of elements and significant components (e.g. boiler)”*

In order to fully develop the definition and embed into the AMS the definition needs to take full account of a number of critical factors. The following information is to advise on how the Council will arrive at its detailed maintenance policy and strategy to be incorporated into the AMS.

The AMS is scheduled to be presented to Cabinet for consideration in September 2015.

**2.0 Developing the maintenance strategy and establishing a policy**

2.1 Business needs

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The extent of the maintenance activity should be driven by the statutory requirements of landlord functions and the details outlined within the tenancy or lease agreement. This should include consideration of the potential impact of maintenance 'failure' on the organisation's ability to perform at optimum efficiency or reputational risks which may be presented. It is important for Housing Services to be able to demonstrate that the maintenance strategy is proportional to the Council's needs and policies associated with growth and the wider provision of services.

It is common that the maintenance strategy is agreed and authorised at Cabinet level, ensuring that all risks are clearly understood and demonstrated, in terms of both provision and non-provision of the agreed level of maintenance services. Maintenance delivery can then be managed against measurable outputs geared toward the HRA business plan.

As with any maintenance management service, the risks associated with the provision of maintenance vary substantially for a wide variety of reasons and might arise as a result of: geographic location; intensity of use; hours of operation and so on.

## 2.2 The maintenance strategy

In line with the above, a maintenance strategy should be established so that it shadows and complements, and is aligned with, the business strategy being pursued. It therefore follows that the maintenance service is involved at a high level so are fully aware of the long-term plans and overall direction being followed by the organisation, and understand the associated business drivers.

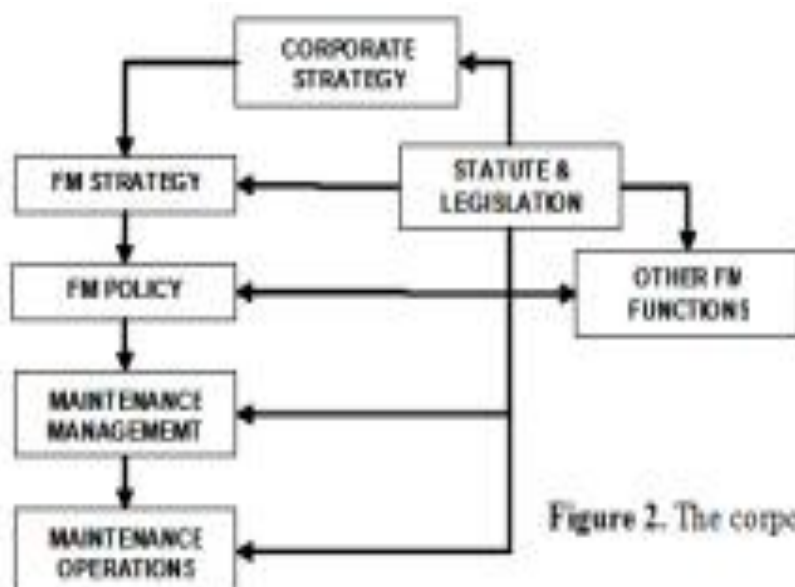


Figure 2. The corporate strategy sets the agenda.

### Figure 2. The corporate strategy sets the agenda

The Council's Housing Service is in the process of adopting the business strategy based on a short-, medium-, and long-term outlook. Any 'move' in direction the business plan directs may involve the re-alignment of maintenance, up- (or down-) sizing/re-engineering, or even a complete review. It is recognised any maintenance policy will have to have recognition of these potential changing demands. To meet these varying demands, and at the same time deliver a value-for-money service, timescales must be considered, and therefore the following issues should be taken into consideration:

- What services should be contracted, and how long should contracts be?
- Should maintenance specifications be input- or output-based, and what level of performance is required?
- What balance should be struck between planned preventive, condition-based, and corrective (reactive) maintenance?
- How far ahead should we project our life cycle replacements programme?

Once these questions have been answered, and a strategy has been 'set' and signed off, then it can be implemented through the formation of a 'maintenance policy'.

### 2.3 The maintenance policy

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A maintenance policy should be developed that will allow the agreed strategy to be followed and value for money achieved. The maintenance policy should be a clear statement of the objectives and methods to be employed in keeping the built environment fit for use and in preserving its asset value. It should define the framework on which all maintenance and management operations are based and state the life expectancy, or required life expectancy, of the asset. The policy should lay down guidelines concerning acceptable thresholds for technical standards, civil and statutory legal considerations (particularly health and safety issues), and budgetary control, relations with the residents of the building and the control and execution of maintenance and servicing operations.

### 2.4 Maintenance policy in context

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Buildings are a costly and valuable asset and need to be looked after. An often overlooked consequence of lack of maintenance is the potential cost of damage to reputation and relationships with residents. In addition, the costs incurred by, and the benefits accruing from, occupying and maintaining a building have a significant impact on the well-being of its residents. Maintenance management should therefore be seen as an important component in furthering the objectives of the Council.

Accordingly, the maintenance policy should integrate with the wider mission statement, business strategy and management policies of the Council impacting building management. Key stakeholders should be made aware of the maintenance requirements so that they can set the appropriate levels of funding required to ensure maintenance policy objectives are met. They also need to be informed of any adverse consequences that may follow from underfunding - this will typically include added expense due to having to perform unplanned maintenance at a later date, which by definition is more expensive to implement than the planned variety.

The absence of a formal maintenance policy can lead to a lack of focus in maintenance organisation, specification and funding which might manifest as misplaced effort, absence of clear direction, neglect and waste of resources. This in turn may result in undue disruption to building residents, create health and safety hazards, and cause asset depreciation and poor value for money spent. A maintenance policy is therefore an essential prerequisite for well-managed and cost-effective maintenance procurement.

### 2.5 Maintenance policy overview

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The maintenance policy needs to be a formal document setting out parameters, guidelines and methods in some detail. There is no one universal format that will suit all maintenance management scenarios.

### 2.6 Impact of design on maintainability

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Those involved in the maintenance of the built environment will invariably, at some stage, wish to be able to turn back the clock to the time of the design development. Where the original design may have had some shortcomings, this point in time can provide the

opportunity of correcting some of the original deficiencies in the design where maintainability is concerned.

All too often the maintenance of a building only comes to the fore following construction. This change in emphasis from design and construction to maintenance and occupation also epitomises the challenge of gaining the right balance between the needs of design and construction and that of maintenance and occupation. It is critical therefore that the built environment is designed with some thought to future activities, including maintainability. Similarly, care should be taken to ensure that maintainability is not 'value engineered' out of a project at the design stage in an effort to achieve cost reduction. This can be a false economy in the long term.

