

MINUTES OF THE HOUSING SELECT COMMITTEE

Thursday, 4 January 2024 at 7.00 pm

IN ATTENDANCE: Councillors Stephen Penfold (Chair), Rosie Parry (Vice-Chair), Natasha Burgess and Dawn Atkinson.

APOLOGIES: Councillors Bill Brown, Suzannah Clarke and Sakina Sheikh.

ALSO PRESENT: Councillor Will Cooper (Cabinet Member for Housing Management and Homelessness), Gillian Douglas (Executive Director for Housing), Fenella Beckman (Director of Housing Strategy), Simone Russell (Interim Director of Housing Resident Engagement and Services), Ellie Eghtedar (Head of Housing Needs and Refugee Services), Nina Morris (Housing Register Assessment and Allocations Manager), Theo Bonner (Accommodation Supply and Resettlement Service Manager), and Nidhi Patil (Scrutiny Manager)

ALSO PRESENT VIRTUALLY: Jennifer Bysouth (Executive Support Officer)

NB: Those Councillors listed as joining virtually were not in attendance for the purposes of the meeting being quorate, any decisions taken or to satisfy the requirements of s85 Local Government Act 1972.

Following discussions about informal co-optees at previous Housing Select Committee meetings, the Committee Chair informed the Committee that 2 informal co-optee positions had been filled and work was ongoing to advertise the 3rd informal co-optee position for a private renter in the borough.

It was noted that these informal co-optees would attend the meeting at the Chair's discretion, and as such were very welcome to contribute to the discussion. However, they were unable to propose, second or vote on any matter as they were not formal members of the committee.

1. Minutes of the meeting held on 28 November 2023

1.1. RESOLVED: that the minutes of the last meeting be agreed as a true record.

2. Declarations of Interest

2.1. Councillor Stephen Penfold declared an interest as a Director at J49- which is a registered social housing provider that operates within Lewisham.

3. Allocations Policy Review and Choice-Based Lettings Update

Fenella Beckman (Director of Housing Strategy), Ellie Eghtedar (Head of Housing Needs and Refugee Services) and Nina Morris (Housing Register Assessment and Allocations Manager) introduced the report. This was followed by a discussion by the Committee members. The following key points were noted:

- 3.1. The report set out the key elements of the Allocations Policy and the impact of the revised policy in the first year of its implementation, along with including information that was specifically requested by the Committee.
- 3.2. The revised Allocations Policy was implemented in October 2022. The key revisions made to the policy were- introduction of Band 4 and changes to existing bandings; introduction of statutory overcrowding measures, reassessed bandings for homeless applicants; introduction of smart lettings and the change from a three-offer rule to a two-offer rule.
- 3.3. For residents in temporary accommodation, when their lease was ending and the landlord wanted the property back, this allowed that household into Band 1 priority. This was to ensure a speedier move for the household and minimise the negative impact on them. The ending of this lease was a rehousing reason built into the Allocations Policy. In the report, under the table in point 5.2, the 'property hand back request' referred to this rehousing reason where the lease was ending, and the landlord had requested the property back.
- 3.4. The report highlighted that in Band 4, there were 12 households that were statutorily overcrowded but not overcrowded by one bedroom. Based on how statutory overcrowding and overcrowding by bedroom standard was measured, the Committee wasn't sure about how the 12 statutorily overcrowded households were not overcrowded by the bedroom standard. Officers stated that they would look at those 12 cases and provide the Committee with a detailed answer. However, they suspected that this may have been due to the properties being studio properties and the family make-up or it could be that some of those households were in HMOs (Houses of multiple occupation).
- 3.5. In cases of 'direct let' where a household refused the property and it was re-let to a different household, the Locata system removed the primary rehousing reason for the first household that refused the direct-let. This was a glitch in the Locata system and would be rectified moving forwards.
- 3.6. The table under point 5.5 in the report, included data on the number of lettings by band reason before and after the introduction of the 2022 Allocations Policy. According to the table, before the 2022 policy, there were 288 lettings under the homeless band reason and after the introduction of the 2022 policy this number went up to 423. It was clarified that there was no change in the statutory assessment of homeless households. This increase in number of lettings was due to the change in policy which meant that households with their primary rehousing code as homeless could appear in Bands 1 & 2 and not just in Band 3. It was a choice based letting system and homeless households bid more regularly, therefore appearing higher on the shortlist resulting in more successful bids and higher number of lettings.
- 3.7. It was discussed that the numbers of applicants and transferring tenants engaging and updating their on-line housing applications to be assessed for statutory overcrowding was relatively low. Mandatory questions about room sizes were incorporated in new applications so this information was

being captured for all new applicants. But for existing applicants, this information had to be provided through a change-of-circumstance form and not many existing applicants were filling those out.

