



TOWNS & COMMUNITIES OVERVIEW & SCRUTINY SUB- COMMITTEE AGENDA

| | | |
|----------------|-------------------------------------|--|
| 7.30 pm | Tuesday 26 February 2019 | Town Hall, Main Road, Romford |
|----------------|-------------------------------------|--|

Members 9: Quorum 4

COUNCILLORS:

Conservative Group (4)

Robby Misir
Timothy Ryan
Carol Smith
Christine Smith

Residents' Group (2)

Paul Middleton
Gerry O'Sullivan

Upminster & Cranham Residents' Group (1)

Christopher Wilkins
(Vice-Chair)

Independent Residents' Group (1)

Tony Durdin

Labour Group (1)

Keith Darvill (Chairman)

**For information about the meeting please contact:
Taiwo Adeoye 01708 433079
taiwo.adeoye@onesource.co.uk**

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

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.

What is Overview & Scrutiny?

Each local authority is required by law to establish an overview and scrutiny function to support and scrutinise the Council's executive arrangements. Each overview and scrutiny sub-committee has its own remit as set out in the terms of reference but they each meet to consider issues of local importance.

The sub-committees have a number of key roles:

1. Providing a critical friend challenge to policy and decision makers.
2. Driving improvement in public services.
3. Holding key local partners to account.
4. Enabling the voice and concerns to the public.

The sub-committees consider issues by receiving information from, and questioning, Cabinet Members, officers and external partners to develop an understanding of proposals, policy and practices. They can then develop recommendations that they believe will improve performance, or as a response to public consultations. These are considered by the Overview

and Scrutiny Board and if approved, submitted for a response to Council, Cabinet and other relevant bodies.

Sub-Committees will often establish Topic Groups to examine specific areas in much greater detail. These groups consist of a number of Members and the review period can last for anything from a few weeks to a year or more to allow the Members to comprehensively examine an issue through interviewing expert witnesses, conducting research or undertaking site visits. Once the topic group has finished its work it will send a report to the Sub-Committee that created it and will often suggest recommendations for the Overview and Scrutiny Board to pass to the Council's Executive.

Terms of Reference

The areas scrutinised by the Committee are:

- Regulatory Services
- Planning and Building Control
- Town Centre Strategy
- Licensing
- Leisure, arts, culture
- Housing Retained Services
- Community Safety
- Social and economic regeneration
- Parks
- Social inclusion
- Councillor call for Action

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

2 DECLARATION OF INTERESTS

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

3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

4 MINUTES (Pages 1 - 6)

To approve as a correct record the minutes of the meetings of 5 December 2018 and to authorise the Chairman to sign them.

5 QUARTER THREE PERFORMANCE REPORT (Pages 7 - 24)

Report attached

6 OPERATION OF THE HOUSING WAITING LIST (Pages 25 - 30)

Report attached

7 MOBILE HOME - ACT 2013 (Pages 31 - 38)

Report attached

8 PRIVATE RENTED SECTOR AND IMPLEMENTATION OF ADDITIONAL LICENSING SCHEME (Pages 39 - 46)

Report attached

Andrew Beesley
Head of Democratic Services

This page is intentionally left blank

**MINUTES OF A MEETING OF THE
TOWNS & COMMUNITIES OVERVIEW & SCRUTINY SUB- COMMITTEE
Town Hall, Main Road, Romford
5 December 2018 (7.30 - 9.50 pm)**

Present:

Councillors Keith Darvill (Chairman), Tony Durdin, Paul Middleton, Gerry O'Sullivan, Christopher Wilkins (Vice-Chair), Robby Misir, Timothy Ryan and Carol Smith.

An apology for absence was received from Councillor Christine Smith.

11 DECLARATION OF INTERESTS

There were no disclosures of interest.

12 MINUTES

The minutes of the meeting of the Sub-Committee held on 4 September 2018 were agreed as a correct record and signed by the Chairman.

13 QUARTER TWO - CORPORATE PERFORMANCE REPORT

Members received a presentation that outlined the six corporate performance indicators for Quarter two that reported to the Sub-Committee.

It was noted that performance ratings were available for four of the six indicators. Three were off target; red and one was on target; green.

The Sub-Committee was informed that the following two indicators were not rated as it related to service demand.

1. Contractor Liaison: Consultation with residents was ongoing on each of the sites. Further consultation events were organised where residents have been updated on the latest ideas for their estates or scheme. Resident meetings are approximately every six months when there are new updates. It was noted that all twelve sites have had a meeting in September 2018.

2. Planning and Building Control: Two outstanding complaints resulted in the indicator being off target. The report stated that both complaints were delayed due to capacity issues within the team at the time the responses were due. It was noted that on both instances, the complainants were kept updated as to progress and when a response would be sent out.

The presentation outlined the following areas for improvement:

- 75% of ASB related Stage 1 Housing complaints were closed within 15 days in Quarter 2, while (74%) complaints relating to Housing repairs were closed within 15 days. It was noted that there was a slight improvement in comparison to the same period last year.

The Sub-Committee noted that a new process has been put into place to deal with Housing Complaints to bring about improvements to each of the service areas in Housing Services. Since 5 November 2018, Complaints Officers have been allocated to each of the service areas and were being managed directly by the Service Managers.

- From April to end of September 2018, of the 107 Stage 2 complaints, 78 cases were closed on time, resulting in the outturn being below target. There were 36 more Stage 2 complaints compared to the same period last year.

The Sub-Committee noted that all stage 2 complaint responses were signed off by Chief Executive and is kept up to date with delays on investigations. Case officers are in regular contact with complainants.

The reduced number of Stage 3 complaints supported the theory that a full, comprehensive investigation at Stage 2 brings a satisfactory resolution for the customer.

- The main repairs contractors' performance was at 88.53%; which was below the 95% target. The Repairs contractor (Breyer) provided an improvement plan and gave assurances to the Council that the actions being taken would result in improved performance by the end of the last quarter of 2017/18, this was yet to be achieved and performance against the KPI remain below target.

The report detailed that the main corrective actions taken by Breyer involved recruiting additional resources to assist in managing the number of "out of target orders", scrutinising employee productivity and reviewing supply chain management to ensure timely completions. Recruitment and retention of additional directly employed staff had also proved a challenging task for Breyer.

The Sub-Committee was informed that the service was reviewing its contract management approach, against other repairs services, in order to determine a new line of approach. It was noted that the lack of improvement

in performance against the KPI, had led to a new improvement plan being developed which the performance would be monitored. Breyer have advised that their new plan should result in improved performance and that the 95% target would be achieved by March 2019.