It is therefore important to achieve good design with the right balance between design/construction and occupation/maintenance. Where the emphasis is placed will vary depending on numerous factors such as use, design life, cash flow and similar matters. This can become more complex in projects such as public private partnership type schemes, when parties representing the same 'building' provider can have split responsibilities; for example, where the contracting operation is responsible for the construction and the maintenance management department takes similar responsibility for maintenance.

Good design should encompass consideration of the life of the building, envisaged occupancy and all other aspects which impact on maintenance; examples of the latter include:

- access to plant, equipment or other areas to be maintained;
- the selection of materials or products to give an appropriate level of maintenance to suit the building function, maintenance budget and desired level of building quality;
- adequate maintenance within the property to enable maintenance and cleaning;
- a suitable level of availability of maintenance materials, spare parts, etc.;
- achieving the design while minimizing, or using alternatives to, specialist maintenance.

Having established the maintenance policy, the next step is to consider how it is to be put into practice. This will entail the setting up of methods and procedures to determine among other considerations:

what maintenance and repair works need to be done;  
when these works will need to be done;  
how the work can be undertaken safely;  
how much these works will cost; and  
what works are the most necessary, if the funds available are not sufficient to cover all of the work identified as being necessary.

These criteria should be met by implementing the three operations detailed below.

### 3.0 Identifying the maintenance needs

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Identifying the maintenance needs involves collecting and assimilating information derived from:

regular condition surveys of the building stock;  
the existing planned maintenance programme (or profile);  
faults and repairs notified by the building residents;  
feedback from works of servicing, repairs and improvements in progress;  
relevant legal requirements either from statute law or from lease and rent and repair covenants and any changes/updating of legislation;

existing building and service records; and older buildings, which may be affected by regulation that came into effect after they were constructed. Regulation often necessitates asbestos surveys and management plans, health and safety assessment and fire risk assessment among other requirements.

### 3.2 Prioritising and costing the maintenance works

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Once the information on the building, its condition, its use characteristics and any repairs required are known, then a clearer overall programme for costing and/or sequencing maintenance operations can be made.

#### **Prioritising**

Prioritising entails the maintenance function exercising a qualitative judgment on the urgency or criticality of the need for repairs and any servicing requirements, and then ranking these requirements in order of importance. In general terms, the criteria for prioritisation are:

- Will the need for repair get worse, and if so how quickly?
- Where the repair is located, and is this an important area of the building from a user perspective?
- Are there any regulatory or civil requirements which affect the repair prioritisation?

It is usually necessary to target resources to address the more important needs, since it is only rarely economically possible to undertake every single repair that has been identified. This will be determined by the overall standards and maintenance policy ; the requirements of regulation; the terms of any lease or rental agreement; and available finance.

#### **Costing**

Maintenance and repair works can be difficult to cost accurately since there may be travelling and access time to take into consideration as well as the actual repair works. Furthermore, the full nature and extent of the repair may not be evident before the works are commenced.

### 3.3 Fixed-cost maintenance

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As a result of the fluctuating nature of revenue accounts, some organisations have looked to fix the cost of their maintenance activity; there are two basic alternatives for this:

- deferring the cost over a number of years; and
- deferring the financial risk by procuring the works on a fixed-cost basis.

#### **Deferment of costs over a number of years**

With a properly prepared maintenance plan that has been costed and prioritised it is possible to assess the implications of carrying out all the recommended works in year one. This ensures that the built environment will remain relatively maintenance free over a predictable period. While this will not remove all maintenance expenditure (as there will always be matters such as vandalism or unexplained breakdown), the method can be used to good effect in certain circumstances and can help to reduce long-term maintenance costs.

#### **Deferment of financial risk by procuring the works on a fixed-cost basis**

Starting with periodic preventive maintenance plus the provision of a breakdown service gives a relatively simple maintenance contract.

### **3.4 Maintenance Policy contents**

The content of any maintenance policy will vary substantially from organisation to organisation. The following is not intended to be exhaustive but simply to provide an outline of key aspects of maintenance and its overall fit within the Asset Management Strategy.

1 The policy statement (i.e. the maintenance policy in relation to the corporate strategy, and the overall management policy)

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The production of a maintenance policy is initiated by an examination of the nature of the business strategy, of the buildings themselves and of the uses to which they are put. There are three key issues to be addressed at this preliminary stage of maintenance policy formulation:

#### **(a) The user need and use pattern of the buildings**

The policy statement must take into account the fact the Housing stock comprises of many buildings on more than one site and, indeed, we have a large portfolio of many different buildings over a large geographical area.

#### **(b) The suitability of the buildings for their intended use**

This constitutes an assessment of the buildings' adequacy in terms of location, size, layout and maintenance for both present and future predicted needs.

#### **(c) Environmental policy and sustainability**

The Council have developed an environmental policy statement detailing their approach to local environmental concerns, materials sourcing, waste disposal policies and energy management policies in an attempt to set up a framework to achieve a sustainable operation. The maintenance regime should be designed around the idea that the built environment should be socially, economically and environmentally sustainable, and not purely economically driven

2 The policy as it relates to building residents

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### **2.1 Standards of maintenance**

This section of the maintenance policy indicates the standards of maintenance considered appropriate for the building use and expected by the building residents. Standards will define key services that require special attention and may set down functional and cosmetic standards for different areas or use types within the building.

### **2.2 Health and safety**

The minimum acceptable standard is that required by the regulatory framework. Other specific health and safety risks will be relevant to building maintenance operations.

### **2.3 Security and access**

Access for maintenance works may in some cases compromise security provisions. Ways of monitoring access and egress and vetting and supervision of maintenance operatives may be required. The hazards associated with routine maintenance should also be considered, for example, maintenance that requires staff to go into hazardous areas such as high-level flat roofs for relatively small maintenance tasks.