- 3.8. A Committee member enquired about the difference between a management bid and a direct-let. A management bid was when a bid was placed on behalf of the client, so Council officers acted as an advocate on behalf of the client during the bidding cycle. This was only used in extenuating circumstances for example for vulnerable clients with complex needs.
- Direct Lets were offers of accommodation made outside of choice-based lettings (Find Your Home scheme). In this case a property was matched and directly-let to a client because it had been advertised without any successful bidders and was considered a hard-to-let property.
- 3.9. The duration between bidding and letting of a property was 8 weeks on average. The Committee noted that this was a long time and enquired whether this was because properties were being advertised too early. It was reported that there had been some issues with early advertising and then later on finding out that substantive repair works were needed to bring the property up to letting standard. Officers were consistently having conversations with RPs (Registered Providers) around this to discuss void turnaround and timely advertising of properties. Council officers also liaised with the planning and development team regularly and if they were made aware of any significant delays in new-build properties, they would then contact residents who had bid on the properties to inform them of the delays so that residents could make informed decisions.
- 3.10. The rehousing reason 'management discretion' was used in cases where the manager had used their discretion in line with the Allocation Policy to change someone's Band priority or in some emergency housing cases where Locata didn't have a particular primary rehousing code.
- 3.11. Locata had a list of both 'reasonable' and 'unreasonable' reasons for refusal for those applications that had a limited offer policy. The system automatically suspended any applicants who refused offers for unreasonable reasons. An example for a 'reasonable' reason would be when an applicant had a genuine need that was not met by the offer such as a necessary medical equipment that couldn't be brought into the property. An example for an 'unreasonable' reason would be when an applicant refused an offer because they thought the property was small even when it met their assessed needs.
- 3.12. It was noted that letting studios and 1-bed properties had always been difficult.

RESOLVED:

- That this report be noted along with the Committee's concern regarding the time delay between properties being advertised and occupied, attributed in part to the properties not being ready to let at the time of being advertised.

4. Temporary Accommodation- Supply and Pressures

Fenella Beckman (Director of Housing Strategy), Ellie Eghtedar (Head of Housing Needs and Refugee Services) and Theo Bonner (Accommodation Supply and Resettlement Service Manager) introduced the report. This was followed by a discussion by the Committee members. The following key points were noted:

- 4.1. There were currently 2,806 households in temporary accommodation provided by Lewisham. The Committee enquired how many of those 2,806 did Lewisham owe the Section 193 duty to and how many of those did Lewisham owe the Section 188 duty to. Officers reported that they didn't have the detailed figures to hand but around 50% of the 2,806 were owed the Section 193 duty. The full data would be circulated to the Committee following the meeting.
- 4.2. Due to the decrease in the Council's stock of temporary accommodation, it was becoming increasingly reliant on the use of expensive nightly paid temporary accommodation. When residents were housed in nightly-paid accommodation, they still paid the LHA rate (Local Housing Allowance) and the Council paid the difference to meet the nightly accommodation cost (known as the housing benefit subsidy cost). This was to minimise the negative impact on residents but was leading to overspend in the Council's budget.
- 4.3. The Local Authority could discharge its relief duty by housing residents in accommodation in the private rented sector. However, due to the lack of such properties, more and more residents were being placed into temporary accommodation. If residents were still in temporary accommodation when the Council's 56-day relief duty lapsed, then the Council accepted full housing duty for them. Therefore, Lewisham's acceptance rates were quite high. However, officers were using the Council's Procurement Strategy to try and meet this demand.
- 4.4. Work was ongoing to ensure that empty properties in the borough were being brought back into use as soon as possible, using a combination of support for landlords/ owners, issuing Empty Property grants and carrying out enforcement action. This work was being undertaken by officers in the Private Sector Licensing and Home Improvements team. Several factors contributed to the prolonged process of bringing an empty property back into use, beginning with the search for the landlord/ owner. It was suggested that the Council could look into giving some incentives to landlords to bring empty properties back.
- 4.5. In certain circumstances a Local Authority could apply for an Empty Dwelling Management Order when a property had been empty for 6 months. Given the shortage of properties for temporary accommodation, it was suggested that the use of these orders be considered. However, it was noted that it was a labour-intensive process.
- 4.6. It was clarified that point 7.8 of the report meant that out of the 2,806 Lewisham households in temporary accommodation, 53% of them were placed within the borough of Lewisham.
- 4.7. As part of the Procurement Strategy, there was a review of the packages being offered to landlords and one part of that review was looking at the