The report also outlined that the interim Director of Housing had also set up monthly strategic review meetings with the Managing Director of Breyer to ensure performance was highlighted as a key priority and to gain assurance that improvements would be delivered.

The Sub-Committee was informed that if Breyer were unable to achieve the new targets, the service could decide to issue a default notice leading to a termination of the contract.

The Housing Gas contractors', K&T (domestic) and BSW (communal) performance was rated at 95.82% against a target of 96% for gas repairs. It was noted the contractor K&T, had advised that there were ongoing system errors which the firm was addressing; this indicated that the actual performance was better than that reported. The service had advised K&T that they must meet a deadline to reconcile data in order that performance was accurately recorded. The service was therefore anticipating the improvement in performance next Quarter.

The Sub-Committee noted the contents of the report and the presentation.

14 PLANNING - PROCESSES AND SERVICE CHALLENGES

The Assistant Director of Planning presented a report that provided an overview of the processes followed by Planning Services further to a recommendation associated with findings reached in connection with a Stage three Member Review Panel under the Council's Corporate Complaints Procedure.

The report outlined the challenges faced by the service in the undertaking of their work, with a specific focus upon Development Management and planning application handling.

The Sub-Committee noted that the service currently comprises of several teams:

- a. Development Management team handles the majority of the planning applications submitted in the borough. It also provided a range of pre-application advice to residents, small businesses, developers and their professional representatives.
- b. Major Projects team; handles strategic planning applications submitted in the borough. It also provided pre-application advice.
- c. Planning Enforcement team; investigates and resolve alleged breaches of planning control.

- d. Building Control, the team handles submissions made under the Building Regulations.
- e. Development Planning and Transportation, the team was responsible for producing key policy documents, including the Local Plan, the Local Implementation Plan and the borough's Transport Strategy.
- f. Local Land Charges team was responsible for issuing official searches of the Land Charges Register. The team was also responsible for Street Naming and Numbering.

The Assistant Director of Planning outlined that Planning and other related applications were generally subject of 8, 13 or 16 week statutory timeframes, depending upon the type of development being proposed.

The decision on an application was taken either i) under powers delegated to the Assistant Director and her officers or ii) via the Planning or Strategic Planning Committees, in the event that the development type does not fall within the scope of delegated powers or it has been called in to committee by a Ward Councillor. In all cases, reports are authorised by a separate senior officer. If it was a delegated decision, a decision notice would be issued thereafter. If it was a Committee decision, the decision notice would be issued following the Committee meeting.

It was noted that performance against statutory timeframes was monitored both locally and nationally via a range of performance indicators. The Government measures performance against quality and speed indicators. Members were informed that failure to meet the targets set could result in the Council being designated as poorly performing with applicants for planning permission being able to choose not to use the Council for determining the application.

The Sub-Committee noted that in the event that a decision was not reached on a planning application, then it is open for an applicant to appeal against non-determination via the Planning Inspectorate. In the absence of a non-determination appeal, it remains open to the Council to reach a decision on the application.

The report also outlined if a planning application goes beyond the statutory deadline, it was good customer practice amongst all Local Planning Authorities to keep an applicant or their agent updated on what was happening with their submission, why and when a decision would be reached.

The Sub-Committee was informed that in the event that it becomes evident that a decision could not be made on the application during the statutory timeframe, an officer may request what was called an 'Extension of Time' agreement. The agreement establishes a revised deadline for determining the application, which could be helpful when dealing with a complex application and negotiations were underway in respect of the application revisions.

Members noted the two key issues which were impacting upon the service's ability to strongly perform within Development Management. The fluidity of staffing, over the last nineteen months (from April 2017), nineteen members of the team have moved on to new opportunities.

This fluidity had resulted in a skills and local knowledge deficit within the team, particularly at Senior and Principal level and it had impacted upon the team's capacity to deal with some applications promptly and effectively.

The Sub-Committee also noted that the application administration process often hindered the prompt handling of an application up to the point where the case officer commenced the assessment process. It was stated that these two issues have impacted and are continuing to impact upon performance and customer focus, which was leading in some cases to customer dissatisfaction being expressed at service level and formal corporate complaints being lodged, as was the case in the specific example which triggered the Adjudication and Review meeting.

The Assistant Director of Planning outlined that to deliver the Council's place making vision, it was essential that the service offered by those determining planning applications was of a high level, pro-active and had a delivery/customer led mind set.

The Sub-Committee noted that the following works have been commissioned to tackle the challenges:

1. A review of the service was undertaken by the Planning Advisory Service to explore any areas of weakness in service provision; identify and implement smarter ways of working to improve efficiency and identify implement the potential for customer service and efficiency improvements. It was stated that good progress had been made since the review.
2. The Planning Services restructure; the proposals reorganises the team to create three new teams: Development Management, Strategic Planning and Spatial Planning. The significant growth in capacity would help to unlock the potential within team. It was intended that recruitment to all posts would be completed by the end of the financial year.
3. The third stream of work involves the transfer of part of the planning application process to an external service provider. It was considered that the element of the determination process was key to unlocking improvements with planning application handling. The project to deliver this transfer was underway.

The Sub-Committee thanked the Assistant Director of Planning for the report update and noted the content of the report.

15 THE FUTURE OF CHAFFORD SPORTS CENTRE

The Sub-Committee received a presentation on the future of Chafford Sports Complex.

Members were advised that the Sports Complex and its land were now owned by the Harris Academy. Due to the dual use, the complex did not meet with current expectations for quality of leisure facilities and a significant capital investment would be required to modernize the complex.

The Sub-Committee was advised that Government funding to Havering had reduced by over £29m since 2014/15 and that the Council faced £37.8m funding gap over the next four years. The options for Chafford Sports Complex were being reviewed to avoid the funding gap increasing. The options available were to cease the current arrangements by removing Chafford Sports Complex from leisure management contract; to continue with the current arrangement; to transfer the land and asset or for a new build on the school site.

Councillor Durant addressed the sub-committee, during which he felt that the funding arrangements for Chafford should be included and requested that in the interests of public health and fair funding, that consideration be given that the Council resume ownership of the Sports Complex and that the complex remained open until a new centre was built in the south of the borough, or at least until the new Hornchurch centre was opened.

The Sub-Committee noted that a report would be presented to Cabinet for a decision on the future of Chafford Sports Complex on the 6 February 2019 following the ongoing consultation.

Members noted the presentation.

16 URGENT BUSINESS

The Sub-Committee agreed to establish a Topic Group to scrutinise Housing Issues – Repairs in particular.

Chairman

TOWNS AND COMMUNITIES OVERVIEW AND SCRUTINY SUB-COMMITTEE, 26 FEBRUARY 2019

| | |
|---|---|
| Subject Heading: | Quarter 3 performance report |
| SLT Lead: | Jane West, Chief Operating Officer |
| Report Author and contact details: | Thomas Goldrick, Senior Policy and Performance Officer, thomas.goldrick@havering.gov.uk |
| Policy context: | The report sets out Quarter 3 performance relevant to the Towns and Communities Overview and Scrutiny Sub-Committee |
| Financial summary: | There are no immediate financial implications. Adverse performance against some Performance Indicators may have financial implications for the Council. Whilst it is expected that targets will be delivered within existing resources, officers regularly review the level and prioritisation of resources required to achieve the targets agreed by Cabinet at the start of the year. |

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

| | |
|-------------------------------|-----|
| Communities making Havering | [X] |
| Places making Havering | [X] |
| Opportunities making Havering | [X] |
| Connections making Havering | [] |

SUMMARY

1. This report supplements the presentation attached as **Appendix 1**, which sets out the Council's performance against indicators within the remit of the Towns and Communities Overview and Scrutiny Sub-Committee for Quarter 3 (October 2018-December 2018).

RECOMMENDATION

That Members of the Towns and Communities Overview and Scrutiny Sub-Committee note the contents of the report and presentation and make any recommendations as appropriate.

REPORT DETAIL

1. The report and attached presentation provide an overview of the Council's performance against the performance indicators selected for monitoring by the Towns and Communities Overview and Scrutiny Sub-Committee. The presentation highlights areas of strong performance and potential areas for improvement.
2. The report and presentation identify where the Council is performing well (**Green**) and not so well (**Amber** and **Red**). The RAG ratings for the 2018/19 reports are as follows:
 - **Red** = more than the 'target tolerance' off the quarterly target
 - **Amber** = within the 'target tolerance' of the quarterly target
 - **Green** = on or better than the quarterly target
3. Where performance is off the quarterly target and the rating is '**Red**', 'Improvements required' are included in the presentation. This highlights what action the Council will take to address poor performance.
4. Also included in the presentation (where relevant) are Direction of Travel (DoT) columns, which compare:
 - Short-term direction of travel – with performance the previous quarter (Quarter 2 2018/19)
 - Long-term direction of travel – with performance during the same time the previous year (Quarter 3 2017/18)
5. A green arrow (↑) means performance is better and a red arrow (↓) means performance is worse. An amber arrow (→) means that performance has remained the same.
6. In total, six performance indicators have been included in the Quarter 3 2018/19 report and presentation. Of these, four have been assigned a RAG status. Three are currently rated '**red**' (off track) and the other is currently rated '**green**' (on track).

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications arising directly from this report which is for information only.

Adverse performance against some indicators may have financial implications for the Council, particularly where targets are explicitly linked with particular funding streams and/or levies from other bodies. Whilst it is expected that targets will be delivered within existing resources, officers regularly review the level and prioritisation of resources required to achieve the targets agreed by the Cabinet at the start of the year.

Robust ongoing monitoring is undertaken as part of the established financial and service management processes. Should it not be possible to deliver targets within approved budgets this will be raised through the appropriate channels as required.

Legal implications and risks:

Whilst reporting on performance is not a statutory requirement, it is considered best practice to regularly review the Council's progress.

Human Resources implications and risks:

There are no HR implications or risks involving the Council or its workforce that can be identified from the recommendations made in this report.

Equalities implications and risks:

There are no equalities or social inclusion implications or risks identified at present.

BACKGROUND PAPERS

Appendix 1: Quarter 3 Towns and Communities Performance Presentation 2018/19

This page is intentionally left blank



Havering

LONDON BOROUGH

Quarter 3 Performance Report 2018/19

Towns and Communities O&S Sub-Committee

26 February 2019

About the Towns and Communities O&S Committee Performance Report

- Overview of the key performance indicators as selected by the Towns and Communities Overview and Scrutiny Sub-Committee
- The report identifies where the Council is performing well (**Green**), and not so well (**Amber** and **Red**).
- Where the RAG rating is '**Red**', '**Corrective Action**' is included. This highlights what action the Council will take to address poor performance.

OVERVIEW OF TOWNS AND COMMUNITIES INDICATORS

- 6 Performance Indicators are reported to the Towns and Communities Overview & Scrutiny Sub-Committee.
- Data is available for all the indicators.
- Performance ratings are available for 4 of the 6 indicators. 3 are **Red** (off target) and 1 is **Green** (on target)

Quarter 3 Performance

| Indicator and Description | Value | 2018/19 Annual Target | 2018/19 Q3 Target | 2018/19 Q3 Performance | Short Term DOT against Q2 2018/19 | | Long Term DOT against Q3 2017/18 | |
|--|-------------------|-----------------------|---------------------|------------------------|-----------------------------------|----------|----------------------------------|-------|
| No. of Stage 1 complaints received (cumulative) | Smaller is better | N/A | N/A | 587 | ↓ | 392 | ↓ | 528 |
| % of Stage 1 complaints closed in target (cumulative)* | Bigger is better | 95% | 95% | 71.7% | ↓ | 77.6 | ↓ | 83.7% |
| No. of Stage 2 complaints received (cumulative) | Smaller is better | N/A | N/A | 143 | ↓ | 107 | ↓ | 109 |
| % of Stage 2 complaints closed within target (cumulative)* | Bigger is better | 95% | 95% | 76.9% | ↑ | 72.9% | ↓ | 91.7% |
| % of housing repairs completed within target (cumulative) | Bigger is better | 96% | 96% | 84.79% | ↓ | 87.17% | ↓ | 92% |
| Contractor liaison with residents during regeneration work | N/A | Residents Consulted | Residents Consulted | On Track | - | On Track | - | NEW |

*From the start of Quarter 3 2018/19; targets for stage 1 complaints changed from 15 to 10 working days and targets for stage 2 complaints changed from 20 to 25 working days

About Complaints Data – New Corporate Standards

- As a result of some poor quality investigations at Stage 1 of the process, the nature of Stage 2 complaints has become far more complex.
- A review of the Council's Complaint Policy and Procedure was therefore carried, and as a result there has been a change in timescales for both Stage 1 and Stage 2 complaints.
- Following a call-in of the Executive Decision, and a subsequent meeting of the Overview and Scrutiny Board, the changes are set out below:
 - Stage 1 complaints to be completed in 10 working days (amended from 15 working days)
 - Stage 2 complaints to be completed in 25 working days (amended from 20 working days)
 - Stage 3 complaints to be completed in 30 working days (amended from a calendar month)

About Complaints Data

- A breakdown of Stage 1 complaints data by service from April 2018 to end of December 2018 is provided below:

| | No. of Stage 1 complaints received | % of Stage 1 complaints closed in timescale |
|--|------------------------------------|---|
| Arts Services | 1 | 100% |
| Businesses | | |
| Cemeteries | 2 | 100% |
| Community involvement (incl. volunteers) | | |
| Crematorium | 1 | 100% |
| Housing – ASB | 21 | 67% |
| Housing – Other | 210 | 63% |
| Housing – Repairs | 223 | 68% |
| Leisure centres and sport | 5 | 40% |
| Library Services (incl. Havering Museum) | 11 | 100% |
| Parks and open spaces (incl. allotments) | 29 | 93% |
| Planning and Building Control | 37 | 89% |
| Public Protection | 41 | 98% |
| Regeneration | | |
| Registrar Services | 6 | 100% |
| | | |
| TOTAL | 587 | 71.7% |

- There was an increase of 59 Stage 1 complaints received compared to same period last year

Improvements Required (Complaints Stage 1)

- 12 out of 16 (75%) of ASB related Stage 1 Housing complaints were closed within timescale .
- 99 out of 133 (74%) complaints relating to Housing repairs were closed within 15 days. Whilst below target (95%) performance has improved compared with the same period last year (62%).
- 96 out of 138 (70%) of non-repairs or ASB related Stage 1 Housing complaints were closed within 15 days in Quarter 2.
- A new process has been put into place to deal with Housing complaints to bring about improvements to each of the service areas in Housing Services. Since 5 November 2018, Complaints Officers have been allocated to each of the service areas and are being managed and directed by the Service Managers for: Property and Land, Tenancy Sustainment and Housing Demand. One officer remains in the Neighbourhoods Complaints Team and is responsible for the allocation of complaints, FOIs as well as Members and MP Enquiries.
- The service Complaints Officer is responsible for:
 - Acknowledging the complaint
 - Collating the information, preparing the draft and getting it approved by the Service Manager to meet the deadlines
 - Closing the complaint on the system
 - Ensuring that any complaints that are received outside of the normal process from residents, members or MPs are properly logged and follow the complaints process as above
 - Ensuring that any actions or promises made in the complaint response are followed through and delivered
 - Producing weekly reports on the performance of the service area and ensuring that these are collated into a monthly report for the department
- The most pressing issue is for each service area to reduce the current backlog of complaints before ensuring that the performance improves overall to meet the new corporate standards for response.

Improvements Required (Complaints Stage 2)

- From April 2018 to end of December 2018 there were 143 Stage 2 complaints that fall within the remit of Towns and Communities OSC. Of these, 110 were closed on time, resulting in the outturn being below target. There were 34 more Stage 2 complaints compared to the same period last year.
- Targets on Stage 2 cases can be missed due to the extreme complexity of the complaint. Some cases can be historic, involving information going back many years (sometimes in excess of 10 years), as well as the need to contact external agencies and view archived files.
- The Chief Executive signs off all Stage 2 complaint responses and is kept up to date with delays on investigations. Case officers are in regular contact with complainants.
- Targets can also be missed as complaints are investigated fully with complete transparency, so as to bring resolution to the matter for the customer without the need to escalate further to Stage 3 or the Ombudsman. The Complaints team is reliant on services to provide information in a timely fashion, which often prompts a need for further information or clarification until resolution is achieved. The reduced number of Stage 3 complaints supports the theory that a full, comprehensive investigation at Stage 2 brings a satisfactory resolution for the customer.

Improvements Required – Repairs (1)

- 84.79% (19,338 out of 22,807) of repairs were completed within the target timescale in Quarter 3 against a target of 95%. The main repairs contractor Brayer's performance was 84.33%.
- The main reason for Brayer performance being below target is due to a backlog of overdue orders they have allowed to accumulate.
- Clearing the backlog will inevitably mean Brayer will not be able to achieve target within this financial year, once the backlog has been cleared the target should be met.
- As previously reported Brayer provided and have been working to an improvement plan and gave assurances to the Council that the actions being taken would result in improved performance, by the end of the last quarter of 2018/19.
- The improvement plan has been and continues to be monitored through regular review meetings attended by Brayer's operational Director and Havering's Property Services Manager, together with operational managers from both organisations.
- The original improvement plan was not considered by Havering to be having sufficient impact and in view of this a new improvement plan has been developed and agreed.
- The new plan is less complicated, more focussed on reducing the backlog and the contractor's resource required to achieve target to an agreed plan. The new plan is also now reviewed more frequently at fortnightly meetings.
- Brayer has advised that their new plan should reduce the backlog of overdue orders, result in improved performance and allow them to achieve target by March 2019.

Improvements Required – Repairs (2)

- It should be noted that although Brayer have not met the KPI of “repairs completed within target” they have consistently achieved the “Right First Time” target and continue to do so.
- As part of the plan Brayer have recently appointed three new operatives to assist clearing the backlog and a further two are in the process of being appointed.
- This provides Brayer with significant additional resource dedicated to clearing the backlog and if the new operatives are retained and productivity maintained, will clear the backlog by March 2019.
- Performance against this challenging target is being monitored rigorously by Havering’s Property Services team and although Brayer’s performance in regard clearing the backlog is currently not on target, the additional resources identified should address this.
- Although the additional resources appointed by Brayer should deliver the improvements promised. Havering’s Property Services Manager does have some concern at Brayer’s ability to retain new staff and in view of this, has agreed with Brayer, that should any of the newly appointed operatives leave or be released, Brayer will notify Havering immediately in order to agree and put alternative measures in place.
- The interim Director of Housing has also set up regular strategic review meetings with the Managing Director of Brayer to ensure performance is highlighted as a key priority and to gain assurance that improvement will be delivered.

Improvements Required – Repairs (3)

- Performance of our new Gas contractor, K&T heating, has also not achieved target in Quarter 3, K&T's performance was 90.59% against a target of 95%. This is also being monitored through regular contract meetings where performance against targets is discussed, reviewed and action plans agreed.
- We are reviewing the rigour of our contract management arrangements and the newly appointed Services and Compliance Manager has been charged with taking this forward.
- As part of the new management arrangements we are also monitoring daily, any domestic boilers that have broken down and are either awaiting parts, to enable repairs to be carried out or boiler to be renewed.
- We are also reviewing with K&T the van stock carried by their operatives, in order to help increase the number of repairs that can be undertaken using parts carried by the operatives, helping reduce delays for our residents while waiting for parts to be delivered.
- K&T have advised that there are ongoing system errors which they are addressing, which means that the actual performance is better than that reported. The Council has advised K&T that they must meet a deadline to reconcile the information in order that we are recording their performance accurately.
- We are therefore anticipating the reported performance to improve in the next Quarter.

Any questions?



This page is intentionally left blank

TOWNS & COMMUNITIES OVERVIEW AND SCRUTINY SUB- COMMITTEE, 26 FEBRUARY 2019

| | |
|---|---|
| Subject Heading: | Operation of the Housing Waiting List |
| SLT Lead: | Gerri Scott, Interim Director of Housing |
| Report Author and contact details: | Beatrice Cingtho-Taylor Housing Demand Service Manager Beatrice.Cingtho-taylor@havering.gov.uk 01708 434606 |
| Policy context: | Housing Allocation Policy 2016 Government's Code of Guidance Localism Act 2011 Equality Act 2010 |
| Financial summary: | There are no direct financial implications arising from this report, which is for information only |

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

| | |
|-------------------------------|-------------------------------------|
| Communities making Havering | <input checked="" type="checkbox"/> |
| Places making Havering | <input checked="" type="checkbox"/> |
| Opportunities making Havering | <input type="checkbox"/> |
| Connections making Havering | <input type="checkbox"/> |

SUMMARY

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 current Housing Allocation Scheme which was approved by Cabinet in June 2016 and implemented from July 2016 covers the eligibility and qualification for, and letting of, social housing in the borough. It is designed to focus resources where they are most effective, manage the demand for social housing, and allocate the limited supply of housing to those most in need.

The report provides information on how the policy is applied in the operation of the Council's housing waiting list, including the bidding and letting process.

RECOMMENDATIONS

That the Sub-Committee notes the content of the report.

REPORT DETAIL

1. Background

- 1.1. The Council's Housing Allocations Scheme is used to determine which households are offered housing assistance. The Scheme recognises the contribution to the community from people who are in employment, former service personnel, volunteers, foster carers and carers.
- 1.2. The Council has a stock of approximately 9,000 affordable homes and with one of the most ambitious council home building programmes in London over the next 10 years, the Council will deliver additional homes to tackle the imbalance between supply and demand for affordable housing in the borough.
- 1.3. There is a shortage of social housing in the borough as demand for homes outstrips supply. There are approximately 2000 people on the housing register at any one time and approximately 400 vacancies become available to let every year.

2. Summary of how the scheme works

2.1. The basis of the scheme is to have a priority system based on housing need.

2.2. The Scheme has a number of distinct parts:

- Firstly, applicants must meet the Eligibility Criteria for social housing; this relates to the right of residence in the U.K.
- Secondly, applicants must meet the Council's Qualification Criteria in order to join the housing register. This includes having lived in Havering for a continuous period of 6 years; gross household income of less than £36,000 and not being found guilty of unacceptable behaviour such as sub-letting, anti-social behaviour or obtaining a tenancy by deception.
- Thirdly, successful applicants are allocated to one of five Priority Bands, which reflect various categories of housing need.
- Fourthly, certain applicants will be entitled to an additional community contribution priority if they are working, a volunteer, an ex-service personnel or a carer.
- Fifthly, applicants will be able to 'bid' for available properties or receive a direct assisted offer.

3. Operation of the waiting list

3.1. Assessment

- 3.1.1. Residents can apply to join the waiting list by completing an online form which is available on the Council's website. They are taken through a pre-qualification questionnaire prior to completion of the application.
- 3.1.2. For residents who are unable to submit an application through the online form, staff can provide support in completing the form by telephone or in person at the Public Advice Service Centre (PASC). A paper version of the application form can also be provided if needed.
- 3.1.3. Medical information can be submitted to support the application. The information is assessed by the Council's Medical Officer who is a qualified G.P. to recommend if additional priority should be given. The assessment determines the impact of the current accommodation on the health of the resident and whether it has an adverse impact on their long term health.
- 3.1.4. All completed applications are assessed in line with the Housing Allocation Scheme and allocated into one of the following priority bands.

- **Emergency Band (ER)**
People with an urgent need to move. This includes residents with life threatening health or medical needs, domestic abuse, critical safeguarding issues and where tenants need to be moved to enable a regeneration programme to be completed.
- **Community contribution Band 1 (CCR1)**
People with an identified housing need, **plus** Community Contribution for being in employment, ex-service personnel, or a council tenant affected by benefit changes who wishes to downsize to a smaller property.
- **Community contribution Band 2 (CCR2)**
People with an identified housing need, **plus** Community Contribution for fostering/adoption, volunteering, caring for a Havering resident, disabled residents who are unable to participate in work related activities and other council tenants wishing to downsize to a smaller property.
- **Home Seeker band (H)**
People with an identified housing need but who do not meet the criteria set out under CCR1 and CCR2 above. A resident is considered to have a housing need in situations like overcrowding, under-occupation, care leaver, hardship and welfare grounds etc.
- **Reduced Priority Band (RP)**
This priority is awarded to accepted homeless households who do not meet the 6 year residency period. This is to comply with the Housing Act legislation as homeless households are considered to have a housing need regardless of local residency criteria.

3.1.5. All applications received are processed within 28 days. A letter is sent to the resident confirming the outcome of their assessment, the priority band awarded, the housing need reason, the date the priority applies from, a bidding number and information on how to access the bidding website. If the application is declined, the same written notification process applies with reason for refusal of the application given. Information on how a resident can appeal against the decision is included in the letter. Information in table 1 shows the total number on the housing register.

Table 1: Housing register numbers by priority band (As at end of Dec 2018)

| Priority band | Number of households | % |
|--------------------------------------|-----------------------------|----------|
| Emergency Band (ER) | 310 | 14% |
| Community contribution Band 1 (CCR1) | 329 | 15% |
| Community contribution Band 2 (CCR2) | 245 | 11% |
| Home Seeker band (H) | 1032 | 47% |
| Reduced Priority Band (RP) | 264 | 12% |
| Total | 2180 | |

3.2. Bidding process

- 3.2.1. The bidding website is operated by the East London Letting company who provide bidding services for East London councils including Barking and Dagenham, Hackney, Newham, Redbridge and Waltham Forest.
- 3.2.2. Available Havering properties are advertised for bidding between Friday 00.01AM and Monday 11.59PM each week. This is known as a bidding cycle.
- 3.2.3. All advertised properties detail the property attributes, including number of bedrooms, proximity to local facilities such as schools, public transport and supermarkets. It will also include pictures of the property; details of the exact location of the property are not included in order to protect the tenant who might still be residing at the property.
- 3.2.4. The number and type of properties advertised depends on the number of voids that have become available the previous week.
- 3.2.5. Waiting times for securing a property is dependent on the number of voids that become available, applicant property preference, the number of bidders and most importantly banding. Information in Table 2 shows the current estimated waiting time.

Table 2: Current estimated waiting time for each priority band

| Priority band | Estimated waiting time |
|--------------------------------------|-------------------------------|
| Emergency Band (ER) | 6 months – 1.5 years |
| Community contribution Band 1 (CCR1) | 1 – 2.5 years |
| Community contribution Band 2 (CCR2) | 1 – 4 years |
| Home Seeker band (H) | 4 - 8 years |
| Reduced Priority Band (RP) | >7 years |

- 3.2.6. Support is available to residents who are not able to use the bidding system as an auto bid system can be set up based on their areas of preference. Each time a property that matches the criteria becomes available, a system automated bid is placed on behalf of the resident.

3.3. Short listing Process

- 3.3.1. Once the bidding cycle closes, all bids for properties are prioritised based on the priority band of the resident. For example a resident in the 'ER' band will be higher than a resident in the 'CCR1' band and therefore the resident with the higher priority would be offered the property.
- 3.3.2. Secondly, the priority effective date is considered if there are two residents with the same priority band who have bid for the property. This is to ensure that waiting time is taken into account and the resident who has waited the longest would be offered the property.

3.4 Lettings

Monitoring of access to social housing is important in order to ascertain compliance with the Housing Allocation Policy and to ensure that there is a reasonable balance between choice based lettings and direct offers to meet local priorities like regeneration estate decanting.

Appendices

[Summary of Housing Allocation Policy](#)

[Full Housing Allocation Policy](#)

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no direct financial implications arising from this report, which is for information only.

Legal implications and risks:

The general power of management of its housing is vested in the Council by section 21 of the Housing Act 1985.

The allocations policy fulfils the requirements of the Council's management functions.

Otherwise there are no direct legal implications in noting the contents of this report.

Human Resources implications and risks:

There are no direct human resource implications from this report.

Equalities implications and risks:

There are no direct equalities implications from this report, and Equalities Assessment has not been completed as this report is for information only.

TOWNS & COMMUNITIES OVERVIEW AND SCRUTINY SUB- COMMITTEE, 26 FEBRUARY 2019

| | |
|---|---|
| Subject Heading: | Mobile Home Act 2013 |
| SLT Lead: | Caroline Bruce |
| Report Author and contact details: | Sasha Taylor, Public Protection Manager 01708 433479 Sasha.taylor@havering.gov.uk |
| Policy context: | The policy context is associated with the Council's statutory duties in connection with the operation of mobile home sites. |
| Financial summary: | There are no significant financial implications associated with this report which is for information only |

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

| | |
|-------------------------------|-----|
| Communities making Havering | [X] |
| Places making Havering | [X] |
| Opportunities making Havering | [] |
| Connections making Havering | [] |

SUMMARY

This report will provide the Committee with an overview of the Mobile Homes Act 2013, and how it is implemented within Havering since it came into force on 1st April 2014.

In summary all site owners need a licence to operate, the fee is £378. The local authority has powers to refuse a licence where it considers they are *not a fit and proper person*.

Currently there are two licensed sites in the borough Sunset Drive and Lakeview Park (see appendix (a) and (b)). Both of which have had issues reported by

residents over the years. Officers have, and continue to, work closely with Site Owner to ensure they are complying with the Site License, including the issue of formal Notices and refusal to extend Lakeview Park. Ultimately the Council can apply to the Court to revoke a License.

RECOMMENDATIONS

The Committee is asked to note the report.

REPORT DETAIL

This report will provide the Committee with an overview of the Mobile Homes Act 2013, and how it is enforced within Havering.

On 26 March 2013, the Government introduced the Mobile Homes Act 2013, which was designed to give greater protection to occupiers of residential mobile (park) homes. This Act updated the Caravan Sites and Control of Development Act 1960.

The Mobile Homes Act 2013 is largely concerned with amending civil legislation relating to the relationship between the site owner and mobile home owners living on the site. This places a duty on the Council to administer site licences for mobile home sites. There is a fee of £378 per license, and the Council has the power to refuse a license where it considers the applicant is not a 'fit and proper' person.

The site licence will have a number of conditions that owners must comply with, should these be breached, the authority may serve a compliance notice on the site owner/s, failure to comply is punishable by a fine of up to £5,000.

Currently the service will investigate allegations of breaches of licence conditions and, if an offence found will take appropriate action.

There are currently two licensed sites in the borough including Sunset Drive and Lakeview Park (see appendix (a) and (b)).

Sunset Drive is a site with approximately 70 homes on site and there is currently a Notice for Statutory Nuisance served on the Site Owner for poor conditions. Should the requirements of the Notice not be met further investigation and action will be taken.

Lakeview Park has approximately 132 homes on site and the authority recently refused an application to extend the Mobile Home Site at Lake View Park, and therefore, license any homes outside the current boundary of the site.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications as a result of this report which is for information only

Legal implications and risks:

There are no legal implications as a result of this report which is for information only.

Human Resources implications and risks:

There are no legal implications as a result of this report which is for information only.

Equalities implications and risks:

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

An Equalities Assessment (EQ) is not required for this report which is for information only.

This page is intentionally left blank



Appendix A- Sunset Drive



Scale: 1:5000

Date: 01 February 2019

0 10 20 30 metres



Havering
LONDON BOROUGH

London Borough of Havering
Town Hall, Main Road
Romford, RM1 3BD
Tel: 01708 434343

Page 35

© Crown copyright and database rights 2019
Ordnance Survey 100024327

This page is intentionally left blank



Appendix B- Lakeview Park



Scale: 1:5000

Date: 01 February 2019

0 25 50 75 metres



Havering
LONDON BOROUGH

London Borough of Havering
Town Hall, Main Road
Romford, RM1 3BD
Tel: 01708 434343

Page 37

© Crown copyright and database rights 2019
Ordnance Survey 100024327

This page is intentionally left blank



TOWNS & COMMUNITIES OVERVIEW AND SCRUTINY SUB-COMMITTEE, 26 FEBRUARY 2019

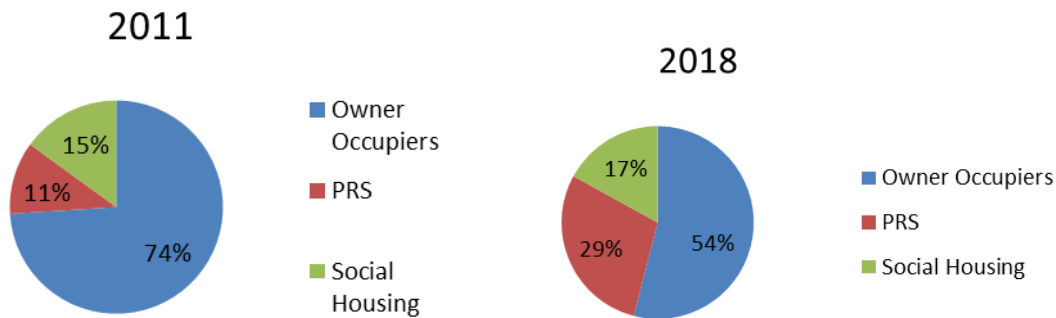
| | |
|---|--|
| Subject Heading: | Statement of PRS and implementation of Additional Licensing Scheme |
| SLT Lead: | Caroline Bruce |
| Report Author and contact details: | Sasha Taylor 01708 433479 Sasha.taylor@havering.gov.uk |
| Policy context: | The policy context is associated with the Council's statutory duties in connection with the Housing Act 2004 |
| Financial summary: | There are no significant financial implications associated with this report which is for information only |

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

| | |
|-----------------------------|-----|
| Communities making Havering | [x] |
| Places making Havering | [x] |

SUMMARY

The private rented sector (PRS) has grown rapidly in Havering since 2001. Population growth, lower London median rents and new transport infrastructure are factors.



Graph 1 - Tenure profile 2011 to 2018 (ONS & Metastreet data)

Havering introduced Additional Licensing to cover all HMOs in 12 of 18 wards in late 2017 and enforcement of the scheme commenced in March 2018 (Cabinet Decision 18th January 2018).

This report explains the progress over the last 12 months whereby the Council has successfully implemented the proposed scheme with over 22 multi-agency operations conducted, 108 Financial Penalty Notices issued and 21 Statutory Notices served

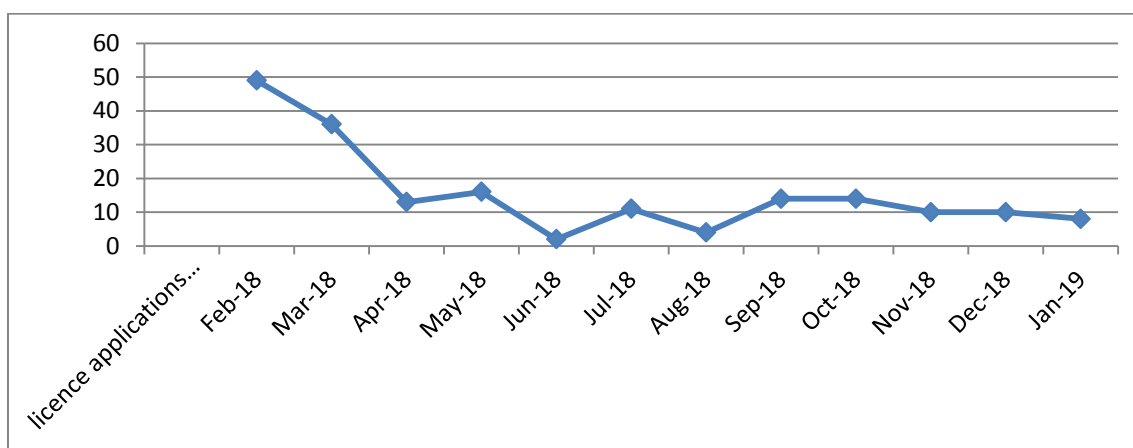
RECOMMENDATIONS

The Committee is asked to note the report.

REPORT DETAIL

Havering introduced Additional Licensing in 12 wards in March 2018 (see Map 1). The scheme mandates that all HMOs must license with the Council. The scheme offers the Council new powers to tackle overcrowding, poor property management and ASB in these types of properties. The expectation for the first year was to achieve 50% compliance, currently compliance sits at 48%, and a further 2% is expected by the end of March 2019.

Applications for the scheme commenced in January 2018. An early bird rate of 25% was offered until 1st March 2018, after this date the license fee reverted to the standard rate of £550. To date 201 applications have been received, this represents 25% of the predicted population. Income from license applications stands at £173,346.



Graph 2 License applications by month

The scheme supports good landlords through reduced fees and longer licenses. Efforts have been made to promote the scheme as widely as possible and the service makes every effort to notify individual landlords in writing of the need to license before considering enforcement.

For those landlords who choose not to comply, the Private Sector Housing team works closely with a range of enforcement partners including, Police, Planning, ASB and Immigration Enforcement to proactively tackle tenants and landlords who commit offences. This is delivered via fortnightly multi-agency operations targeting problematic and dangerous rental properties, and/or when intelligence is received indicating a non-compliant premises i.e. a tenant complaint. Operations are intelligence led and conducted in the early morning for maximum enforcement efficiency.

The Team consists of 6 extra officers over and above the current team. The staffing costs together with on-costs such as legal fees, ICT equipment/software and training, totals an estimated £0.300m. The majority of this has been funded by the income from licensing fees and financial penalty notices totalling £0.210m. Any budget gap will be recuperated over the 5 year life of the project, together with a recent successful funding bid to the Controlling Migration Fund from Ministry of Housing, Communities and Local Government. The first instalment of £0.190m has been confirmed.

Since March 2018, the scheme has delivered the following outputs:

- **22 multi-agency operations**, involving Police and Home Office Enforcement Officers
- **108 Financial Penalty Notices** with a value of £312,250
- **21 Statutory Notices** served

This level of enforcement intervention represents a significant increase on previous years.

The scheme is proving to be a powerful tool to address a range of issues, including poor housing conditions, ASB and overcrowding. Moreover, a clear correlation has been found between unlicensed HMOs and poor property management and conditions. Intelligence found during investigations are also shared with other council services, including Social Services and Council Tax.

Licensing powers are being used in combination with other council powers to address public health hazards found during property inspections, such as pests and damp and mould.

One of the key objectives of the scheme is to ensure all HMOs are licensed over the 5-year life of the scheme. The initial take-up has been quite low, however as landlords start to understand the consequences of not licensing it is likely that compliance rates will improve. A range of reasons have been uncovered as to why landlords fail to license HMO properties, ranging from a lack of awareness, through to tax fraud (local and national), to non-compliance with other housing and planning legislation.

It's too early to assess the impact of the scheme; however early indicators are that licensing is an effective tool to tackle criminal landlords and tenants in Havering.

In addition to licensing enforcement, the service is now using all its statutory powers to address serious hazards and disrepair cases, amongst the 97% of PRS properties not covered by the Additional licensing scheme. With the first anniversary fast approaching following a successful first year, it is expected that compliance will reach more than 90% by the end of the 5 year scheme, and those that are not compliance are the subject of robust enforcement action. Further a review of options for licensing schemes in other parts of the borough and single dwelling rented properties has begun.

PRS Enforcement Case Study – Balgores Lane Gidea Park

An unannounced inspection by officers from Private Sector Housing found 8 males living in unhygienic shared housing conditions.

The unlicensed HMO above shops in the centre of Gidea Park was found to be overcrowded, filthy and had no working fire detection. Every room had been converted into a bedroom, a number of which had bunkbeds.

Police, Immigration Enforcement and Housing Officers visited the property after the Police had been made of aware of a violent incident at the property between tenants.

A £14,500 Financial Penalty Notice has been issued to the landlord for failing to license a HMO and for breaches of HMO Management Regulations.



Unhygienic and overcrowded conditions



Filthy carpets and bunkbeds

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications as a result of this report which is for information only

Legal implications and risks:

There are no legal implications as a result of this report which is for information only.

Human Resources implications and risks:

There are no legal implications as a result of this report which is for information only.

Equalities implications and risks:

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

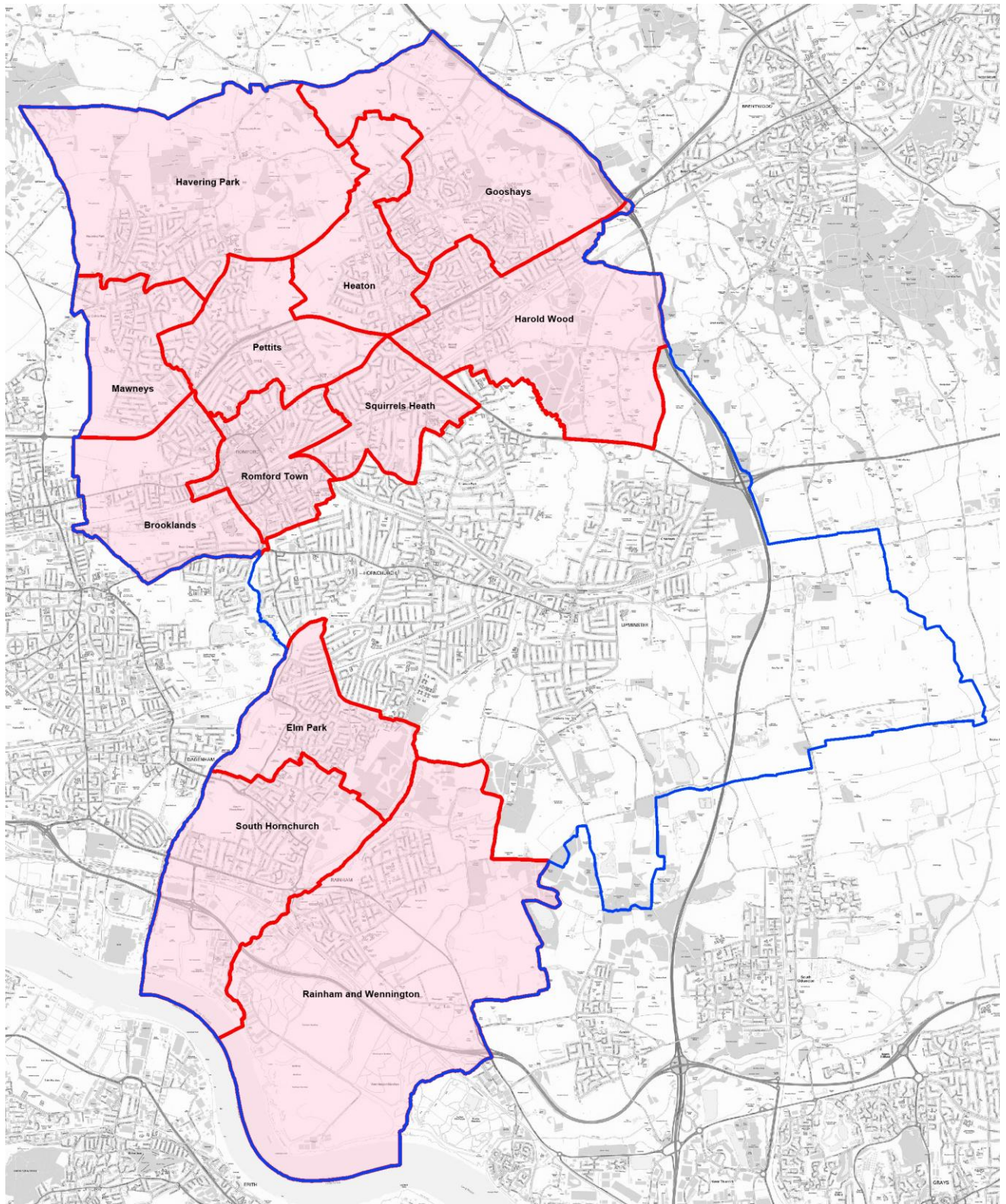
- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

An Equalities Assessment (EQ) is not required for this report which is for information only.

Map 1: Current Additional Licensing Scheme for HMO's



This page is intentionally left blank