<b>STAGE 1: INTELLIGENCE ANALYSIS      what do we need to know?</b>			
<b>Objective</b>	<b>Focus</b>	<b>Target Date</b>	<b>Approach/Source</b>
<b>1A To survey all housing stock and collate relevant data onto stock management database and update database with delivered programme outcomes</b>	<ol style="list-style-type: none"> <li>1. A representative proportion of stock with system derived modelling based on archetype.</li> <li>2. Rolling programme to capture data for the complete stock (10% p.a)</li> </ol>	Qtr Two	<ul style="list-style-type: none"> <li>• Combination of in house and out sourced resources</li> <li>• Feedback from servicing and maintenance activities.</li> <li>• Property MOT regime</li> </ul>
<b>1B Understand the repairs and cyclical maintenance activity.</b>	<ol style="list-style-type: none"> <li>1. Top 100 properties where activity is centred.</li> <li>2. Installations of high cost to maintain and operate.</li> <li>3. Physical characteristic hindering good housing management.</li> <li>4. Aspects of homes and neighbourhoods detracting from customer satisfaction.</li> </ol>	<p>Qtr Two</p> <p>Qtr Four</p>	<ul style="list-style-type: none"> <li>• Analysis of management systems.</li> <li>• Feedback from residents and practitioners.</li> <li>• Resident Focus Group.</li> </ul>

Objective	Focus	Target Date	Approach/Source
<b>1C Understand the activity of requirements for void properties and letting activity</b>	<ol style="list-style-type: none"> <li>1. Minimum lettable standard.</li> <li>2. Contribution to decent homes standard.</li> <li>3. "Hard to Let" areas or properties.</li> <li>4. Rental loss during re-let period.</li> </ol>	<p>Qtr Two</p> <p>Qtr Four</p>	<ul style="list-style-type: none"> <li>• Tenancy Sustainment Teams</li> <li>• Housing Demand Teams</li> <li>• Budget forecasting trends</li> <li>• Tenant feedback</li> </ul>
<b>1D Catalogue all issues (both anecdotal or factual) which may influence an estate or community investment/regeneration agenda</b>	<ol style="list-style-type: none"> <li>1. Staff workshop sessions</li> <li>2. Complaints Team learning outcomes</li> </ol>	<p>Annual</p>	<ul style="list-style-type: none"> <li>• Series of local meetings</li> <li>• By using questionnaires</li> <li>• Brainstorm/interactive discussion</li> </ul>
<b>1E Analyse the issues associated with formal complaints</b>	<ol style="list-style-type: none"> <li>1. Lack of investment in a locality.</li> <li>2. Failure of specific elements.</li> <li>3. Customer services issues.</li> </ol>	<p>Qtr Two</p> <p>Qtr Three</p> <p>Qtr Four</p> <p>Qtr One</p>	<ul style="list-style-type: none"> <li>• Complaints handling monitoring system.</li> <li>• Responsive Repairs complaints analysis</li> </ul>

Objective	Focus	Target Date	Approach/Source
<b>1G To understand the local housing need and projections for future demand</b>	<ol style="list-style-type: none"> <li>1 Housing Needs Survey</li> <li>2 Lettings activity</li> </ol>	Qtr Two Qtr Three Qtr Four	<ul style="list-style-type: none"> <li>• Housing Demand Teams</li> </ul>
<b>1H Establish the investment projections and factor into HRA Business Plan</b>	<ol style="list-style-type: none"> <li>1. Sufficient resources to complete commitments.</li> <li>2. Compliance with covenants.</li> <li>3. Improvement of surplus.</li> </ol>	Qtr Two Qtr Three Qtr Four	<ul style="list-style-type: none"> <li>• Stock condition survey results.</li> <li>• 30 year forecasts.</li> <li>• Business Plan model.</li> </ul>
<b>1J Review Service Plan and embed investment priorities</b>	<ol style="list-style-type: none"> <li>1. Compliance with core values.</li> <li>2. Achieving improved surplus.</li> </ol>	Annual	<ul style="list-style-type: none"> <li>• Housing Board</li> <li>• HS SMT</li> </ul>

<b>STAGE 2: CONSULTATION AND INVOLVEMENT</b>		<b>who do we need to discuss with and inform?</b>	
<b>Objective</b>	<b>Focus</b>	<b>Target Date</b>	<b>Approach/Source</b>
<b>2A Devise and implement a Communication Strategy for key stakeholders (Councillors, CMT, and Residents) to outline the principles of the AMS.</b>	<ol style="list-style-type: none"> <li>1. Communication Strategy</li> <li>2. Residents Handbook</li> </ol>	August 2016	<ul style="list-style-type: none"> <li>• Housing Board</li> <li>• Communications Team</li> <li>• Community Engagement Team</li> </ul>
<b>2B Constitute a periodic Sustaining Homes focus group and ensure cross tenure and age involvement.</b>	<ol style="list-style-type: none"> <li>1. Resident Involvement Strategy.</li> </ol>	October 2016	<ul style="list-style-type: none"> <li>• Tenant Representatives</li> <li>• Community Engagement Team</li> </ul>
<b>2C Undertake a series of discussions with key stake holders on the implications of the Asset Management Strategy</b>	<ol style="list-style-type: none"> <li>1. Members</li> <li>2. CMT</li> </ol>	August 2016	<ul style="list-style-type: none"> <li>• Publication of Asset Management Strategy.</li> <li>• Face to Face Meetings</li> </ul>
<b>2D Publication of 5 year investment programme to all tenants/residents</b>	<ol style="list-style-type: none"> <li>1. Keystone Asset Management Tool.</li> <li>2. Property Services management.</li> <li>3. Housing Services management.</li> <li>4. Works deferred from decent homes</li> </ol>	April 2017	<ul style="list-style-type: none"> <li>• Website</li> <li>• Postal issue with “At the Heart” publication.</li> <li>• OPENHousing Management system</li> </ul>

<b>STAGE 3: PLANNING what do we need to do?</b>			
<b>Objective</b>	<b>Focus</b>	<b>Target Date</b>	<b>Approach/Source</b>
<b>3A Plan operational change, to enable new programmes to be delivered, in accordance with procurement policy and in relation for need to manage strategy, data, planning process etc.</b>	<ol style="list-style-type: none"> <li>1. All procurement and required internal infrastructure.</li> </ol>	Qtr One 2017/18	<ul style="list-style-type: none"> <li>• Involve relevant staff in the review and planning process</li> <li>• Acknowledge conflicting pressures between delivery (project management) and planning and standards.</li> </ul>
<b>3B Construct Options Appraisal model for review of voluntary disposals and redevelopment considerations.</b>	<ol style="list-style-type: none"> <li>1. Financial information on income and expenditure.</li> <li>2. Market conditions.</li> </ol>	Qtr Two 2017/18	<ul style="list-style-type: none"> <li>• Finance Services.</li> <li>• Housing Services Management Team</li> <li>• External data (RICS)</li> </ul>
<b>3C Re-construct property related budgets into distinct categories for apportionment to defined work areas.</b>	<ol style="list-style-type: none"> <li>1. Accurate budget reconciliation.</li> <li>2. Profiling to model activity.</li> <li>3. Provision of resources to reflect objectives.</li> </ol>	Qtr One 2017/18	<ol style="list-style-type: none"> <li>1. Finance Services</li> <li>2. Management system</li> <li>3. Contact Centre</li> <li>4. Property &amp; Land Services Teams</li> </ol>
<b>3D Plan on-going stock condition survey updates</b>	<ol style="list-style-type: none"> <li>1. 10% per annum of representative sample.</li> </ol>	Qtr Two 2017/18	<ul style="list-style-type: none"> <li>• Internal resources</li> <li>• Keystone Asset Management System</li> </ul>