Council bridging the gap between the LHA and market rate, to be able to procure accommodation in the private rented sector. There was also the Housing Acquisition Programme which was helping to increase the supply of cost-effective temporary accommodation.

- 4.8. Many landlords were just exiting the market and looking to sell due to high interest rates, and many people who could previously buy a property were now looking to rent, further reducing the supply of properties in the private rented sector. The high demand and the lack of supply of accommodation in the private rented sector was a big challenge and had also been highlighted to the EMT (Executive Management Team) as a corporate risk. Given how difficult the situation was, the Accommodation Supply team at Lewisham was performing really well compared to other London boroughs. Nightly-paid temporary accommodation was only used when necessary after other avenues had been explored and officers were consistently trying to move residents out of nightly-paid accommodation.
- 4.9. The Council's temporary accommodation budget was forecast to overspend by £9 in 2023/24. It was noted that the Council's high costs for temporary accommodation came out of the General Fund and not out of the Housing Revenue Account (HRA).
- 4.10. Point 7.9 of the report highlighted that there were 60 households on the housing register that required a permanent wheelchair adapted property. The scarcity of such properties posed a significant challenge. To address this, officers recently introduced an Accommodation Adaptation Register. Officers also assessed adapted properties in new builds so that individuals with these needs in temporary accommodation could be relocated to those properties via a management bid or direct-let. It was difficult to secure wheelchair-adapted properties in the private rented sector. Even if the Disabled Facilities Grant could be used to adapt the property, landlords remained hesitant, primarily due to their eventual desire to reclaim the property.

As part of the Acquisition Programme, specially adapted properties were actively being sought. It was also worth noting that sometimes individuals approached the Council proactively to offer adapted properties.
- 4.11. The report mentioned that a full equalities impact assessment was undertaken for the Procurement Strategy. A Committee member requested that in future reports when references were made to any relevant equalities assessments, that they be hyperlinked in the report.
- 4.12. It was noted that as of mid-December 2023, 1,178 families were in nightly paid temporary accommodation.
- 4.13. According to government guidance, if no alternative accommodation was available, families with children could be placed in shared accommodation for a maximum period of 6 weeks. Officers reported that Lewisham had 8 families in shared accommodation but at the time of this meeting, the number of families in shared accommodation was down to zero. There were boroughs across London with more than 100 families in shared accommodation. Officers had a weekly action plan and reviewed the cases of families in shared accommodation consistently to ensure families were moved to a more appropriate accommodation as soon as possible. For the

longest time, Lewisham had zero families in shared accommodation but unfortunately that couldn't continue due to the supply demand crisis. It was noted that there was an exception to this 6-week rule as the government could keep asylum seeking families in initial assessment accommodation for longer than 6 weeks.

- 4.14. Temporary accommodation supply was low as it locked landlords into a limited period lease and paid the LHA rate which didn't translate into much profit for landlords especially with the interest rates going up. There was a lot of competition for temporary accommodation properties in Lewisham as it was one of the more affordable boroughs in South London so other authorities were still placing people in Lewisham. One such example was Pentland House- which was being used as Home Office accommodation and was recently decanted. Lewisham tried securing the property but was unsuccessful and an East London borough had procured the whole block.

RESOLVED:

- That the Committee recognised the very difficult circumstances under which the housing service was currently operating and noted this report.