Objective	Focus	Target Date	Approach/Source
<b>3E Implementation of the key themes into all operating areas attributable to property management</b>	<ol style="list-style-type: none"> <li>2. Tenants expectations.</li> <li>3. Statutory and regulatory requirements.</li> <li>4. Prevailing economic market conditions.</li> <li>5. Unit costs for management and maintenance.</li> </ol>	Qtr Two 2017/18	<ul style="list-style-type: none"> <li>• Market analysis.</li> <li>• Finance Services</li> <li>• Management Systems.</li> </ul>
<b>3F Update Business Plan model incorporating financial forecast of 30 year investment requirements for assets.</b>	<ol style="list-style-type: none"> <li>1. Stock Condition Survey.</li> <li>2. Interest rate and growth assumptions.</li> <li>3. Income assumptions.</li> </ol>	Qtr Two 2017/18	<ul style="list-style-type: none"> <li>• Finance Services</li> <li>• Survey results.</li> <li>• Market analysis.</li> </ul>

Objective	Focus	Target Date	Approach/Source
<b>3G Identify procurement options for delivery</b>	<ol style="list-style-type: none"> <li>1. Value for Money.</li> <li>2. Modern Methods of Procurement.</li> <li>3. Existing arrangements.</li> <li>4. “procurement for housing” or similar framework arrangements.</li> </ol>	Qtr Three 2017/18	<ul style="list-style-type: none"> <li>• Available Frameworks.</li> <li>• SME Agenda.</li> <li>• External Bench marking</li> </ul>
<b>3J Plan an annual review process to keep the Strategy up to date</b>	<ol style="list-style-type: none"> <li>1. Business Plan review timescale.</li> <li>2. Budget Monitoring.</li> </ol>	Qtr Four 2017/18	<ul style="list-style-type: none"> <li>• Corporate business process</li> </ul>

<b>STAGE 4: IMPLEMENTATION    how are we going to do it?</b>			
<b>Objective</b>	<b>Focus</b>	<b>Target Date</b>	<b>Approach/Source</b>
<b>4A Plan operational change, to enable new programmes to be delivered, in accordance with procurement policy and in relation for need to manage strategy, data, planning process etc.</b>	<ol style="list-style-type: none"> <li>1. All procurement and required internal infrastructure.</li> <li>2. Previous works deferred from previous programmes</li> </ol>	Qtr Three 2017/18	<ul style="list-style-type: none"> <li>• Involve relevant staff in the review and planning process</li> <li>• Acknowledge conflicting pressures between delivery (project management) and planning and standards.</li> </ul>
<b>4C Establish primary redevelopment properties and implement delivery tool kit</b>	<ol style="list-style-type: none"> <li>1. Tenant Consultation.</li> <li>2. Previous experience.</li> <li>3. Legal Requirements.</li> <li>4. Loan charge arrangements.</li> </ol>	Qtr Two 2017/18	<ul style="list-style-type: none"> <li>• Sustainability assessments</li> </ul>



Objective	Focus	Target Date	Approach/Source
<b>4D Implement revised Options Appraisals protocols for disposals or redevelopment.</b>	<ol style="list-style-type: none"> <li>1. Financial Regulations.</li> <li>2. Unit costs for management and maintenance.</li> <li>3. Investment to Value relationship.</li> <li>4. Rental Loss.</li> </ol>	Qtr Two 2017/18	<ul style="list-style-type: none"> <li>• Housing Services.</li> <li>• Market analysis.</li> <li>• Option Appraisals tool kit</li> </ul>
<b>4F Ensure corporate monitoring and key performance indicators are in place and reviewed.</b>	<ol style="list-style-type: none"> <li>1. KPI system</li> <li>2. Housemark benchmarking.</li> <li>3. Operational Performance.</li> </ol>	Qtr Three 2017/18	<ul style="list-style-type: none"> <li>• Property &amp; Land Services.</li> <li>• Finance Service.</li> <li>• Performance Management.</li> </ul>
<b>4G Test initial conclusions on investment requirements against availability and outputs</b>	<ol style="list-style-type: none"> <li>1. Business Plan</li> </ol>	Qtr Four 2017/18	<ul style="list-style-type: none"> <li>• Working with Finance to test conclusions against Business Plan</li> </ul>



Major Works Programme 2016-19

	16/17	17/18	18/19	3yr Totals
<b>New Build Programme and pre commitments in 2016/17</b>				
New Build Programme	£ -	£ -	£ -	£ -
Additional Programme approved by Cabinet September 2016	£ -	£ -	£ -	£ -
<b>Total</b>	<b>£ -</b>	<b>£ -</b>	<b>£ -</b>	<b>£ -</b>
<b>Stock Upkeep works to maintain standards including Major Repairs</b>				
Major Voids	£ 500,000	£ 600,000	£ 300,000	£ 1,400,000
Structural	£ 50,000	£ 50,000	£ 50,000	£ 150,000
Electrical Upgrade/Mains Supplies	£ 150,000	£ 150,000	£ 150,000	£ 450,000
Legionella	£ 170,000	£ 170,000	£ 170,000	£ 510,000
Fencing / Boundary Walls	£ 50,000	£ 50,000	£ 50,000	£ 150,000
Drainage/Sewers	£ 50,000	£ 50,000	£ 50,000	£ 150,000
Asbestos Removal/Management	£ 120,000	£ 120,000	£ 120,000	£ 360,000
External Redecorations	£ -	£ 1,199,000	£ 1,199,000	£ 2,398,000
DDA Fire Protection/Mean of Escape	£ 50,000	£ 50,000	£ 50,000	£ 150,000
Careline equipment	£ 50,000	£ 50,000	£ 50,000	£ 150,000
Stock condition surveys 10%	£ -	£ -	£ -	£ -
Aids and Adaptations	£ 500,000	£ 500,000	£ 500,000	£ 1,500,000
<b>Total</b>	<b>£ 1,690,000</b>	<b>£ 2,989,000</b>	<b>£ 2,689,000</b>	<b>£ 7,368,000</b>
<b>Stock Reinvestment to improve conditions including maintaining the Decent Homes Standard</b>				
Stock Investment "Replacements"	£ 2,428,765	£ 3,987,951	£ 5,395,233	£ 11,811,949
Non Trad Houses/Flats System Build	£ 2,725,000	£ -	£ -	£ 2,725,000
Kitchen/Bathrooms at Void stage	£ 600,000	£ 850,000	£ 300,000	£ 1,750,000
<b>Total</b>	<b>£ 5,753,765</b>	<b>£ 4,837,951</b>	<b>£ 5,695,233</b>	<b>£ 16,286,949</b>
<b>Stock Remodelling</b>				
Bedsit Remodelling	£ 98,100	£ 545,000	£ 109,000	£ 752,100
<b>Total</b>	<b>£ 98,100</b>	<b>£ 545,000</b>	<b>£ 109,000</b>	<b>£ 752,100</b>
<b>Future Investment</b>				
Major Improvements (inc hostels)	£ 708,500	£ -	£ -	£ 708,500
Environmental Improvements (Minor)	£ -	£ -	£ -	£ -
<b>Total</b>	<b>£ 708,500</b>	<b>£ -</b>	<b>£ -</b>	<b>£ 708,500</b>

	16/17	17/18	18/19	3yr Totals
Programme Totals	£ 8,250,365	£ 8,371,951	£ 8,493,233	£ 25,115,549
New Build Development	£ -	£ -	£ -	£ -
Works to existing stock	£ 8,250,365	£ -	£ -	£ 8,250,365
	<b>£8,250,365</b>			

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

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**CABINET**

15 June 2016

**Subject Heading:**

**Cabinet Member:**

**CMT Lead:**

**Report Author and contact details:**

**Policy context:**

**Financial summary:**

**Is this a Key Decision?**

**When should this matter be reviewed?**

**Reviewing OSC:**

**Bridge Close, Romford**

**Councillor Osman Dervish** Cabinet Member for Environment, Regulatory Services and Community Safety,

**Councillor Damian White** Deputy Leader and Cabinet Member for Housing

**Steve Moore**

Interim Director of Neighbourhoods

Suzanne Lansley 432931

[Suzanne.lansley@havering.gov.uk](mailto:Suzanne.lansley@havering.gov.uk)

National Planning Policy Framework (2012)

London Plan Consolidated with Alterations since 2011 (2016)

Havering Local Development Framework (2008)

Romford Development Framework (2015)

Delivering the Council's vision for Bridge Close will act as a catalyst for investment and regeneration in Romford. This report calls for the comprehensive development of Bridge Close, approval to acquire sites by private treaty and where necessary, to consider and begin to undertake the necessary steps to acquire land by compulsory acquisition. There is an allocation of £8.9m non recoverable grant and £6.5m recoverable grant from the Greater London Authority (GLA) Housing Zone Programme to support the development of Bridge Close.

An exempt addendum accompanies this report which reviews the viability of proposals

**Yes**

September 2019

Towns and Communities

**The subject matter of this report deals with the following Council Objectives**

Havering will be clean and its environment will be cared for	[x]
People will be safe, in their homes and in the community	[x]
Residents will be proud to live in Havering	[x]

**SUMMARY**

**Summary**

This report seeks the Cabinet's approval that Bridge Close, including the houses fronting Waterloo and Oldchurch Roads, should be taken forward as a comprehensive development site.

Cabinet is asked to endorse a vision for Bridge Close to be a new residential neighbourhood which is a vibrant riverside quarter providing high quality place to live with well-designed buildings, environmental improvements to the River Rom, a new riverside walkway and includes public space.

Cabinet is being asked to endorse planning guidance for Bridge Close to support the comprehensive development of this site with a focus on new residential development, a new east-west route linking the site to the station, ecological improvements to the River Rom, and the re-provision of the Islamic Cultural Centre and either the provision on site or relocation off site of the ambulance centre. This guidance will form part of the evidence base for the emerging Local Plan.

This report seeks approval for the Council to enable the delivery of a scheme by firstly acquiring sites by private treaty then if necessary consider and begin to undertake the necessary steps to acquire land by compulsory acquisition.

Funding received by the Housing Zone will enable the Council to initiate the proposed actions detailed in this report. It is noted that the Council will require a development partner(s) to deliver a comprehensive scheme.

Working with development partner will reduce the amount of capital required from the Council in the short to longer term and allow the Council to utilise the skills, experience and resources of private sector partners and, ensure high quality design and the mix of tenures and social infrastructure.



**RECOMMENDATIONS**

That Cabinet:

1. **Endorse** the vision (as set out in section 3) that Bridge Close should be a new residential led neighbourhood and endorses the proposals for comprehensive development of Bridge Close and the design principles for the site outlined in this report.
2. **Endorse** the planning guidance (as set out in section 4) as a material planning consideration and **notes** that this will form part of the evidence base for the emerging Local Plan.
3. **Agrees** to the Council entering into direct negotiations with land owners to purchase sites on Bridge Close by private treaty as the opportunities arise and note that an external chartered surveying firm will be appointed to professionally assist with negotiation, valuation and acquisition of the land interests.
4. **Delegate** to The Leader, Portfolio Holder for the Romford Housing Zone and the Head of Property oneSource, the authority to approve the terms of acquisition of sites by private treaty and any financial arrangements for relocation of current land owners or tenants.
5. **Delegate** authority to the Portfolio Holder for the Romford Housing Zone and Leader in conjunction with the Director of Legal and Governance oneSource and the Interim Director of Neighbourhoods to take any reasonable necessary steps to identify land which cannot be acquired by negotiation and appoint the relevant consultants in order to assess the need for the use of CPO. **Notes** that a report will be brought back to Cabinet when preparation of the order and heads of terms have been agreed with developer(s).
6. **Authorise** officers to negotiate suitable arrangements with appropriate developers including Mercury Land Holdings, who will be acting in a commercial capacity, to deliver the Council's vision and delegate approval of the terms of such arrangements to the Portfolio Holder for the Romford Housing Zone in consultation with the Director of Legal and Governance oneSource.