5. Social Housing (Regulation) Act 2023

Fenella Beckman (Director of Housing Strategy), Simone Russell (Interim Director of Housing Resident Engagement and Services), and Gillian Douglas (Executive Director for Housing) introduced the report. This was followed by questions from the Committee members. The following key points were noted:

- 5.1. The Committee appreciated Ella McCarthy's (Partnership Strategy and Insight Manager) efforts for submitting the reports for the Committee meeting within a tight deadline near Christmas 2023.
- 5.2. In October 2023, Committee members received an informal briefing on the Social Housing (Regulation) Act 2023. Following that informal briefing, the Committee requested a formal report on the issue.
- 5.3. Lewisham was amongst the many housing providers that informed the central government that additional funding was needed to cover the new responsibilities set out in the Social Housing (Regulation) Act 2023 as that couldn't be funded solely from the rent and service charge collection. This was also discussed in the partnership meeting with the Social Housing Regulator. The Regulator had made it clear that they won't be making allowances for the lack of funding as these new standards were absolute especially around tenant safety and the quality of housing. Officers reported that it was challenging to invest in the existing stock, along with meeting all the new standards. It was recognised that these new standards were needed but also that additional funding was needed to enable housing providers to meet these standards.

It was previously reported by Lewisham Homes that an estimated £600m of investment was needed over the period of 5 years with an actual capital programme of £321m to raise the standard of the housing stock.

- 5.4. The requirement under Awaab's Law for landlords to investigate and fix reported health hazards within specified timeframes would mean more people having to be decanted if the landlord couldn't comply with the timescales for any reason. The specific timeframes under Awaab's Law hadn't been finalised yet. Based on discussions so far, it seemed like the timescales could be 7 days for inspection and 3 weeks for completion of work. Officers highlighted that one of the risks from the high-profile publication of these new standards would be raised expectations within residents, potentially prompting disrepair lawyers to capitalise on the situation.
- 5.5. Hazards included under Awaab's Law would most likely be similar to the Housing Health and Safety Rating System (HHSRS).
- 5.6. In December 2023, Lewisham self-referred itself to the Social Housing Regulator. Officers mentioned that they were continuing to have partnership meetings with the Registered Providers in the borough and it was clear that many landlords were struggling with similar challenges.
- 5.7. Appendix 1 of this report mentioned the new professional qualification requirements included in the Social Housing (Regulation) Act 2023. It was discussed that Lewisham had always had a good focus on learning and development of its staff with a structured focus on objective setting appraisal processes. Work was ongoing to engage with staff and assess existing relevant qualifications. A mapping exercise was underway to identify job roles that needed new qualifications and how those requirements would be met. For example, the current position was that for a Chartered Institute of Housing qualification, you could use transferable skills and attend a structured interview in order to obtain the qualification.
- 5.8. From April 2024, the Social Housing Regulator would be able to grant unlimited fines for non-compliance of any regulations or legislation. This combined with the fact that a lot of funds were being spent on disrepair claims was a substantive financial risk. Year-to-date, £1m had already been spent on disrepair compensation claims.
- 5.9. On the 24th of January 2024, officers were taking a report to the Mayor and Cabinet seeking permission for the procurement of a full stock condition survey. This report would also seek permission to procure more surveying capacity for the disrepair claims. It was noted that the stock condition survey was necessary and would help the Council understand the current state of its housing stock. This would help in understanding what improvement works were needed so that the capital programme could be planned better.
- 5.10. Like most landlords, Lewisham had a contract with a research company to collect data on the Tenant Satisfaction Measures (TSM). Some data on the TSMs was collected quarterly and some monthly.
- 5.11. There was a need for a sophisticated and co-ordinated approach to capital programme as work for bringing homes to a decent standard was different for street properties compared to a block of flats in a high-rise building. The Council had appointed an expert interim on procurement and contracting to ensure that the Council had a robust approach with the

incumbent contractors and that any contracts going forward were efficient in terms of quality, performance and cost.

RESOLVED:

- That this report and the work taking place in Lewisham to prepare for the introduction of the Social Housing (Regulation) Act 2023, be noted.