**REPORT DETAIL**

**1.0 Background**

- 1.1 In December 2015 the GLA invited the Council to submit a proposal for Romford to be awarded Housing Zone status. In consultation with the Leader, a proposal was submitted and the former Mayor of London

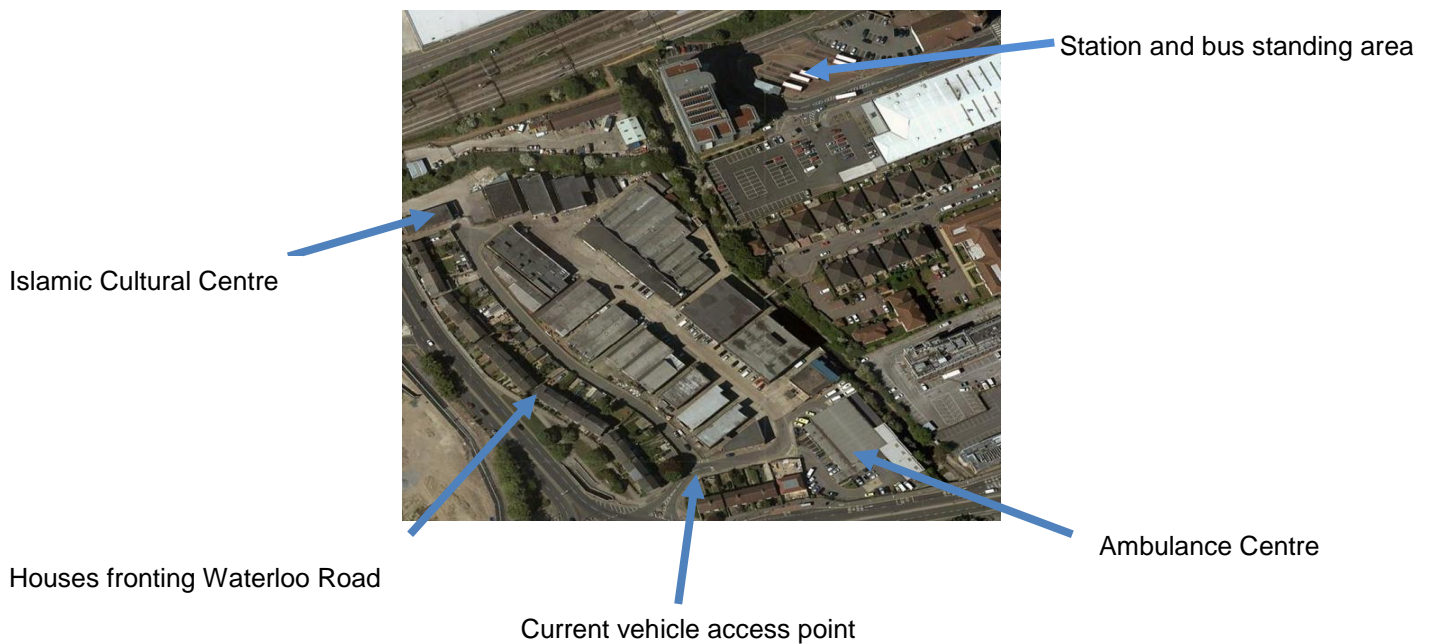
announced in March 2016 that this was one of 11 new Housing Zones, making Havering one of only 8 Boroughs to be awarded a second Housing Zone. HZ status and funding will enable the Council to unlock and accelerate the comprehensive delivery of housing development at Bridge Close.

- 1.2 Bridge Close had already been allocated as a key site for residential development in the Romford Area Action Plan 2008 which is part of Havering's Local Development Framework. The redevelopment of the site for residential use is also reflected in the recent Romford Development Framework (RDF), agreed by Cabinet in July 2015.
- 1.3 The RDF will form part of the evidence base for the new Havering Local Plan (which will incorporate Romford specific policies). Until the new plan is adopted the Local Development Framework (LDF) forms the primary policy basis for planning decisions and the framework will have the status of being a material planning consideration. Following the Local Plan a separate Site Specific Allocations Local Plan will be prepared which provides the opportunity to take forward and update the existing site allocation for Bridge Close currently contained within the Romford Area Action Plan.
- 1.4 The RDF states that Bridge Close could accommodate up to 840 residential units, 2700sqm of commercial space and 960sqm of open space, which could be developed on the site as part of a comprehensive development.
- 1.5 In order to facilitate the delivery of housing on Bridge Close the GLA, as part of the Romford HZ, have allocated funding to initiate acquisition of property, support business relocations, deliver an east-west link and support ecological improvements to the River Rom. This is broken down into £8.9m non recoverable grant (which includes £3m of grant towards the provision of 120 shared ownership units) and £6.5m recoverable grant.
- 1.6 The GLA expects the recoverable grant to be repaid over time through S106, contributions, Community Infrastructure Levy (CIL) payments, and sales receipts from onward land sales.

## **2.0 The Site**

- 2.1 Bridge Close is a 2.97 hectare site currently occupied by mixed industrial, warehouse and ancillary units in multiple ownerships, an ambulance station, Islamic Cultural Centre and a number of terraced properties to the front of the site.
- 2.2 Located to the south of the town centre the site is only 250 metres from the new Crossrail station but it currently takes 15 minutes to reach the station by foot as the site is bounded by the railway to the north, the River Rom to the east, and the Road Ring on the other two sides, creating an island effect.

Figure 1: Location plan of Bridge Close



2.3 The site is in multiple ownerships and one of the main landowners has been attempting, for a number of years without success, to bring forward a comprehensive redevelopment of the site. The current site is a mix of low value – low density housing, mixed industrial, warehouse and ancillary office units, which are somewhat dated and provide with low density employment uses, an Islamic Cultural Centre and an Ambulance Station.

### 3.0 Vision for the Site

3.1 Building on the proposals set out in the Romford Development Framework Officers consider the comprehensive development of Bridge Close has the potential to create a place where people will wish to live comprising a new vibrant residential led waterfront quarter for Romford. It should provide high quality housing designed to reflect a modern and identity for Romford whilst retaining its distinctiveness. This will be created by establishing a palette of modern and more traditional materials to define different character within the site. This will create a step change in the quality of the new buildings and public open space in Romford, embracing urban design and higher densities where appropriate, particularly around the southern part of the site and towards the station Environmental improvements to the River Rom, a new riverside walkway and public space should provide an attractive focus to the development.

3.2 Housing on this site has the potential to deliver a new neighbourhood for a community who will be able to enjoy high quality residential living in the town centre and to support the economic growth of the town through promoting an economically active and sustainable community. The site will make a significant contribution to meeting the Borough's existing housing and

community needs, particularly through the provision of apartments to achieve appropriate densities and responding to market demand.

- 3.3 Development on the site will positively respond to the Ring Road, including opportunities for reducing its barrier effect and should create a new east-west link with a high quality well-connected public realm. This will improve access by public transport, walking and cycling from the west of Romford to the town centre and the station, thus integrating Bridge Close into the fabric of the town.
- 3.4 The comprehensive re-development of the site (including all the industrial units, Islamic Cultural Centre, ambulance centre and the houses fronting Waterloo and Oldchurch Roads) will deliver significant urban design benefits such as greater open space, a more positive southern gateway to the site, and revitalised frontage along Waterloo Road.

Figure 2- Image showing scope for a regenerated Bridge Close and River Rom



#### **4.0 Planning Guidance for the Bridge Close site**

- 4.1 Officers have considered how Bridge Close may be brought forward from an urban design perspective, and are asking Cabinet to endorse the following guidance as a material planning consideration. The guidance will be used to support the comprehensive redevelopment of Bridge Close, it will also form part of the evidence base for the Local Plan. The Council will also rely on National Planning Policy Framework, The London Plan, the LDF policies as well as the RDF to guide the development of Bridge Close until the new Local Plan is approved.
- 4.2 Design principles for Bridge Close
  - 4.2.1 The Council will require developments in Romford town centre to be of the highest architectural and urban design quality. Development and uses

must be appropriate for the site and will be expected to improve the function, appearance, and character of the town centre.

4.2.2 In addition the following design principles should to be adopted within Bridge Close to create different character areas and developers and architects will be expected to be guided by these principles.

i) Ring Road Frontage-Waterloo Road and Oldchurch Road:  
These properties should have predominantly brick frontages with ground floor entrances and personal defensible space which means that buildings will be set back from the pavement to provide some private amenity space. There will be landscaping to soften the effect of the Ring Road which would have the benefit of reducing the 'starkness' of the Ring Road – hence the term 'greening' of the Ring Road. We would not expect a continuous building frontage around the site, to ensure that views will allow permeability into the site and pedestrian access into the site from the Ring Road.

ii) River frontage

- Buildings should be arranged to prevent a 'wall' along the river and accommodate a range of building heights.
- There should be balconies and roof gardens overlooking the river. There should be sequences of spaces to provide both amenity space for residents and new public space for the town centre along the river and a defined pedestrian route.
- Environmental improvements to the River Rom will provide a focus for the development and seek to open up the River Rom to the South of the site.

iii) Internal Courtyards

- Flats in these blocks should offer the potential for roof gardens over parking areas and within blocks balconies and communal amenity spaces for residents.
- Some of the internal courtyards should have the potential to provide semi-private terraces for units located on that floor

4.3 Development proposals for Bridge Close should;

- Improve the ecological and environmental qualities of the River Rom and 'soften' and green the river edge. A riverside pedestrian walkway should be provided. Buildings should be set back by approximately 10m.
- Create a clearly defined east-west pedestrian/cycle route linking the Ring Road pedestrian crossing to a new River Rom crossing and to the rail station via Atlanta Boulevard linking growing residential areas to the west of the town through to a proposed southern entrance to Romford station.
- This pedestrian route should be well overlooked, safe and lined with active uses as far as possible.
- Provide public open space alongside the above pedestrian/cycle route.

- Develop the area predominately for residential uses of medium to high density with the opportunity for buildings of exceptional design quality in key landmark locations.
- Provide space for other land uses which could include the Islamic Cultural Centre, the relocated ambulance station (if no other location can be found) and some commercial use to help animate the ground floor alongside the pedestrian east- west link. Ensure that these uses are incorporated in ways that have a positive or neutral impact on the residential environment.
- Improve the edge to the Ring Road with high quality development that is set back behind a line of trees. There should be views into the site and not a wall of development along Waterloo Road.

4.4 There are also a number of key Urban Design Considerations;

- **Parking:** A mix of parking solutions should be explored such as underground, podium and on street parking. London Plan policies relating to parking standards will apply to this site but reduced parking provision may be proposed in a planning application due to the site location and if initiatives such as cycle parking and car club parking are incorporated into any proposals.
- **Scale and Massing:** The RDF suggests that this site should be between 5-8 storeys. There is the potential for some taller buildings up to 10-12 storeys particularly at key gateways and focussed towards the station area and along Oldchurch Road.
- **Landscaping and Open Space:** A high quality landscaping solution to the Ring Road should be designed and the use of roof gardens over parking and balconies should be explored.

**5. Rationale for intervention**

- 5.1 The site is in multiple ownerships however one landowner owns a number of units as well as the road and pumping station. They have tried to assemble this site for the past 15 years and it is unlikely without the Council's intervention and the HZ funding that a comprehensive scheme will be delivered.
- 5.2 It is necessary to facilitate change of land uses in the area in order to promote comprehensive high quality housing development on Bridge Close.
- 5.3 The area has been designated land for residential development in the Local Development Framework 2008.
- 5.4 The area represents one of the key, large scale strategic development opportunities in Romford. The Council's intervention aims to act as a kick start and encourage the market to bring forward comprehensive

development within the area in order to deliver the Council's vision for this site bring about the transformational change in this part of Romford.

5.5 The RDF identifies Bridge Close as a site with short term redevelopment potential which should be seen as a high priority for Council intervention.

5.6 Initial support for the Council's intervention on Bridge Close is set out in the RDF;

*"The Council may need to play a proactive role in land assembly if necessary using its CPO powers to support the delivery of a comprehensive redevelopment, particularly to deliver the east-west connection described above in the northern area of the site. The delivery of this link and associated public realm should come forward and be largely funded by adjacent development.*

*The Council may also have a longer term role enabling land assembly, allowing suitably configured phases to come forward across the rest of the site to avoid piecemeal development.*

*Any development needs to be comprehensive and applications will need to ensure that the proposal does not prejudice the implementation of the new pedestrian/ cycle route"*

(Romford Development Framework (2015) P84-85)

5.7 It likely that even if the site does come forward due to increased residential development values there will still be the issue of fragmented piece meal development with the danger of poor quality housing that will be detrimental to the future development of Romford.

5.8 Council intervention will encourage comprehensive residential development by organising the sites currently in multiple, complex ownership into a developable site.

5.9 The sites will be acquired through private treaty or, where necessary, the Council will consider and begin to undertake the necessary steps to acquire land by compulsory acquisition as discussed in the exempt part of this report.

5.10 With HZ funding the Council can start to acquire units by private treaty negotiating suitable arrangements to bring forward the site as a whole.

5.11 BBP, Glenny and Tibbalds were appointed to produce a viability report and massing study with the objective to provide commercial advice to the Council on a viable proposition to re-develop Bridge Close. Their joint report concludes that comprehensive development of the site is viable to include the entirety of Bridge Close. It further concluded that LBH will need to support site assembly which is likely to be required due to fragmented ownership and the need to relocate existing tenants.

5.12 This report seeks agreement to acquire land interests alongside seeking to acquire sites by private treaty and where necessary, the Council will



consider and begin to undertake the necessary steps to acquire land by compulsory acquisition

5.13 The benefits of early and direct acquisitions by negotiation and private treaty are:

- the Council will secure sites at current market value before the interest created by the Housing Zone and the planned investment in, the site and provision of infrastructure starts to push up values; and
- acquiring fewer sites through a CPO process will save time, cost, and resources; and
- early acquisitions will send a message to the market about the emerging commercial opportunity created by the Housing Zone and will make it easier for the Council, working with Mercury Land Holdings, (the Council wholly owned development company) to secure a developer partner.

5.14 It is important to demonstrate that the Council has used reasonable endeavours to acquire sites by private treaty initially as this will greatly improve the prospect of the Secretary of State confirming the CPO and will strengthen any necessary CPO case.

## **6.0 Development Partner**

6.1 The Council will need to seek a development partner(s) to ensure the deliverability of the site. Working with a development partner will reduce the amount of capital required from the Council in the short to longer term and allow the Council to utilise the skills, experience and resources of private sector partners and, ensure high quality design and the mix of tenures and social infrastructure. One of the partners could be Mercury Land Holdings, who acting in a commercial capacity could assist in funding and delivering development of the site in accordance with the Council's financial plans.

6.2 Any development partner(s) would be expected to;

- i) Agree to comprehensive development of the site in line with the Council's vision for the site.
- ii) Adhere to the vision and design principles (outlined in sections 3 and 4 of this report) and agree to undertake a formal design review process.
- iii) Work with the Council on the business relocation strategy.
- iv) Contribute to the acquisition costs of the site and CPO process (if required)



## **7.0 Business and residents relocation**

- 7.1 While the Council has no statutory obligation to relocate businesses, officers will work with businesses to provide advice and support as recommended by the DCLG guidance. As part of its commitment to support local enterprise the Economic Development team will assist businesses to seek suitable alternative accommodation, and where appropriate, will try to keep quality businesses within the borough.
- 7.2 Initial meetings have already been held with the Islamic Cultural Centre and the ambulance centre to understand their requirements either for re-provision on site or offsite, which is discussed in the exempt section of this report.
- 7.3 A business relocation action plan is being developed to programme the relocation of businesses. The action plan will involve the following:
- A) **Communication and Engagement.** Over many years private organisations have sought to promote the development of Bridge Close, so it is likely that businesses and freeholders will have expected that at some point Bridge Close will be redeveloped. Officers will have written an initial letter to business owners on the site about the regeneration plans for the area and will arrange follow up meetings by the time this report is made public.
  - B) **Business needs analysis.** Officers will arrange and undertake face to face meetings with businesses in order to understand the nature of the business and to record their aspirations and business needs based on location, space requirements, facilities and rent paid.
  - C) **Matching and relocation packages.** Officers will look for potentially suitable alternative premises for business in Havering and the neighbouring boroughs of Barking and Dagenham and Thurrock using existing business information databases and the extensive network of property agents within the region. Costs covering disturbance and relocation expenses are included in the land acquisitions budget (Property Cost Estimate).
  - D) **On-going engagement and support.** As part of the relocation action plan officers are seeking to provide advice and support for businesses.
- 7.4 Officers will have written to freeholders and leaseholder of the residential properties by the time this report is made public, who would be affected by the proposals and are preparing an action plan to support residents who need to find new homes.

## **REASONS AND OPTIONS**

### **Reasons for the decision:**

By supporting the vision for the comprehensive development of Bridge Close and agreeing to the acquisition of sites through private treaty and thereafter, where necessary, considering and beginning to undertake the necessary steps to acquire land by compulsory acquisition will ensure that the Council's vision for the site is adhered to. This will prevent ad-hoc development delivering poor quality housing development that does not support the economic development of the town. Further, ad-hoc development will not facilitate the development of key linkages across the site, which will be necessary for further western Romford estates to link into the town. Housing Zone funding provides the opportunity for the Council to support the comprehensive development of Bridge Close and ensure that the vision and design principles are embedded in any development.

### **Other options considered:**

Not implementing the comprehensive development of Bridge Close—**REJECTED**. Without the Council's intervention there would be fragmented development and the site could come forward in a piecemeal fashion. Piecemeal development would fail to deliver the required mix, tenures or typology necessary to meet the objectives of the Council's vision for the site and ensure the delivery of the important east-west link. Only a comprehensive development can provide high quality residential living in the town centre to support the economic growth of the town and promote an economically active and sustainable community

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

Financial matters are dealt with in the exempt part of this report.

### **Legal implications and risk**

The legal justification for this approach is linked to the CPO statutory framework.

The Council will seek to acquire land primarily by negotiation, however it is noted that it has powers under section 226 of the Town and Planning Act 1990 to make a CPO for any land within the borough in the terms set out in para 5.2 above. The DCLG Guidance 'Compulsory Purchase Process' and how the Council's case fits in

with the statutory powers will be further developed before a CPO is progressed and made and is considered in the body of the report.

Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to acquire any new rights over land which is required to facilitate the development proposed in the outline planning application.

**Human Resources implications and risks:**

The Economic Development Service will be required to dedicate resources to the programme management and delivery of the land assembly and compulsory purchase work stream. GLA funding allows for additional time limited support to be brought in as required to deliver the land assembly, CPO and business relocation strategy work streams.

Delivering the development of Bridge Close will at times require the input and resources of a number of Council services particularly, Housing, Planning, Highways, Legal and Property Services.

**Equalities implications and risks**

Officers are in the process of undertaking the Equalities Impact Assessment for Bridge Close and officers are taking actions that one would expect to mitigate any negative equalities impact though developing an action plan to support business and residents who might be affected by the proposals.

If negotiation of the acquisition of land by private treaty fails the Council will have to consider the use of compulsory acquisition powers. If they are necessary, the Council should be satisfied that there is a compelling case in the public interest and that there is sufficient justification for interfering with human rights of those with an interest in the land affected. In this respect the Human Rights Act 1998 incorporates certain provisions of the European Convention on Human Rights, namely:

- (a) Article 1 – the right of everyone to peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the relevant national and international laws.
- (b) Article 8 – private and family life, home and correspondence. No public authority can interfere with these rights except if it is in accordance with the law and is necessary in the interests of national security, public safety or the economic well-being of a country.
- (c) Article 14 – the right to enjoy rights and freedoms in the Convention free from discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, or national or social origin.

In the case of each of these articles, the Council should be conscious of the need to strike a balance between the rights of the individual and the interests of the public. The Council may decide that, in the light of the significant public benefit which would arise from the proposed development, the use of compulsory purchase powers is necessary and proportionate taking into account the availability

of compensation. In particular, the Council may consider that the CPO would not constitute any unlawful interference with individual property rights. The CPO process provides the opportunity for representations to be made and the holding of a public inquiry in the case of objections by affected parties.

**BACKGROUND PAPERS**

None

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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