6. Update on Repairs Transformation

Gillian Douglas (Executive Director for Housing) provided a PowerPoint presentation on this agenda item. This was followed by questions from the Committee members. The following key points were noted:

- 6.1. A Committee member enquired how repair cases in the backlog were prioritised. Officers reported that they acknowledge that each repair case was different and that some needed more urgent resolution. Vulnerability of tenants was a significant factor in prioritising repair work in some cases. It was also noted that the delay in repair work had often been caused by the lack of glaziers. Officers reported that the Council now had 3 glaziers.
- 6.2. It was discussed that the accountability of the contractors was an important issue. Officers acknowledged that it was important for the Council to be a competent client and hold its contractors to account.
- 6.3. It was noted that a high proportion of emergency repair requests (approximately 30%) were because of routine repair cases slipping, entering the backlog and then being escalated and becoming urgent.
- 6.4. Timely repairs were important to ensure the wellbeing of residents. It was suggested that maybe there could be inspectors from the Council who could check the work undertaken by the contractor.
- 6.5. Feedback from the residents was that the scheduling of repair jobs was not efficient.
- 6.6. Lewisham was a part of London Councils. As part of that the housing directors from all authorities in London met regularly for discussions. The main challenges facing most local authorities in London were- the base quality of their housing stock, difficult budget situation and the operation system of how repairs were being handled.
- 6.7. The figure of over 15,000 repair cases in the backlog needed reviewing. Some diagnostic work was needed to cleanse that data since the data may have included old cases that have already moved on. Following the diagnostic work, the Council would have a more accurate picture of the backlog.
- 6.8. The presentation highlighted that the average days to bring minor void properties back into use was 75 days and the average cost of each void YTD was £8,500. The long turnaround time for voids was usually related to the quality of the housing stock. However, it was noted that just the turnaround time was not a good indicator of success when it came to voids. Old housing stock meant there was a lot of work to be done before the property could be brought up to the letting standard. Nevertheless, it was

observed that the end-to-end process of turning around voids could be made more efficient.

- 6.9. The published service standard to tenants on the Council's website, committed the Council to the following timescales for repairs- 20 days for standard repairs, 3 days for urgent repairs and 24 hours for emergency repairs. However, this commitment was not being met.
- 6.10. Council officers met with the Social Housing Regulator after the Council self-referred itself. This meeting was very soon after the self-referral, so the Regulator hadn't reviewed any case details, but they welcomed the openness and transparency of the self-referral.
- 6.11. There had been a Freedom of Information request about this self-referral. The media had also picked up the news regarding the self-referral but there hadn't been any major feedback. Officers had prepared some FAQs to reassure residents. There was a request to share these FAQs with the members of the Committee.
- 6.12. Councillor Will Cooper, Cabinet Member for Housing Management and Homelessness, reported that the feedback he had received on the self-referral had been generally positive as it showcased that the Council was committed to improving its services.

The Committee suspended standing orders.

- 6.13. Lewisham Council had very strong building safety and fire safety teams. These teams were very thorough in generating actions. However, more efficiency was needed in completing those actions.

RESOLVED:

- That the Committee welcomed the honesty and transparency of this presentation. The Committee had been concerned about repairs for a long time and hoped that work would now progress in the right direction.
- That the Committee recognised how important repairs were for Lewisham's residents and would review the progress of the repairs service again at its meetings in the new municipal year.

7. Select Committee Work Programme

- 7.1. It was noted that the agenda item on the Selective Licensing scheme would be moved to the 2024/25 work programme of the Committee. An informal update on this topic would be provided to the Committee in this municipal year.
- 7.2. It was discussed that the same 5 Registered Providers (RP) that were invited in March 2023, would be invited again for the March 2024 meeting. These 5 RPs were- L&Q, Peabody, Southern Housing, Hyde Housing, Clarion Housing group. These RPs would be asked to provide an update on- the progress of their repairs service in the last 12 months; the steps they were taking to prepare for the introduction of the Social Housing (Regulation) Act 2023; and an overview of their policy regarding 'voids'.

7.3. An informal briefing would be arranged for the Committee members to receive an update on repairs from Housing for Women. Councillor Will Copper suggested that Committee members could also attend the quarterly meeting that he had with Housing for Women.

7.4. The Committee Chair informed the Committee that at the next meeting, members could suggest agenda items for the Committee's 2024/25 work programme.

RESOLVED:

- that the following agenda items be agreed for the March 2024 meeting- Repairs Service Update from Housing Providers and Update on Emergency Housing and Housing Assistance Policy.

The meeting ended at 9.39 pm

Chair:

Date:
