

# Overview and Scrutiny



## Housing Select Committee Agenda

Thursday, 9 December 2021

**7.30 pm**, Council Chamber, Civic Suite - the public are welcome to observe via the Council's website at <https://lewisham.public-i.tv/core/portal/home>

Lewisham Town Hall

London SE6 4RU

For more information contact: John Bardens (02083149976)

This meeting is an open meeting and all items on the agenda may be audio recorded and/or filmed.

### Part 1

Item		Pages
1.	Minutes of the meeting held on 16 September 2021	5 - 8
2.	Declarations of interest	9 - 12
3.	Responses from Mayor and Cabinet	
4.	Rent and service charge increases	13 - 44
5.	Support for families following the end of the eviction moratorium	45 - 54
6.	Select Committee work programme	55 - 78

# Housing Select Committee Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Thursday, 9 December 2021.

Kim Wright, Chief Executive  
Wednesday, 1 December 2021

<p><b>Members</b></p> <p>Councillor Peter Bernards (Chair)</p> <p>Councillor Stephen Penfold (Vice-Chair)</p> <p>Councillor Aisling Gallagher</p> <p>Councillor Silvana Kelleher</p> <p>Councillor Olurotimi Ogunbadewa</p> <p>Councillor Tauseef Anwar</p> <p>Councillor Paul Maslin (ex-Officio)</p> <p>Councillor Octavia Holland (ex-Officio)</p>	
---	--

## MINUTES OF THE HOUSING SELECT COMMITTEE

Thursday, 16 September 2021 at 7.30 pm

PRESENT: Councillors Peter Bernards (Chair), Stephen Penfold (Vice-Chair), Silvana Kelleher, Olurotimi Ogunbadewa and Tauseef Anwar (all present in person)

APOLOGIES: Councillors Aisling Gallagher

ALSO PRESENT: Fenella Beckman (Director of Housing), Councillor Paul Bell (Cabinet Member for Housing & Planning), Margaret Dodwell (Chief Executive) (Lewisham Homes), Rachel Dunn (Service Group Manager - Partnerships and Service Improvement) (London Borough of Lewisham), Ainsley Forbes (Chair of the Board) (Lewisham Homes), Mark Newstead (Director of Property Services and Safety) (Lewisham Homes) and Lis Rodrigues (Director of Development) (Lewisham Homes)

### 1. Minutes of the meeting held on 070621

Resolved: the minutes of the last meeting were agreed as an accurate record.

### 2. Declarations of interest

The following interests were declared:

- Cllr Olurotimi Ogunbadewa is a board member of Phoenix Housing
- Cllr Silvana Kelleher is a Lewisham Homes tenant.

### 3. Responses from Mayor and Cabinet

Resolved: the committee noted the M&C response to the recommendations of its in-depth review of resident engagement in housing development and agreed to receive an update in six months.

The committee also noted that resident engagement in development had improved and praised the efforts of council and Lewisham Homes officers for keeping engagement going during the pandemic.

### 4. Lewisham Homes annual report and business plan

Margaret Dodwell (Chief Executive, Lewisham Homes) introduced the annual report, noting that it had been a challenging year for Lewisham Homes in regards to voids and repairs in particular. There was then a discussion on the annual report and a recent repairs case that had been in the news.

Mark Newstead (Director of Property Services and Safety, Lewisham Homes) and Ainsley Forbes (Chair of the Board, Lewisham Homes) were also involved in discussions and addressed many of the points made.

- 4.1 In response to questions about the resident dissatisfaction with repairs, Lewisham Homes noted that they were aware that there have been significant issues with the contact centre, with people having to wait a long time to get through on the phone. Lewisham Homes also noted that they have struggled to recruit to this team.
- 4.2 It was noted that the efficiency of call-handling in the contact centre has reduced with remote working due to lack of access to colleagues and the right tech, but that the situation has improved as more people have returned to the office in person. Lewisham Homes are also looking into introducing live online chat as another possible way for residents to report repairs.
- 4.3 It was noted that it has been more difficult than expected to clear the backlog that has built up during the pandemic as there has been a general increase in the volume of repairs.
- 4.4 A stock condition survey carried out in 2019/20 did identify a significant number of properties that needed investment to bring them up to the decent homes standard. Lewisham Homes were also aware of issues with damp and mould in some properties. Significant capital investment was made available by the council in response. It was noted that a lot of this will be used to address issues with roofs, windows and other external works.
- 4.5 In response to questions regarding the recent new story, Lewisham Homes accepted that they had let down the resident; did not act quickly enough when they became aware; and didn't use a specialist water company quick enough to identify the leaks. The case in the news involved at least 11 leaks from a flat above.
- 4.6 The committee noted that it had previously been reassured by Lewisham Homes that it was able to deal with the backlog of repairs created by Covid.
- 4.7 It was noted that Lewisham Homes now has a comprehensive action plan in place to address the 2,400 properties with potential damp and mould issues identified in the stock condition survey. Priority will be given to the 1,200 deemed more severe. This includes piloting 'property MOTs' and being more proactive with maintenance as well the planned repairs programme.
- 4.8 It was noted that the resident involved in the case in the news has been unable to return to the property because his medical needs have changed.
- 4.9 It was also noted that Lewisham Homes has a significant number of disrepair cases which are costing around £1m a year, including the cost of the works and both sides' legal fees.
- 4.10 In response to concerns about how long it took for the case in the news to be addressed, it was noted that there are a number of internal programmes and training in place in Lewisham Homes to improve customer service. It was also noted that a new process has been put in place to speed up the process of moving a resident out of their home temporarily when a property is found to be unfit.
- 4.11 The committee also queried Lewisham Homes' ambitious plans to improve the EPC rating of the majority of its homes to level B.
- 4.12 Lewisham Homes reported that they will soon be publishing their draft sustainability strategy and looking for sufficient funding from the government to

bring properties up to the standard they need to be - £96m over the first 5 years.

4.13 In response to questions on improving void turnaround time, it was noted that Lewisham Homes has reviewed its process on voids and has managed to reduce turnaround times.

RESOLVED: that the committee notes the difficulties Lewisham Homes is facing recovering from the problems associated with the pandemic but also expresses concerns about the contact centre's telephone system and the number of damp properties. The committee stresses the importance of closely monitoring progress with these issues and requests an update at its January meeting.

The committee voted unanimously in favour of the resolution.

## **5. Allocations policy**

Fenella Beckman (Director of Housing) introduced the item, thanked the committee for its close scrutiny of the policy, and noted that the policy is due to be considered by Mayor & Cabinet in October.

1.1 Rachel Dunn (Service Group Manager, Partnerships and Service Improvement) summarised the major changes, including the banding changes; introducing a new overcrowded by 3 bed rehousing reason; introducing a new band 4; creating a new homeless with additional need rehousing reason; changing the 'three offer rule' to a 'two offer rule', and introducing 'smart lettings'.

1.2 There are also two major changes that are not being including in the final policy. The first is the exclusion of non-dependents over 21 from the overcrowded by 3 bed reason. The second is the proposal to introduce multiple bids.

1.3 Officers also noted an amendment to the final proposed policy in relation to the way overcrowding is measured. Whilst the primary measure is the bedroom standard – the proposal is to introduce the use of statutory overcrowding with the effect of adding in an additional nuance to our overcrowding measure.

1.4 The committee expressed its thanks to officers for the work that they had put into the policy and for listening to this committee and applauded officers for coming up with the best scheme they possibly could.

1.5 In response to queries about the practicalities of introducing statutory overcrowding, it was noted that applicants would be asked to measure their own rooms in the first instance, which would then be verified by a visit.

1.6 The committee voted unanimously in favour of supporting the proposed policy and recommending it to Mayor & Cabinet.

RESOLVED: that the committee support the proposed policy and recommend it to Mayor & Cabinet.

## **6. Select Committee work programme**

RESOLVED: that the following items be added to the work programme: Resident engagement in housing development update (6 months); and Lewisham Homes repairs update (20 January).

The meeting ended at 9.30 pm

Chair: -----

Date: -----



## Housing Select Committee

### Declarations of Interest

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Chief Executive (Director of Law)

### Outline and recommendations

Members are asked to declare any personal interest they have in any item on the agenda.

## 1. Summary

1.1. Members must declare any personal interest they have in any item on the agenda. There are three types of personal interest referred to in the Council's Member Code of Conduct:

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests.

1.2. Further information on these is provided in the body of this report.

## 2. Recommendation

2.1. Members are asked to declare any personal interest they have in any item on the agenda.

### 3. Disclosable pecuniary interests

3.1 These are defined by regulation as:

- (a) Employment, trade, profession or vocation of a relevant person\* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person\* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person\* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:
  - (a) that body to the member’s knowledge has a place of business or land in the borough; and
  - (b) either:
    - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
    - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person\* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

\*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

### 4. Other registerable interests

4.1 The Lewisham Member Code of Conduct requires members also to register the following interests:

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25.

## 5. Non registerable interests

- 5.1. Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

## 6. Declaration and impact of interest on members' participation

- 6.1. Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take not part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- 6.2. Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph 6.3 below applies.
- 6.3. Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- 6.4. If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- 6.5. Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

## 7. Sensitive information

- 7.1. There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

## 8. Exempt categories

- 8.1. There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-
- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
  - (b) School meals, school transport and travelling expenses; if you are a parent or

guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor

- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception).

## **9. Report author and contact**

9.1. Jeremy Chambers, Director of Law and Governance, 0208 31 47648



## Housing Select Committee

### Housing Revenue Account (HRA) – Rent Setting

**Date:** 9<sup>th</sup> December 2021

**Key decision:**

**Class:** Part 1

**Ward(s) affected:** Borough-wide

**Contributors:** Executive Director for Housing, Regeneration & Public Realm, & Executive Director for Corporate Services

### Outline and recommendations

It is recommended that Housing Select Committee:

- Note and comment on the content of this report.

### Timeline of engagement and decision-making

10<sup>th</sup> December 2021 – Pinnacle consultation with residents

24<sup>th</sup> December – Lewisham Homes consultation with residents

12<sup>th</sup> January 2022 – Report to be presented to Mayor and Cabinet

## 1. Summary

- 1.1. This report outlines the forecast rent, service charge, garage and heating and hot water charge changes for Lewisham Council Dwellings and garages in 2022/23, including resident feedback on the proposals.
- 1.2. The potential average service and heating and hot water charge changes are contained in the Regenter RB3 & Lewisham Homes Service charge report's 2022/23, which are included at appendix 2 & 3 to this report. The proposal is for an increase of £1.46pw or 4.09% for the Lewisham Homes area, and an increase of £0.59pw or 5.9% for the Brockley RB3 area
- 1.3. No Proposals have been received to vary the current levy for the Tenants' Fund

contribution. It will therefore remain at £0.15pw for 2022/23.

- 1.4. Garage rents are proposed to rise by RPI at 4.9%. This represents an increase of £0.77pw and would raise the average basic charge from £15.85pw to £16.62pw. The proposed increase will raise an additional £96k of revenue income. A garage increase report is included at appendix 4 to this report.
- 1.5. Although no direct efficiencies or savings are currently being considered for 2022/23, work continues to identify opportunities for cost reductions and efficiencies relating to the HRA business model. Where identified, these savings would be available for reinvestment in stock, services or new supply.

## **2. Recommendations**

- 2.1. It is recommended that Housing Select Committee note and comment on the content of this report.

## **3. Policy Context**

- 3.1. The contents of this report are consistent with the Council's policy framework. It supports the achievements of the following corporate strategy objective:
  - 3.1.1. Tackling the housing crisis – Everyone has a decent home that is secure and affordable.
- 3.2. The contents of this report also support the objectives of the Housing Strategy 2020-26, as ensuring an appropriately funded HRA will work towards the delivery of the following objectives:
  - 3.2.1. Delivering the homes that Lewisham needs;
  - 3.2.2. Improving the quality, standard and safety of housing;
  - 3.2.3. Supporting our residents to live safe, independent and active lives;
  - 3.2.4. Strengthening communities and embracing diversity.

## **4. Background**

- 4.1. During the period from April 2015 to April 2019, the Government mandated for all councils nationally to reduce dwelling rents by 1% per annum. The financial impact was significant which meant that maintaining service levels throughout this period was challenging as a direct result of the loss of income. The government mandated reduction resulted in a loss of actual income of £2.8m during the four year period. The loss was £25m when compared to the assumptions made within the Housing Revenue Account business plan for the same period and a total loss of £374m over the 30 years lifespan of the Business Plan.
- 4.2. From April 2020 government have lifted the rent reduction policy and have allowed councils with social housing stock to return to the previous method of rent increase calculations until 2025. This method of rent increase is based on CPI + 1%, which is in line with Government's policy for rent increases. This method will be implemented in Lewisham and becomes effective for rental increases applied from April 2020 onwards.
- 4.3. The CPI rate at September 2021 has been confirmed at 3.10%, therefore Rents will increase by 4.10% (3.10% + 1.0%), in line with Government policy. This results in an average increase in rent for 2022/23 of £4.07pw over a 52 week period. This will increase the full year average dwelling rent for the London Borough of Lewisham HRA stock (as at April 2021) from £99.19 to £103.26pw.

### **Is this report easy to understand?**

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

## 5. Proposal for rent increases

- 5.1. Following completion of legislative requirements and in line with the formula rent calculations, rents are expected to rise by 4.1% based on CPI of 3.10% (as at September 2021) + 1% for 2022/23 and CPI + 1% for the next 3 years up until the end of 2025/26.
- 5.2. A 4.1% increase in average rents for dwelling stock 2022/23 will equate to an average increase of £4.07pw over a 52 week period. This will increase the full year average dwelling rent for the London Borough of Lewisham from £99.19pw to £103.26pw. The proposed increase will result in additional income of £2.952m for the HRA against 2021/22 income levels.
- 5.3. The following table provides details of the average rise by bed size for stock in the HRA as at 1st April 2021.

Bed size	Average Rent 2021/22	Average Rent 2022/23	£ Change	% Change
Bedsit	£74.80	£77.87	£3.07	4.10%
1	£87.32	£90.90	£3.58	4.10%
2	£98.05	£102.07	£4.02	4.10%
3	£114.65	£119.35	£4.70	4.10%
4	£128.09	£133.35	£5.26	4.10%
5	£147.54	£153.58	£6.04	4.10%
6	£153.03	£159.31	£6.28	4.10%
7	£157.77	£164.24	£6.47	4.10%
<b>Average Total</b>	<b>£99.19</b>	<b>£103.26</b>	<b>£4.07</b>	<b>4.10%</b>

- 5.4. Government have confirmed that local authorities can return to the previous method of rent increase calculations of CPI + 1% up to at least 2025/26 financial year. For the purpose of business and financial planning, it is assumed that rental charges will be increased in line with this guidance.
- 5.5. At the present time, the financial models used by the council forecast CPI to be 2.0% annually up to financial year 2025/26 and would equate to an annual average increase of 3.0% to be applied to rents. This would result in an annual average increase of approximately £3.20pw across the period. It should be noted that any variation to the forecast CPI rate of 2% would affect the annual average forecasts stated above. For example a 0.5% movement in CPI would result in a £0.53pw change to the average increase.

## 6. Efficiencies and Savings Proposals for 2022/23

- 6.1. The HRA strategy and self-financing assessments are continually updated and developed, to ensure resources are available to meet costs and investment needs for 2022/23 and future years.
- 6.2. As a prudent measure the original HRA financial model was developed with no savings identified. There are ongoing discussions regarding appropriate savings and target management and maintenance costs per unit which may drive reduced costs. For example, there is already an assumed reduction in the management fees paid in 2022/23 to reflect stock losses through Right to Buy Sales. Any savings and efficiencies that are delivered against the current financial budget will be reinvested back into the HRA.
- 6.3. An update of the HRA Strategy, proposed rent & service charge increases and

### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

comments from consultation with tenant representatives will be reported to Mayor and Cabinet as part of the HRA Rents and budget strategy report. Mayor and Cabinet will make the final budget decisions in the New Year.

## 7. Service Charges and Garage Rents

- 7.1. The agreed policy on Service Charges are that charges should reflect full cost recovery for the type of service undertaken. Heating and hot water costs are also recovered by a charge to tenants and leaseholders. The overall tenant and leaseholder increase being proposed is 5.90% for Brockley residents and 4.09% for Lewisham Homes residents.
- 7.2. Regenter RB3 and Lewisham Homes have provided separate consultation reports to the panels giving further details of the increase to be applied for 2022/23. These reports are included at appendix 2 & 3 to this report.
- 7.3. Residents in properties managed by Regenter B3 and Lewisham Homes were asked to provide any comments and feedback on service charges and garage rent proposals for inclusion in the Mayor & Cabinet budget report to be presented on 12th January 2022. Tenant's feedback and comments are included as appendix 1 to this report.

### Garage Rents

- 7.4. Garage rents are proposed to rise by RPI @ 4.9%. This represents an increase of £0.77pw and would raise the average charge from £15.85pw to £16.62pw. The proposed increase would raise an additional £96k of revenue income, assuming no discount is applied.
- 7.5. The authority continually reviews rental values across the garage stock to ensure they remain on a sound commercial footing and reflect market rents. Any additional changes are likely to be consulted on and implemented for financial year 2023/24 onwards.
- 7.6. Property Services have provided a separate consultation report to the panel giving further details of the increase to be applied for 2022/23. This is attached at appendix 4 to this report.

## 8. Tenants' Levy

- 8.1. As part of the budget and rent setting proposals for 2005/06, an allowance was 'unpooled' from rent as a tenants service charge in respect of the Lewisham Tenants' Fund. The current levy is £0.15pw.
- 8.2. No proposals have been put forward by the tenants fund committee to vary this levy for 2022/23. Therefore the charge will remain at £0.15pw for 2022/23.
- 8.3. The tenants' fund has provided the panels with a consultation report regarding the accounts of the fund and budget proposals for 2022/23.

## 9. Consultation

### Consultation at tenant panels

- 9.1. Consultation on rents, service charges and garage rent proposals have taken place in line with the existing consultation arrangements through tenant panels. These arrangements provide an opportunity to engage tenants in a discussion on rent rises. The views of residents will be collated and included in the report to Mayor and Cabinet.

### Mayor and Cabinet

- 9.2. Mayor and Cabinet will consider the proposed increases and feedback from tenants

### **Is this report easy to understand?**

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

and Housing Select Committee as part of the overall council budget setting report to be presented on 12th January 2022.

## 10. Financial implications

10.1. Financial Implications are contained within the body of the report.

## 11. Legal implications

- 11.1. s103 Housing Act 1985 .. Notice of variation of periodic tenancy states that ...  
(1)The terms of a secure tenancy which is a periodic tenancy may be varied by the landlord by a notice of variation served on the tenant ... (2)Before serving a notice of variation on the tenant the landlord shall serve on him a preliminary notice —  
(a)informing the tenant of the landlord’s intention to serve a notice of variation,  
(b)specifying the proposed variation and its effect, and (c)inviting the tenant to comment on the proposed variation within such time, specified in the notice, as the landlord considers reasonable; and the landlord shall consider any comments made by the tenant within the specified time. (3)Subsection (2) does not apply to a variation of the rent, or of payments in respect of services or facilities provided by the landlord or of payments in respect of rates.
- 11.2. The Council’s duties in relation to the consultation of tenants on matters of housing management, as set-out in Section 105 of the Housing Act 1985, do not apply to rent levels, nor to charges for services or facilities provided by the authority. There is therefore no requirement to consult with secure tenants regarding the proposed increase in charges. The Council still needs to act reasonably and the decision maker should therefore be satisfied that the increase **is reasonable and justified**.
- 11.3. The Equality Act 2012 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 11.4. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- 11.4.1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- 11.4.2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
- 11.4.3. Foster good relations between people who share a protected characteristic and those who do not.
- 11.5. The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 11.6. The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 11.7. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- 11.7.1. The essential guide to the public sector equality duty
  - 11.7.2. Meeting the equality duty in policy and decision-making
  - 11.7.3. Engagement and the equality duty
  - 11.7.4. Equality objectives and the equality duty
  - 11.7.5. Equality information and the equality duty
- 11.8. The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at <http://www.equalityhumanrights.com/advice-and-guidance/public-sectorequality-duty/guidance-on-the-equality-duty/>

## **12. Equalities implications**

- 12.1. Social housing is a tenure type reserved for those households who are on lower incomes. Therefore, Lewisham Council tenants are more likely to be on lower incomes than the wider population. There is a likelihood that they may be in receipt of housing benefit or universal credit to support their ability to pay their rent.
- 12.2. Where a tenant is in receipt of Housing Benefit, the increased rent will be applied to all affected claims and a mass recalculation done. This will increase the HB for those both in receipt of full HB and for those on partial HB. Where a tenant is in receipt of Universal Credit, the full schedule of rents with the new rent level applied will be uploaded by Lewisham Homes to the UC portal for a recalculation and recovery for tenants.
- 12.3. Where tenants may struggle with the increased rent, Lewisham Homes and Regenter B3 offer in depth budgeting and financial support, which is available for all residents regardless of their arrears level.
- 12.4. Revenues raised as a consequence of the rent changes to HRA tenants will be retained within the HRA. This will be used to run the service and deliver future improvement programmes and stock investment to benefit our residents.
- 12.5. Residents of Lewisham's housing stock represent a wide range of protected characteristics. Whilst this change will have the same broad impact on all affected groups, the above mentioned re-investment means that those affected will continue to receive the expected level of service and benefit from future investment programmes. This serves to mitigate some of the potential impact.

## **13. Climate change and environmental implications**

- 13.1. There are no specific climate change or environmental implications arising from this report.

## **14. Crime and disorder implications**

- 14.1. There are no specific crime and disorder arising from this report.

## **15. Appendices**

- 15.1. Appendix 1 – Tenants' rent consultation 2022/23

### **Is this report easy to understand?**

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 15.2. Appendix 2 – Leasehold and tenants charges 2022/23 Brockley
- 15.3. Appendix 3 – Leasehold and tenants charges 2022/23 Lewisham Homes
- 15.4. Appendix 4 – Garage rent increase report 2022/23

## 16. Report author and contacts

- 16.1. Fenella Beckman, Director of Housing Services, London Borough of Lewisham  
[Fenella.beckman@lewisham.gov.uk](mailto:Fenella.beckman@lewisham.gov.uk)
- 16.2. On behalf of Exec Director Finance: Tony Riordan, London Borough of Lewisham  
[Tony.Riordan@Lewisham.gov.uk](mailto:Tony.Riordan@Lewisham.gov.uk)
- 16.3. On behalf of the Director of Law, Governance &HR: Leonard Tribe, London Borough of Lewisham [leonard.tribe@lewisham.gov.uk](mailto:leonard.tribe@lewisham.gov.uk)

### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

This page is intentionally left blank

## APPENDIX 1: Tenants' rent consultation 2022/23

The Tenants' rent consultation meetings took place on 10<sup>th</sup> November 2021 with Regenter B3 (Brockley) managed tenants and 24<sup>th</sup> November 2021 with Lewisham Homes managed tenants.

Views of representatives on rent and service charge changes & savings proposals.

	Lewisham Homes	Brockley PFI
No of representatives (excl Cllrs)	13	6
<b>Rent Increase @ 4.1%</b>	See Below	See Below
<b>Savings Proposals:-</b>		
No Savings proposed	n/a	n/a
<b>Service Charges inc:</b>		
Heating & Hot Water Charges	See Below	See below
Garage Rents	See Below	See Below
Tenants Fund	n/a – no increase proposed	n/a – no increase proposed

### Summary of comments made by representatives;

#### Brockley PFI

A transcript of the meeting, meeting minutes and comments received are contained at the end of this section.

There was further feedback received from residents, sent directly to council representatives, this is also included at the end of this section.

Due to time constraints the formal responses are not available for distribution with this report but it is hoped that they will be available in time for the meeting.

#### Lewisham Homes

A transcript of the meeting and comments received are contained below.

Lewisham Homes  
Panel

**Rent increase:**

Representatives at the meeting queried why there is an increase at this time as there are issues of affordability in the current economic climate, with many people having lost their jobs, pay freezes are being implemented and businesses are down.

Concern was also expressed that a wider audience should have the opportunity to consider the overall proposals and provide any comments that they may have on the proposed increases in all charges.

Officers responded that it is a legal requirement that a balanced budget has to be set and that costs are increasing. It was confirmed that Housing Benefit would also increase in line with the proposed rent increase.

In terms of invitees, there are a number of communications sent-out to inform tenants and tenant representatives that a meeting is being held, inviting them to attend.

A question was asked whether the 4.1% rent increase also applies to Temporary Accommodation (TA).

Officers confirmed that TA stock within the HRA would see an increase based on the same formula as the dwellings rents and would increase by 4.1% In April 2022.

**Tenants Service Charges & Heating & Hot water Charge:**

A presentation was given on the proposals.

A discussion was held on the issue of service standards and costs.

There were questions of value for money as charges are increasing but service delivery is not improving. In addition, service provision were affected by Covid and how can you justify a full charge?

Lewisham Homes officers responded by stating that services were only affected for the period April – May and all services were undertaken during this time, although some may have been at reduced hours to focus priorities to other areas.

There was concern expressed that costs are increasing but that there was no justification or evidence for this, so why is there a proposal for any increase?

Officers responded that the proposed charges are based on the 2020/21 actuals which have been audited and signed off.

	<p>Inflation is then added for contracted service supply as well as salary inflation which was 2.75%</p> <p>The proposals are estimated charges and will be followed up by an audit of actual charges and any necessary adjustment made. This will include looking at Leases to ensure that the charges are in accordance with the lease agreement.</p> <p>A discussion followed regarding service standards and issues on particular estates.</p> <p>Lewisham Homes officers responded by requesting panel members to contact them with specific service queries, that they will note and respond to specific issues.</p> <p><b>Garage Charges:</b></p> <p>There was a discussion on affordability issues, as per the rent increase proposals.</p> <p>Residents enquired what the market rate is for renting a garage and do LBL have any proposals to increase rents to this level.</p> <p>In addition residents enquired if there is to be any additional investment in the garage stock to bring them up to standard considering the rent increase proposals?</p> <p>These questions were recorded and will be forwarded to LBL's estates team to respond.</p> <p><b>Tenants Fund:</b></p> <p>n/a – no increase proposed</p> <p><b>Savings Proposals:</b></p> <p>n/a</p>
--	--

## Rent setting and service charge meeting feedback (Lewisham Homes)

### GARAGES

#### Resident feedback

- I have a garage I'm amazed at the cost of a garage I pay £15 and I can't fit my car in there, so use it as storage, you're using RPI, you're not offering any facilities, or repairing. Why did you use RPI? I appreciate you have to maximise income, you haven't looked at it from the services perspective. I think it's expensive, it's not value for money

- The intention seems to be to get garages to commercial rent in the future
- There will be a need for more garages as more CPZs come in
- Could regeneration team do something better with garages to generate more income?

## **RENT and SERVICE CHARGES**

### **Resident feedback**

- Potentially £2K and £2.5K, seems expensive for a local authority (Service charges)
- Inevitable there will be a social rent or service charge increase. But could the welfare act be considered as well as people's affordability. People can't always get more work and services aren't always received that we pay for.
- I would like them to consider a different model to fill in the gap, I appreciate there has been a long time period of reductions, but there is the opportunity for parliament to understand the freeze.
- I'm urging them (M&C) to consider the conditions that everyone is facing and look at the data to consider how this could be introduced in a more appropriate way, and also to consider how things are categorised (eg sweeping could be considered as caretaking in the service charges).
- My council tax went up by 19%. It's all too much too soon, everything is going up
- I don't understand where the justification is coming from when you talked about CPI, it's quite a jump
- Leaseholders are covering a lot of the costs for service charges, some are only carried by a few properties that are leaseholders.
- Why have costs increased if there are no services due to COVID-19
- Services aren't good, no reduction in costs for bin collections for example. I know during covid. Grounds Maintenance went down and now it's nowhere near where we had it before covid and I'm having difficulty getting things done. I can understand increases but can't understand why we're not getting the services, it is concerning
- I'm concerned for the leaseholders. Will leaseholder be expected to pick up the slack for example major works?

Brockley PFI  
Area

**Rent increase:**

There were no direct comments relating to the proposed rent increase, but there was concern expressed that a wider audience have not had the opportunity to consider the overall proposals, as not all members of the Brockley Resident Panel had been invited to the meeting.

It was agreed the reports would be sent to all panel members and that any further comments received by RB3 by the week beginning 22<sup>nd</sup> November 2021 would be forwarded to LBL for incorporation into the report which will be considered by M&C on 12<sup>th</sup> January 2022.

There were no additional comments received by either RB3 or LBL regarding the proposals for increases in rents or service charges. The minutes of the meeting are attached below.

**Tenants and Leaseholders Service Charges:**

A presentation was given on the proposals.

A discussion was held on the issue of service standards and costs.

There was a query as to why Service Charges will increase by RPI.

It was explained that this was a contractual obligation under the terms of the PFI contract and to ensure full cost recovery of the services provided.

**Garage Charges:**

No Comments

**Tenants Fund:**

n/a – no increase proposed

**Savings Proposals:**

n/a

## Minutes of Regenter Brockley Resident Panel Meeting

Wednesday 10<sup>th</sup> November 2021

Meeting: 6.00pm - 8.00pm

Present were

1	KG Kenneth Gill - Area Housing Manager Pinnacle
2	SS Sandra Simpson – Project Manager Leasehold Pinnacle
3	SM Sam Mason – Community Development Manager Pinnacle
4	LJ Lorna Jones – Leasehold Officer Pinnacle
5	Michael Moncrief - Data & Housing Policy Analyst
6	Dawn Ecklersley - Head of Partnership
7	Tony Riordan
8	Fenella Beckman - Director of Housing Services

9	SO Stephen Owen – (Greatfield Close) Chair Regenter Brockley Residents panel
10	SR Sarah Robinson (Nuding Close) Vice-chair Regenter Brockley Residents panel
11	Michelle
12	Lisa Catlin (Shell Rd)
13	MS Martin Soong (Yew House)
14	Elisabetta Fumagalli (St Peters Court)

<b>1</b>	<b>Welcome &amp; Introductions</b> Pinnacle staff and Lewisham staff introduced themselves and their roles  Residents introduced themselves
<b>2</b>	<b>Purpose of this meeting</b> To discuss the documents which were sent out for the proposals of rent and service charge for the tenants' rents, the tenant fund, the garage rents, the service charges for both tenants and leaseholders.
<b>3</b>	<b>Lewisham Council Rent Proposal</b>  The Council rent proposal impacts tenants in the Brockley area. The rent increase is based on CPI rather than RPI, and the document explains what the charges are.  If anyone would like further explanation, after having read it, then SS is happy to provide this at this meeting.

In summary, CPI is 3.1% and the contract allows for an additional 1% increase, effective 1 April 2022.

SO has concerns about the meeting. He wondered whether it was a presentation or consultation process and whether the issues have already been decided on. He considers that the meeting was called at short notice and the documents arrived late. He would have liked to have a chance to have a look at them. He considers that the Chair and Vice-Chair should have been the people who selected the invitees. SO would like an opportunity to speak to other residents who are more up to date with these things, than he is. He wants to go away and discuss it with them.

SR echoed what SO said. She would like to make it clear that the papers are addressed to the residents panel, but it has not been advertised to the residents panel. The invitees have been selected by Pinnacle. However it should have been open to the residents panel. This meeting does not appear to be for the residents panel – this appears to be a sub-group that Pinnacle have selected to attend this meeting. There is a lot of information to digest.

**4 Lewisham Council Garage Rent Proposal**

The garages around the Brockley area are subject to a rent increase of 4.9%, effective from April 2022. The documents lays out how many garages there are and how they are looked after. SS asked if anyone had any comments or observations.

Garages are subject to an increase based on RPI  
Rents are subject to an increase based on CP1.

Question: Why are they both 4.9% if they are different indexes?

TR explained that they used to use RPI and then government changed the formulas just for rent. CPI tends to be slightly lower. All long-term contracts are based on RPI until they expire, that's why there are different rates.

Rent is 4.1%  
Garage is 4.9%

**5 Lewisham Council Tenants Fund Proposal**

This is set at 15p each week for tenants only. The Tenant's Fund is used to fund TRA's and for improvements across the estate. This year, the decision has been made not to increase it.

6

## **Pinnacle Service Charge Proposal**

The amount proposed is the September 2021 RPI 4.9% plus 1%, which totals 5.9%. This will be calculated using the actuals which have been audited and were sent to leaseholders at the end of September 2021. The change will take effect from 1<sup>st</sup> April 2022 on the estimated service charges.

SO explained that this was a good example where he does not have the understanding to question this. He considers that it would have been great to have had people on this meeting who may well understand these figures better than him who could have responded.

TR gave an explanation in the chat function of the Zoom meeting: "The difference between CPI & RPI is that CPI uses a WEIGHTED average of the cost of a basket of goods, whereas RPI using just the movement in prices for a basket of goods. This method usually means that CPI as a measure of inflation is generally lower than RPI"

SR asked if it was contractual to add 1% on each financial year. Is this a profit that is paid to Pinnacle. SS explained that all the money collected for service charge or rent is paid to Lewisham Council not Pinnacle or Rydon or Regenter. Yes, the additional inclusion of 1% is allowed within the contract between LB Lewisham and Regenter.

SR asked if the cost of providing the leasehold services will go up by 5.9%.

SS explained that the costs will increase, and it's important to keep the estimates on an even keel so the actuals do not change too much.

SR stated that there is no evidence in the paper that substantiates the increase. It appears to be a 'fait accompli'. It appears to be going up because it's in the contract.

SR asked if the customer services charge is an individual extra charge?

SS explained that it is part of the management fee, in this proposal it is separated out for clarity, but it has been included within the management fee for the past few years on the service charge breakdown sent to leaseholders.

SR stated that she does not understand the rationale behind the increase and there is no evidence.

MS stated that he always has to pay extra when he gets his 'actual' invoice but using RPI across the board, makes it a reasonable way to increase service charges.

SS stated that if it is written in the contract, then it will not change the way the increase is calculated.

7	<p>SR asked for details of the next steps so that she can share it with others and collect feedback.</p> <p>MM stated that the papers will be put before the Councils Housing Select Committee on 9<sup>th</sup> December 2021. Before this his team will put together any comments. Any other comments from the Panel need to be with them before the end of the month including details of who is providing it. After the Housing Select Committee have reviewed the comments and proposals they will be put in front of the Mayor and Cabinet where to be signed off in January 2022.</p> <p>SR said she will forward other comments and will get that to Pinnacle w/c last week in November.</p> <p>KG has asked for comments to be received by 19<sup>th</sup> November 2021.</p> <p>They will then be sent over to Lewisham Council, and then onto the Housing Select Committee. SS or KG to do presentation of the proposed increase and comments at this meeting.</p> <p>SO is happy that he has 2 weeks to collate comments. KG will schedule a date to meet.</p> <p><b>Any Other Business</b></p> <p>Nothing tabled.</p> <p><b>UPDATE AT 24<sup>TH</sup> NOVEMBER 2021</b></p> <p>It was agreed that the Chair of the residents panel will collate comments from the wider residents' group and pass those to Pinnacle Group for further discussion, no later than Friday 19<sup>th</sup> November 2021. As of 24<sup>th</sup> November 2021, no comments have been received by Pinnacle therefore it is concluded that the residents have no comments to make regarding the increase proposal.</p>
---	---

The attached written correspondence was received by the Council on 24<sup>th</sup> November 2021. It was sent on behalf of the Brockley Regenter Resident's Panel in response to the recent rent and service charge consultation process which took place on 10<sup>th</sup> November 2021.

As well as providing feedback, the panel have asked a number of questions which the Council will provide a full response to in due course.

Due to time constraints the responses are not available for distribution with the report but it is hoped that they will be available in time for the meeting.

## **Regenter Brockley Resident Panel feedback**

### **Summary**

This feedback is submitted on behalf of the Regenter Brockley Resident Panel whose purpose is to represent the interests and views of Regenter Brockley residents to Pinnacle and its partners.

We would like to thank the Council and its officers for providing us with the opportunity to feedback on these proposals. In summary, we are concerned that the proposed increases will place considerable pressure on residents. Furthermore, the permanent link between rent and service charge increases and inflation +1% is going to place sustained pressure on household finances going forward. We are seeking reassurance from the Council as to how residents will be protected from rising costs should they become unaffordable. We are also concerned about the consultation process and would like a commitment from the Council that this process will be better conducted in future by Pinnacle.

### **The consultation process:**

- We would like to bring the following concerns about the consultation process to the Council's attention.
- The Chair and Vice Chair of the Panel asked Pinnacle that the meeting and presentation on annual rent, garage and service charge increases be advertised to all panel members, thereby allowing anyone interested to attend. Pinnacle disregarded our request, and instead shared the meeting details only with a very small, handpicked group of residents selected by Pinnacle. The details of the selected attendees were also withheld from the Panel Chair and Vice Chair preventing any communications between residents in advance of the meeting.
- This appears to be directly at odds with Pinnacle's supposed commitment to resident engagement and can only be seen as an attempt to limit resident engagement on a matter that affects all residents in the area.
- We ask that the Council requires Pinnacle to conduct a more transparent and extensive consultation exercise in the future, and one that is better advertised and promoted to **all** residents, given that the Panel is only a small sub-group. We would be grateful if you would write to us to set out how you will provide some assurance that this will happen.

### **Rent, service charge and garage increases**

- On the content of the proposals, the Panel is concerned that the proposed increases in rent and service charges are significant and will place strain on household incomes. Feedback received on behalf of some TRA members following the meeting reflected that many people have not had a real pay increase for some time, and the proposed charges may hit some hard, potentially causing hardship in some cases.
- The Brockley area is within the top 22.5% of areas in England for income deprivation and sits within the second most deprived areas in the Borough.
- The Council will be aware that the proposed increases come at a time of rising energy bills, a predicted Bank of England interest rate rise, and when peoples' real wages are not keeping pace with inflation.

- Regenter’s own annual service report for 2020-21 noted that due to Covid-19 it had already seen a significant increase in residents struggling to pay their rents. At the April Panel meeting Pinnacle noted that leaseholders had also been impacted financially during lockdown.
- Furthermore, many leaseholders in the area will be facing bills of as yet unknown quantities as part of the fire door replacement programme. These rises will increase that pressure.
- The variation effective date of 4 weeks does not match tenancy agreement termination dates. Does the Council and Regenter recognise that this is a contradiction so will ensure that residents are informed of variations at least 3 months before they come into effect? How much notice will tenants get before decisions are made in order to find any alternative accommodation and provide notice, if it is deemed too expensive?
- About service charge increases specifically, we heard no evidence in the paper or the presentation as to why service charges increase at the higher rate of RPI + 1%, whereas rents are linked to the lower rate of CPI +1%. There is also no evidence presented as to why the increase in service charges is at RPI “+1%”, other than we were told "it's in the contract". Why is this additional 1% required under the contract? Whilst the paper states that the charges are required to ensure full cost recovery, we see no evidence presented within the paper that evidences this statement. Where is the evidence to indicate that the costs of providing services will increase by 5.9%?
- We are concerned that, if an annual increase of RPI + 1% is indeed "baked into" Pinnacle's contract, with rising inflation, an annual increase at this rate is going to place continued and sustained pressure on leaseholders' bills. We would like the Council to write to us on this point to confirm if this is the case, and if so, what mechanisms there are for it to depart from this should rising inflation make this unaffordable for many residents.
- We note that in previous years increases have departed from the “+1%” formula and would therefore like to understand what leeway the Council has to depart from this formula now and in future.
- It should also be noted that leaseholders are also unprotected from further year on year increases that may come as part of the actual service charge costs, which can fluctuate year on year at a much higher rate than inflation +1% based on the nature and volume of works carried out in each block. Therefore 5.9% does not present the true picture of year on year rises.
- In addition, we note that there are no direct or efficiency savings mentioned in the report. Why is this?
- Residents also ask that if they are paying an extra 5.9% in charges, may we expect to see respective increases in the quantity and quality of services provided? Feedback shared with us on behalf of some residents was of the view that the quality of customer service and complaint management has certainly not improved or indeed has deteriorated.
- Another resident’s view is that the Council should challenge if the costs will directly contribute to one of the Council's strategic objectives and if the mitigations are sufficient in the short to long term. More could be done to protect the most vulnerable who may be disproportionately affected by these increases. Some residents may face a triple whammy of rental, service charge and garage price hikes and the cost drivers of each do not match CPI or RPI, salary increases or benefit increases to living in a Regenter managed block so it becomes

unaffordable. The Council needs to test these proposed universal hikes against real costs that may actually be incurred by the contractor. The garage hikes and links to Council policies conflict.

### **Lewisham Tenants Fund Budget for the Financial Year 2022-23**

We have received the following feedback and queries:

- Have residents been surveyed on the Tenants Fund?
- How many residents have benefited from specific fund projects?
- When and where are details of the Tenants Fund advertised to residents?
- 4.3 – Is that the only value for money indicator this fund has? How does Council / Regenter measure the effectiveness of this fund? How does the Council / Regenter ensure that the 15% is used efficiently? If the Council/Regenter cannot demonstrate that the 15% is being used well then it may not be value for money so this is a poor indicator. What indicators and targets have been set? Have they been met? How are needs prioritised?
- 4.4 – Section 3.1 clearly states that the fund is to promote the harmonious functioning of a multi-racial community. How can section 4.4 on Equality and Diversity state there are no specific implications to this report?
- 4.5 – Why are there no consultation implications?

Once again, we are very grateful to the Council and its officers for allowing us the opportunity to provide feedback on these proposals.

We look forwards to receiving your written response.

**On behalf of the Regenter Brockley Resident Panel**

## APPENDIX 2: Leasehold and Tenants Charges 2022/23 Brockley

Committee	<b>Brockley Residents Panel</b>	Item No	
Report Title	<b>Leasehold and Tenant Charges Consultation</b>		
Contributor	<b>Regenter Brockley Operations Manager</b>		
Class	<b>Proposal</b>	Date	<b>10<sup>th</sup> November 2021</b>

### 1 Summary

- 1.1 The report sets out proposals to increase service charges to ensure full cost recovery in line with Lewisham Council's budget strategy.
- 1.2 The report requests Brockley Residents Panel members to consider the proposals to increase the service charges for Leasehold and tenanted properties who are receiving the same service in the same block. The service charges will be increased in line with the September 2021 RPI (Retail Price Index) of 4.9% plus 1% (uplift under RegenterB3 contract) making a total increase of 5.9%. This percentage will be applied to the actual cost of each service element of the 2020/2021 figures. These costs have been audited and the actual cost of each service arrived at.

### 2 Policy Context

- 2.1 The contents of this report are consistent with the Council's policy framework. It supports the achievements of the Corporate Strategy objectives;
  - 2.1.1 Tackling the housing crises – Everyone has a decent home that is secure and affordable.
- 2.2 The contents of this report support the achievement of the following Housing Strategy 2020-26 objectives;
  - 2.2.1 Preventing Homelessness and meeting housing need.
- 2.3 The Council's Housing Revenue Account is a ring-fenced revenue account. The account is required to contain only those charges directly related to the management of the Council's Housing stock. This requires that leaseholder charges reflect the true cost of maintaining their properties where the provision of their lease allows. This prevents the situation occurring where tenants are subsidising the cost of leaseholders who have purchased their properties or leaseholders subsidising tenants in the same block.

### **3. Recommendations**

- 3.1 The Brockley Residents Panel is requested to consider and comment on the proposals contained in this report and the feedback will be presented to Mayor and Cabinet as part of the wider rent setting report.

### **4. Purpose**

- 4.1 The purpose of the report is to:

- outline the proposals for increases in service charges in line with the contract arrangements for leaseholders and tenants to recover costs incurred for providing these services

### **5. Housing Revenue Account Charges**

- 5.1 There are several charges made to residents which are not covered through rents. These charges are principally:

- Leasehold Service Charges
- Tenant Service Charges

- 5.2 A service charge levy is applied to Tenants for caretaking, grounds maintenance, communal lighting, bulk waste collection and window cleaning. Tenants also pay a Tenants Fund Levy which is passed onto the Tenants Fund as a grant.

- 5.3 The key principles that should be considered when setting service charges are that:

- The charge should be fair and be no more or less than the cost of providing the service
- The charge can be easily explained
- The charge represents value for money
- The charging basis allocates costs fairly amongst those receiving the service
- The charge to all residents living in a block will be the same

- 5.4 The principle of full cost recovery ensures that residents pay for services consumed and minimises any pressures in the Housing Revenue Account in providing these services. This is in line with the current budget strategy.

In the current economic environment, it must however be recognised that for some residents this may represent a significant financial strain. Those in receipt of housing benefit will receive housing benefit on increased service charges. Within Brockley PFI managed stock, there are approximately 384 tenants in receipt of Housing Benefits and 354 tenants in receipt of Universal Credit. Those not eligible to claim benefits are offered private consultation with income collection team and welfare advice officers to discuss any financial difficulties they may have. These facilities are also offered to all residents.

## 6. Analysis of full cost recovery

6.1 The following section provides analysis on the impact on individuals of increasing charges to the level required to ensure full cost recovery. The tables indicate the overall level of increases.

### 6.2 Leasehold service charges

The basis of the leasehold management charge has been reviewed and externally audited this summer to reflect the actual cost of the service. The management charge now incorporates Resident Engagement and Customer Service charges which makes this combination £86.22 for street properties and £183.05 for blocks.

6.2.1 The following table sets out the current average weekly charge and the proposed increase for the current services provided by Regenter B3:

### 6.3 Leasehold service charges

Service	Leasehold No.	Current Weekly Charge	Weekly Increase	New Weekly Amount	Increase (5.9%)
Caretaking	419	£4.84	£0.29	£5.13	5.90%
Grounds Maintenance	425	£2.16	£0.13	£2.29	5.90%
Communal Lighting	397	£1.32	£0.08	£1.40	5.90%
Bulk Waste	419	£1.53	£0.09	£1.62	5.90%
Window Cleaning	222	£0.12	£0.01	£0.13	5.90%
Resident Involvement	568	£0.24	£0.01	£0.25	5.90%
Customer Services	568	£0.39	£0.02	£0.41	5.90%
General Repairs	568	£3.56	£0.21	£3.77	5.90%
Technical Repairs	401	£0.00	£0.00	£0.00	5.90%
Entry Phone	140	£0.05	£0.00	£0.05	5.90%
Lift	237	£0.94	£0.05	£0.99	5.90%
Management Fee	568	£3.05	£0.18	£3.23	5.90%
<b>Total</b>		<b>£18.20</b>	<b>£1.07</b>	<b>£19.27</b>	<b>5.90%</b>

\* One leasehold property is also required to pay a £10 ground rent charge per annum

6.3.1 Tenant service charges were separated out from rent (unpooled) in 2003/04 and have been increased by inflation since then. RB3 took over the provision of the caretaking and grounds maintenance services in 2007/08. Both tenants and

leaseholders pay caretaking, grounds maintenance, communal lighting, bulk waste collection and window cleaning service charges.

6.3.2 In addition, tenants pay a contribution of £0.15pw to the Lewisham Tenants Fund. At present there are no plans to increase the Tenants Fund charges.

6.3.3 As outlined in this report, the principle to be applied to service charges is that full cost recovery should be maintained wherever possible. The service charge increase applied for 2022/23 will be set in November 2021 to be applied from 1st April 2022. Pinnacle review service charges on a regular basis to ensure they are appropriately set and will continue to do so.

6.3.4 The data in the table for tenants have been calculated to reflect the charge applied for inflation as allowed for within the contract at a rate of 5.9% (September 2021 RPI of 4.9% + 1.0%) Overall, charges are suggested to be increased by an average of 59pence per week which would move the current average weekly charge from £10.12 to £10.71.

6.3.5 The increases have also been applied to the tenant service charges and are shown in the table below

Service	Current Weekly Charge	Weekly Increase	New Weekly Amount	Increase (5.9%)
Caretaking	£4.84	£0.29	£5.13	5.90%
Grounds Maintenance	£2.16	£0.13	£2.29	5.90%
Communal Lighting	£1.32	£0.08	£1.40	5.90%
Bulk Waste	£1.53	£0.09	£1.62	5.90%
Window Cleaning	£0.12	£0.01	£0.13	5.90%
Tenants fund	£0.15	no increase	0.15	
<b>Total</b>	<b>£10.12</b>	<b>£0.59</b>	<b>£10.71</b>	

6.3.6 The RB3 Resident Panel is asked for their views on these charges from April 2022 to March 2023. Results of the consultation will be presented to Mayor and Cabinet for approval in December 2021.

## 7. Financial implications

The main financial implications are set out in the body of the report.

## **8. Legal implications**

- 8.1. Section 24 of the Housing Act 1985 provides that a local housing authority may make such reasonable charges as they determine for the tenancy or occupation of their houses. The Authority must review rents from time to time and make such changes as circumstances require. Within this discretion there is no one lawful option and any reasonable option may be looked at. The consequences of each option must be explained fully so that Members understand the implications of their decisions.
- 8.2 Section 76 of the Local Government and Housing Act 1989 provides that local housing authorities are under a duty to prevent a debit balance in the HRA. Rents must therefore be set to avoid such a debit.
- 8.3 Section 103 of the Housing Act 1985 sets out the terms under which secure tenancies may be varied. This requires: -
- the Council to serve a Notice of Variation at least 4 weeks before the effective date.
  - the provision of enough information to explain the variation.
  - an opportunity for the tenant to serve a Notice to Quit terminating their tenancy.
- 8.4 The timetable for the consideration of the 2022/23 rent levels provides an adequate period to ensure that legislative requirements are met.
- 8.5 Part III of Schedule 4 of the Local Government and Housing Act 1989 provides that where benefits or amenities arising out of the exercise of a Housing Authority's functions, are provided for persons housed by the authority, but are shared by the community as a whole, the authority shall make such contribution to their HRA from their other revenue accounts to properly reflect the community's share of the benefits or amenities.
- 8.6 Whereas an outcome of the rent setting process, there are to be significant changes in housing management practice or policy, further consultation may be required with the tenants affected in accordance with section 105 of the Housing Act 1985.

## **9. Crime and disorder implications**

There are no specific crime and disorder implications in respect of this report paragraph.

## **10. Equalities implications**

The general principle of ensuring that residents pay the same charge for the same service is promoting the principle that services are provided to residents in a fair and equal manner.

## **11. Environmental implications**

There are no specific environmental implications in respect of this report.

## 12. Conclusion

- 12.1 Revising the level of charges ensures that the charges are fair, and residents are paying for the services they use.
- 12.2 The additional resources generated will relieve some of the current pressures within Housing Revenue Account and will contribute to the funding of the PFI contract which is contained within the authorities Housing Revenue Account.

If you require any further information on this report, please contact

Kenneth Gill  
Area Manager

or

Sandra Simpson  
Project Manager

[Brockley.customerservice@pinnaclegroup.co.uk](mailto:Brockley.customerservice@pinnaclegroup.co.uk)

Or

on 0204 518 1447

### APPENDIX 3: Leasehold and Tenants Charges 2022/23 Lewisham Homes

Meeting	Resident Engagement Panel		Item No.	x
Report Title	Service Charges 2022/23			
Report Of	Director of Finance and Technology - Rowann Limond			
Class	Information	Date	24 November 2021	

#### 1. Purpose of the Report

- 1.1 This report sets out proposals for residents service charges in 2022/23 Residents are invited to comment on the proposals which will be fed back to the Mayor as part of the Council's budget setting process.

#### 2. Recommendations

- 2.1 To consult residents on the service charge proposals and provide feedback to the Mayor.

#### 3. Background of the Report

- 3.1 The Council's Housing Revenue Account is a ring-fenced account. The account can only contain those charges directly related to the management of the Council's housing stock. By implication leaseholders must be charged the true cost of maintaining their properties, where the provision of their lease allows. This prevents tenants subsidising the cost to leaseholders, who have purchased their properties.
- 3.2 Each year a review of the actual costs is undertaken as part of the budget setting process and recommendations made to the council in respect of proposed charges.
- 3.3 Where possible we aim to keep these charges within the inflation rates. It should be noted that the inflation rates as at September 2021 were CPI 3.1% and RPI 4.9%. The overall increase to the weekly service charge is 4.09%.

#### 4 Tenant and Leasehold service charges 2022/23

- 4.1 The proposed 2022/23 charges as compared with 2021/22 are shown in Appendix 1
- 4.2 The proposed charges for 2022/23 have been aligned, as much as possible, to the 2020/21 actual service charges. Adjustments have been made where the actual costs include exceptional items and have caused a spike in the rolling average for these costs. This is particularly the case for building repairs and maintenance costs.
- 4.3 If you were to receive all of the services in appendix 1 the total proposed service charge increase is from £35.72 per week to £37.18, an increase of 4.09%. This increase has been driven by inflationary increases to costs. In particular there has been a 2.75% cost of living increase to staff costs, which has directly affected the costs of caretaking, grounds maintenance and sweeping,
- 4.4 There have been increases in transport costs due to increases in fuel. This has also contributed to cost increases across a number of service charge headings.
- 4.5 There has been a decrease in service charges for lifts and entry phones due to actual costs for 2020/21 being lower than estimated.
- 4.6 A proposed increase in communal heating and communal lighting of £1.05 and £0.21 per week respectively is due to an increase in energy costs.

If you require further information on this report please contact Rowann Limond on  
020 3889 0650 or email [rowann.limond@lewishamhomes.org.uk](mailto:rowann.limond@lewishamhomes.org.uk)

## Appendix 1

Existing Service	Tenant (T)/Leaseholders (LH)	Estimate (per week charge)	Estimate (per week charge)	Amount	Change in weekly charge	
		2021/22	2022/23		£	%
		£	£		£	%
Caretaking	T & LH	6.49	6.76	4,560,283.05	0.27	4%
Ground Maintenance	T & LH	2.11	2.20	1,870,031.07	0.09	4%
Repairs and Maintenance - Building	LH	2.98	3.28	854,174.95	0.30	10%
Repairs and Maintenance Technical	LH	1.05	1.13	273,415.53	0.08	8%
Lifts	LH	2.69	1.66	90,033.51	-1.03	-38%
Entry Phone	LH	0.75	0.51	34,452.63	-0.24	-32%
Block Pest Control	T & LH	1.83	2.10	197,112.86	0.27	15%
Ground Rent	LH	0.19	0.19	50,550.00	0.00	0%
Sweeping	LH	1.04	1.08	220,016.84	0.04	4%
Management	LH	2.52	2.70	706,522.92	0.18	7%
Window Cleaning	T & LH	0.12	0.13	46,593.20	0.01	8%
Bulky House Hold Waste Collection Service	T & LH	0.58	0.58	363,058.00	0.00	0%
Bulk Waste Disposal	T & LH	0.85	0.88	566,915.10	0.03	4%
Insurance	LH	0.96	1.14	300,237.58	0.18	19%
<b>Total excluding energy charges</b>		<b>24.17</b>	<b>24.36</b>	<b>10,133,397.25</b>	<b>0.20</b>	<b>1%</b>
Communal Lighting	T & LH	1.10	1.31	690,306.47	0.21	20%
Communal Heating and Hot Water	T & LH	10.46	11.50	880,462.96	1.05	10%
<b>Total energy charges</b>		<b>11.55</b>	<b>12.81</b>	<b>1,570,769.43</b>	<b>1.26</b>	<b>11%</b>
<b>Grand Total</b>		<b>35.72</b>	<b>37.18</b>	<b>11,704,166.68</b>	<b>1.46</b>	<b>4.09%</b>

**APPENDIX 4: Garage Rent Increase Report 2022/23**

<b>INCLUSIVE REGENERATION Estates Team Report</b>		
<b>Report Title</b>	Rental Increases for Garages from April 2022 – Lewisham Homes and Regenter RB3	
<b>Key Decision</b>	Yes	<b>Item No.</b>
<b>Contributors</b>	Directorate of Housing, Regeneration and Public Realm	
<b>Class</b>		<b>Date: November 2021</b>

**1. Purpose and Summary of the report**

The purpose of this report is to advise the resident panel of the proposed increase in the rent paid by tenants for domestic garages owned by the Council for the next financial year. As is our usual practice, the rents for next year will be increased in line with the Retail Price Index.

**2. Recommendation**

It is recommended that the Council approves, in principle, an increase in rent for the garage portfolio of 4.9%, to be effective from April 2022. This increase is in line with the increase in the Retail Price Index for the current year.

Blue Badge holders will continue to receive a 50% deduction on the weekly rent.

**3. Policy Context**

The contents of this report are consistent with the Council’s policy framework. It supports the achievements of the following corporate strategy objectives:

- Building an inclusive local economy – Everyone can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy.
- Making Lewisham greener – Everyone enjoys our green spaces and benefits from a healthy environment as we work to protect and improve our local environment.

**4. Background**

For the forthcoming financial year from April 2022 it is intended that the increase applied is an inflationary one only, in line with the Retail Prices Index, as is our usual practice.

There are approximately 134 Council garage sites in the borough, comprising 182 garage blocks. There are approximately 2,379 individual garages. Approximately 1,801 of the garages are let to Lewisham Homes and Brockley social tenants and 578 are let to non-Lewisham Homes or Brockley social tenants.

The current waiting list for garages is over 2,500 applicants.

A housing tenant with LB Lewisham pays the basic price for a garage (subject to any specific discounts agreed) and a non-housing tenant pays the basic price with the addition of 20% VAT. Blue Badge holders receive a 50% deduction on the weekly rent.

The application of a discount is entirely a discretionary decision on behalf of the Council; garages are not a core social dwelling provision and all could be charged at a higher level, although there is some logic in offering some abatement to housing customers to help mitigate parking issues and neighbourhood management problems.

The highest rent charged is £23.74 per week and the lowest is £5.86 per week. However, some garages are charged at less than the lowest rate per week. These are discounted rates (50% of the full charge) for tenants with blue badges. A comprehensive review of garages and garage rents is proposed in 2022. This will consider issues such as condition, location and the current discount scheme. It will also consider any investment needed to improve conditions across the estate. The outcome will help inform future garage rent setting for 2023 onwards.

## **5. Financial Implications**

The current annual rent roll for the garage portfolio is £1.961M, based on a basic average standard charge of £15.85 per week per garage (i.e. before discounts are applied).

If the rents are increased by RPI as proposed in April 2022, the revised annual rent roll will increase to approximately £2.057M, or £16.62 per week per garage, an uplift of 4.9%, or £0.77 per week on average, and a total increase of approximately £96,000 on the annual rent roll, or £69,000 after blue badge holder discounts have been applied.

## **6. Legal Implications**

The Council's duties in relation to the consultation of tenants on matters of housing management, as set-out in Section 105 of the Housing Act 1985, do not apply to rent levels, nor to charges for services or facilities provided by the authority. There is therefore no requirement to consult with secure tenants regarding the proposed increase in charges. The Council still needs to act reasonably and the decision maker should therefore be satisfied that the increase is reasonable and justified. The general principle is that the Council should be seeking best value.

The Equality Act 2012 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

The duty continues to be a "have regard duty", and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-actcodes-of-practice-and-technical-guidance/>

The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- The essential guide to the public sector equality duty
- Meeting the equality duty in policy and decision-making
- Engagement and the equality duty
- Equality objectives and the equality duty
- Equality information and the equality duty

The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at <http://www.equalityhumanrights.com/advice-and-guidance/public-sectorequality-duty/guidance-on-the-equality-duty/>

## **7. Crime and Disorder Implications**

There are no specific crime and disorder implications in this report. However, levels of voids could increase in the future if there is a lack of investment. Poorly maintained garages with high vacancy rates can in turn lead to increased levels of crime and anti-social behaviour.

## **8. Equalities Implications**

The proposed 4.9% increase will be applied across the portfolio to residents and non-residents. Blue badge holders will continue to receive a 50% discount on the weekly rent as existing.

## **9. Environmental Implications**

There are no specific environmental implications in this report.

## **10. Conclusion**

The proposed rental increase is considered to reflect market rent and be sustainable, and will raise additional revenue from the portfolio of approximately £96k, or £69k net after blue badge discounts have been applied.

## **11. Further Information**

If there are any queries on this report, please contact David Lee on mobile 07392 862107, [david.lee@lewisham.gov.uk](mailto:david.lee@lewisham.gov.uk)

This page is intentionally left blank



## Housing Select Committee

### **Support for families following the end of the eviction moratorium**

**Date:** 9<sup>th</sup> December 2021

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** Borough-wide

**Contributors:** Director for Housing Services, Director of Education Services

### **Outline and recommendations**

It is recommended that Housing Select Committee:

- Consider the information provided and note that the report will be shared with members of the Children and Young People Select Committee.

### **Timeline of engagement and decision-making**

17<sup>th</sup> June 2021 – Children and Young People Select Committee discussion regarding evictions affecting families with children.

## **1. Summary**

- 1.1. This report provides an update to committee on the work that the Housing Services Directorate undertake in order to support households following the end of the

eviction moratorium.

- 1.2. On the 17<sup>th</sup> June 2021 the Children and Young People Select Committee agreed that the committee chair should write to the chair of Housing Select Committee to see whether the committees could jointly explore the issue of home repossessions which affect children.
- 1.3. This report therefore focuses specifically on families with school age children impacted by the end of the eviction moratorium.

## 2. Recommendations

- 2.1. It is recommended that Housing Select Committee:
  - Consider the information provided note that the report will be shared with members of the Children and Young People Select Committee.

## 3. Policy Context

- 3.1. The report is consistent with the objectives in Lewisham's Corporate Strategy, including:
  - Tackling the housing crisis;
  - Giving children and young people the best start in life.
- 3.2. The report is also consistent with the objectives of the Lewisham Housing Strategy, including:
  - Preventing homelessness and meeting housing need;
  - Strengthening communities and embracing diversity.

## 4. Background

- 4.1. In March 2020 the government introduced a moratorium on evictions. The regulations have been changed over time, but remained largely in place until 1<sup>st</sup> October 2021 when the rules reverted to those that were in place prior to the pandemic.
- 4.2. Largely as a result of the moratorium on evictions, the council saw a 30% decrease in the number of households approaching due to the end of an assured shorthold tenancy in 2020/20, however there was a 50% increase in the number of approaches from those who could no longer be accommodated by friends and family. During the same period, the council accommodated more than 250 rough sleepers into emergency and settled accommodation, following Everyone In.
- 4.3. On the 17<sup>th</sup> June 2021 the Children and Young People Select Committee agreed that the committee chair should write to the chair of Housing Select Committee to see whether the committees could jointly explore the issue of home repossessions which affect children.

## 5. The moratorium on evictions

- 5.1. In response to the pandemic, the government mandated that the notice period for any eviction would be three months from the 26<sup>th</sup> March 2020 to the 30<sup>th</sup> September 2020. Technical changes in courts combined with the three month notice period meant that during this period it would not be possible to evict a tenant.

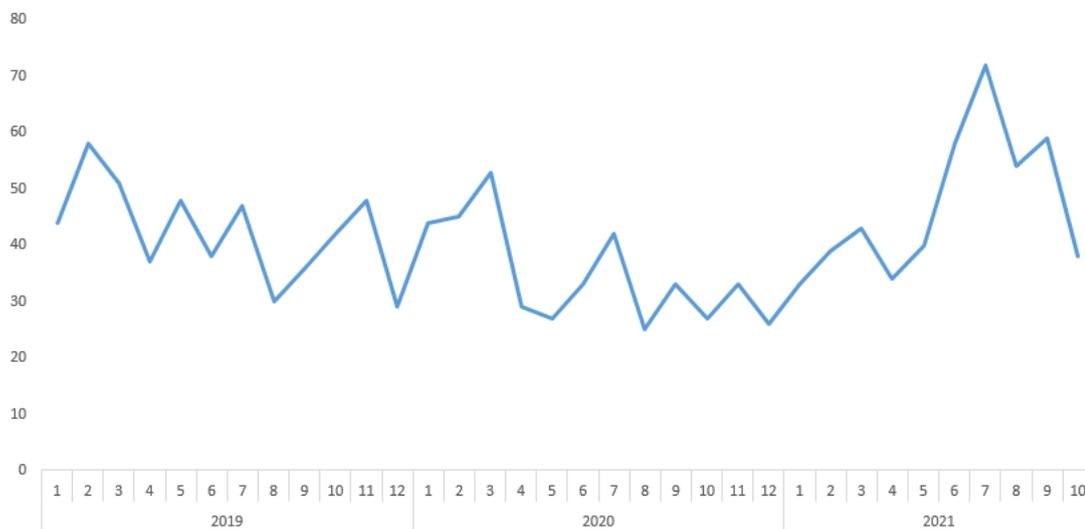
### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 5.2. Changes were brought into effect from 29<sup>th</sup> August 2020 that superseded these regulations and which required a minimum of six months' notice unless there were serious rent arrears or anti-social behaviour. From 1<sup>st</sup> June 2021 this was reduced to 4 months' notice and the amount of rent arrears that warranted a shorter notice period was reduced. From the 1<sup>st</sup> October 2021 the notice period for evictions in England has been set at the pre-pandemic minimum of 2 months.
- 5.3. As a consequence of these changes, the service observed a decrease in the number of households approaching as a result of losing their assured shorthold tenancy. This was followed by an increase towards the middle of 2021 when the protections of the eviction moratorium began to wane. Comparison of HCLIC prevention and relief figures with neighbouring south London boroughs shows a general similar trend in the number of households requiring prevention or relief as a result of losing their assured shorthold tenancy, to that observed in Lewisham.
- 5.4. The below chart shows homeless approaches in Lewisham by households at risk of losing an assured shorthold tenancy between 2019 and 2021.

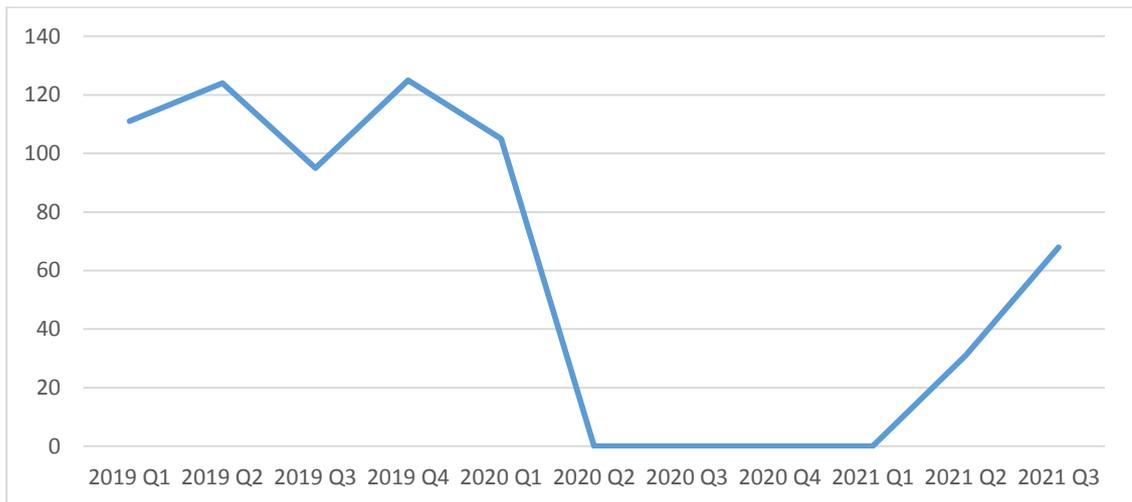
**Chart 1 – Homelessness approaches by households at risk of losing an assured shorthold tenancy**



- 5.5. The eviction moratorium also meant that the number of landlord possession cases that progressed through the courts dropped to 0 from April 2020 to March 2021, down from 105 at the start of 2020. This has started to rise again slowly since April 2021. The below chart sets out the trend in Landlord Possession cases in Lewisham that progressed through the courts since 2015.

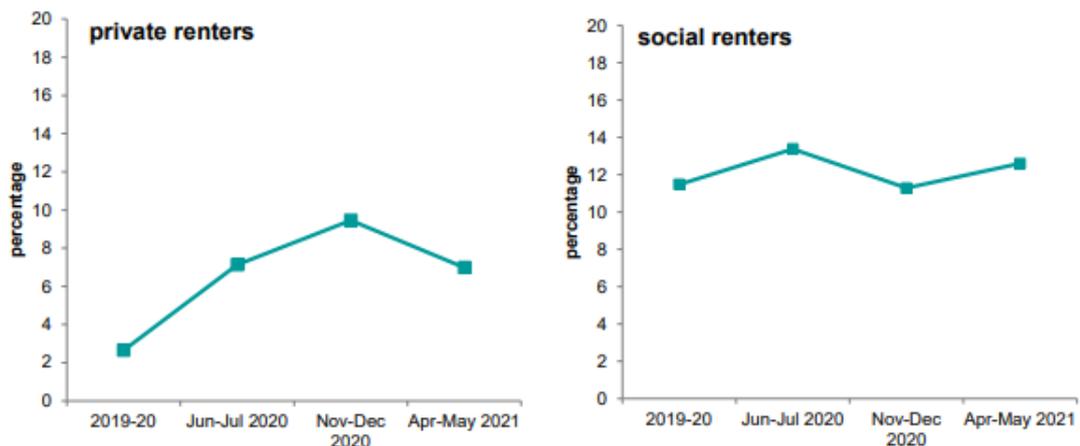
**Chart 2 - Landlord Possessions in Lewisham since 2019<sup>1</sup>**

<sup>1</sup> <https://mlp-app.apps.alpha.mojanalytics.xyz/>



5.6. Other measures, such as the Coronavirus Job Retention Scheme (Furlough) and the increase of Local Housing Allowance (LHA) to 30% of Market Rents have provided additional financial protection for residents and have likely mitigated against the likelihood of a surge in rent arrears and potential homelessness. The below chart shows analysis that the government have conducted as part of their Housing Resilience study, with the proportion of households in arrears, particularly private renters, decreasing in early 2021 after a high point in late 2020.

**Chart 2 – Proportion of renters in arrears<sup>2</sup>**



5.7. The Housing Resilience study further suggested that the proportion of households in arrears in London was better than the national average, with 4.8% of private renters in arrears and 8.6% of social renters in arrears.<sup>3</sup>

## 6. The Councils approach

6.1. As the protections of the furlough scheme and the moratorium on evictions come to an end the council anticipates an increase in the demand for homelessness assistance. Chart 1 and 2 show that an increase in demand from this cohort has already begun. The council undertakes a wide range of activities to work with

<sup>2</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1024762/Household\\_Resilience\\_Study\\_Wave\\_3\\_April-May\\_2021\\_Report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1024762/Household_Resilience_Study_Wave_3_April-May_2021_Report.pdf)

<sup>3</sup> <https://www.gov.uk/government/statistics/household-resilience-study-wave-3>

households at risk of homelessness as set out below.

- 6.2. The main purpose of the homelessness service is to work with households so that they do not become homeless. Where a household is faced with homelessness, officers will work closely with the household as well as the landlord/tenant who is looking to evict them, with a view to enabling the household to remain where they are. If this is not possible, then the council will work with the resident to source alternative accommodation.
- 6.3. Between April 2019 and October 2021 the council has prevented 1,728 instances of homelessness and relieved 1,231 instances of homelessness. The below table sets this out in more detail.

**Prevention and Relief between April 2019 and October 2021**

Prevention or Relief	19/20	20/21	21/22 April to October
Prevention - Secured alternative accommodation for 12 or more months	122	206	176
Prevention - Secured alternative accommodation for 6 months	161	237	104
Prevention - Secured existing accommodation for 12 or more months	94	58	21
Prevention - Secured existing accommodation for 6 months	201	296	52
Relief - Secured accommodation for 12 months	134	243	122
Relief - Secured accommodation for 6 months	369	363	146

- 6.4. The approach is always focused on preventing the household becoming homeless where appropriate, and to secure accommodation for as long as possible, particularly for families. There are a number of measures the council can take to assist households remain in their homes. More detail is provided in the paragraphs below discussing early engagement and the approach to prevention and relief.
- 6.5. The moratorium on evictions has assisted officers with preventing homelessness, by liaising with the landlord to secure their household’s existing accommodation for a further 6 months, hence the high number of cases secured for 6 months in existing accommodation at the prevention stage, compared to 12 months, in the table above. Prevention of homelessness for 6 months is also recorded in cases where the landlord has served an incorrect notice and where mediation for Notice to Quit cases has been successful.
- 6.6. The above table shows the majority of relief cases being within accommodation secured for 6 months. This is because the majority of single household approaches take place at relief stage. The tenancies provided for this group can be supported housing and in private rented accommodation, both of which are 6 months initial duration.

**Embedding a new service structure**

- 6.7. The Housing Services team has recently completed a service-wide reorganisation and is in the process of recruiting to vacant positions and embedding the new service structure.
- 6.8. The new service has a clear focus on conducting all activity at the earliest possible point. The teams have been created with a view to ensuring that activity to support households into long-term accommodation is at the forefront of all service activity.
- 6.9. A new Triage and Early Intervention team has been established to work with households that approach the service at risk of homelessness even where this is

**Is this report easy to understand?**

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

before the statutory 56 day prevention duty.

- 6.10. The team includes a number of officers to support households and a move-on officer with a specific remit to work with households to identify appropriate accommodation and support households into it at the earliest point.
- 6.11. The service has also expanded the provision of employment advice and support for those at risk of homelessness in recognition of the impact of the benefit cap and other welfare reforms.
- 6.12. A new Accommodation Supply and Resettlement team has been established with a focus on sourcing all of the accommodation required by the service and other supported partners. This team will also work closely with households in accommodation supported by the council with a view to identifying long-term solutions to meet their housing needs, mainly within the private rented sector.
- 6.13. Officers will also regularly the information readily available to the council, such as rent payment data, to identify households that are potentially at risk of homelessness and to refer them for support as appropriate.

#### **Engagement at the earliest opportunity**

- 6.14. Officers work closely with partners at a strategic level around identifying and tackling risks, but also on specific casework.
- 6.15. This includes regular attendance at the Homelessness Forum, close contact with schools, frequent engagement with the clinical commissioning group and other health partners, and a close partnership with the third sector.
- 6.16. The service works with all partners to promote a view of a single approach to homelessness, where every partner and service recognises the important role they play in tackling issues and is able to engage with the service to direct support where appropriate.
- 6.17. The service is looking to expand on the existing pre eviction protocol which is currently in place with Lewisham Homes. This process enables the service to work with households at risk of eviction at the earliest point by ensuring that the registered provider has taken all reasonable steps to prevent an eviction taking place and that a referral is made to the Assessment and Prevention team in advance of any eviction proceedings, to give as much opportunity for a partnership approach to be taken to prevent homelessness. The assessment and prevention officers work in partnership with both the client and the housing provider to resolve the issues and put in place measures to ensure the tenancy is sustained. These include establishing repayment plans, providing debt or benefit advice, or assisting in payments towards any rent arrears. The service is currently reaching out to registered providers to develop a similar process to support any social housing tenants at risk of eviction due to rent arrears.
- 6.18. Housing Benefit colleagues provide information to the service where households that are not known to Housing Services have approached for assistance with discretionary housing payments (DHP). This allows the service to proactively engage with those households to minimise their risk of becoming homeless. Officers within Housing Services also make referrals to the Housing Benefit team and to the DWP Outreach worker for assistance where appropriate.
- 6.19. The Triage and Early Intervention team ensure that households who approach at risk of homelessness are supported even where they approach in advance of the prevention duty taking effect.

#### **Our approach to prevention and relief**

- 6.20. Where a household presents to the council or is referred to the council and has rent arrears the focus will be on extensive engagement to resolve the issues and allow

### **Is this report easy to understand?**

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

the household to remain in situ.

- 6.21. The Triage and Early Intervention team will work closely with the resident to identify what can be done to assist them and provide housing advice, as well as liaising with the landlord to confirm the position and understand the extent of any arrears.
- 6.22. An affordability assessment will be completed, with signposting as appropriate to the Citizens Advice Bureau for assistance in maximising benefits, or to the council's employment support service to assist in job searching.
- 6.23. Where applicable, officers will make a referral to the council's Rogue Landlord team to make sure that notices have been served correctly. There are many ways in which a notice may not have been served correctly. If this is found to be the case the team will advise the landlord and the tenant accordingly. This allows extra time for the council to work with the landlord to see whether any resolution can be found, and allows households extra time to source alternative accommodation if a resolution cannot be achieved.
- 6.24. Should the household remain at risk of homelessness, officers will use funds available from the Homelessness Prevention Grant Winter 2021 top-up. These funds will be used primarily to see whether the landlord will allow the household to remain. If not then officers will engage with the landlord over whether they would allow another household to be placed in the home.

#### **Where prevention and relief is not possible**

- 6.25. As mentioned above, in some instances it may not be possible to work with the landlord to allow the household to remain in their present accommodation.
- 6.26. Where this is the case, officers from the councils Accommodation Supply and Resettlement team will work with the household to find new accommodation. Officers will use the Homelessness Prevention Grant where required to secure accommodation for this purpose.
- 6.27. If this is not possible, and the household meets the statutory threshold for such assistance, the service will secure temporary accommodation as close to Lewisham as possible and where not possible will do so in line with the council's Location Priority Policy.
- 6.28. The Location Priority Policy sets out which households will be prioritised for accommodation in or close to Lewisham and includes considerations such as the health needs of family members, the age of children studying for public examinations and more. Households with children that are studying for GCSEs or A-Levels which will take place either this year or next year are awarded close to borough priority. This means that where appropriate accommodation is available they will be placed within 90 minutes of their school.
- 6.29. Where households meet the statutory duty they are placed on to the housing register in accordance with the council's Allocations Policy. This currently places all accepted homeless cases in band 3. The council is in the process of implementing a new policy which will place some homeless households in band 2 where they meet specific criteria.
- 6.30. The Accommodation Supply and Resettlement team will work with households that are placed in temporary accommodation with a view to sourcing a satisfactory long-term solution to their homelessness. Due to the lack of social housing available the team will focus on identifying suitable accommodation in the private rented sector for appropriate households.

#### **Exceptional Homelessness Prevention Grant**

- 6.31. The Department for Levelling Up, Housing and Communities (DLUHC) has awarded the council an extra £1.01m of exceptional Homelessness Prevention Grant to be

### **Is this report easy to understand?**

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

used between now and the end of the financial year. The grant must be used to prevent or relieve homelessness, primarily focussing on those with rent arrears linked to the pandemic.

- 6.32. The Triage and Early Intervention team are conducting a review of every family that has approached with rent arrears and is currently at the prevention or relief stage of their application.
- 6.33. Households that are identified through the above review and are eligible for the grant will be supported with funding to remain in their present accommodation. The team will work with the landlord, offering negotiations and interventions with the hope that the household can remain in their current home. Should that not be possible they will be supported with rent deposits or rent in advance for alternative accommodation.
- 6.34. The service is also using this grant to provide tenancy sustainment support to households already resettled through a council programme in the private rented sector who now find themselves to be in rent arrears. This support will help to avoid a situation where the household re-approach the council for support.
- 6.35. A further use for the funding is for the provision of deposits and rent in advance payments for struggling households to help to negotiate new tenancies.
- 6.36. Discussions are also ongoing with external agencies who work with customers to prevent homelessness in the private rented sector to ensure we support those at risk of losing their tenancies.

#### **Support for families placed outside of the borough**

- 6.37. The Access and Inclusion team, within Education Services provide support to families placed outside of the borough, where children are attending Lewisham schools.
- 6.38. When families are placed out of the borough, the team assists with access to funding to support with travel costs to school (through a charitable organisation) in the first half term of their new placement. The team then work with families and housing officers to ascertain their ongoing housing situation, providing a further travel card to enable the family to travel to school for the new half term if required.
- 6.39. The team will also work with the school during this period. They will explain the situation to the school, facilitate flexibility around arriving at school later if necessary, for example. There could be a grace period arranged, in which children will not be marked as arriving at school late. It is important to consider the family's circumstances but also the need for good school attendance.
- 6.40. Where families are not likely to move back to Lewisham, the team will work with the host Local Authority where necessary and support the family to apply for a school in the local area. If the family are subsequently moved back to the Lewisham, the family are able to reapply for a place at their previous school. Other support might include contacting the family's housing officer, signposting to local resources such as Children's Centres or Youth provision.

## **7. Households found to be intentionally homeless**

- 7.1. A joint working protocol has been established between Housing and Children's Social Care. The protocol sets out the approach that the council will take where a household with children is found to be intentionally homeless. The purpose of the protocol is to set out precisely where roles and responsibilities sit, ensuring that the council places the wellbeing of children at the centre of its activity and complies with the law.

### **Is this report easy to understand?**

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

- 7.2. A post has been created to support the effective implementation of the protocol. The post is funded jointly by Housing Services and Children's Social Care and will work with households as well as the services involved to reach the right outcome.
- 7.3. As set out above, the council is focussed on engaging with households at the earliest possible point to prevent or relieve homelessness. Where Housing make a decision that a household is intentionally homeless, a referral is made to MASH which determines the next steps to be taken. There are a number of steps to the process which differ dependent on circumstances, with cases being RAG rated and a wide-ranging assessment being conducted to satisfy all parties as to the proper approach.
- 7.4. Should these assessments determine that the household requires accommodation, housing will source temporary accommodation in-line with its policies. Households who are determined to not require accommodation through this assessment are advised to source accommodation through the means they have available.
- 7.5. Simultaneously, a children and family assessment may be required to review all the relevant information and make a determination as to the outcome that services will work towards and which service will lead work with the household towards that outcome.
- 7.6. The assessments that are conducted are wide ranging, including but not limited to a consideration of the education and health needs of household members, the housing circumstances of the household and their financial means. The assessment is required to understand the level of support that the household needs and how best to put that in place, but also the extent of support that the council should provide as such support is means tested.
- 7.7. The purpose of the protocol and the assessments in question is to establish whether the household require ongoing support from Children's Social Care. Where this is not the case, the officer operating the protocol as mentioned in 7.2 will work with the household to source them long-term alternative accommodation.

## **8. Financial implications**

- 8.1. This report is an update report on the available Support for families following the end of the eviction moratorium. It asks Housing Select Committee to consider the contents and to make any necessary recommendations. As such there are no direct financial implications.
- 8.2. The current housing issues experienced both nationally and in the borough are putting severe pressure on the council's housing service and budgets. There are significant costs associated with housing generally, including managing the provision of council housing and providing services to those experiencing homelessness or the threat of homelessness.
- 8.3. The service has recently received an additional £1.01m Exceptional Homelessness Prevention Top-Up Grant which will be used to help prevent or relieve homelessness for clients with Covid related rent arrears. In addition, there is the existing Homelessness Prevention grant which is used to assist in preventing clients from becoming homeless. These are expected to assist in managing pressures related to the lifting of the eviction moratorium and assist in officers making the best use of the resources available to them.

## **9. Legal implications**

- 9.1. There are therefore no legal implications arising from this report.

### **Is this report easy to understand?**

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

## 10. Equalities implications

- 10.1. Systemic inequalities have been highlighted throughout the COVID-19 pandemic and homeless families have faced uncertainty which has had a knock on impact on wellbeing and education for children. As we reach the end of the moratorium on evictions, work is being done to ensure Housing policies and action plans drive positive changes in promoting equality and fighting injustice, such as through the review of the Housing Allocations policy and following the restructure of the Housing Services division. This is also a priority of the housing strategy 2020-26.

## 11. Climate change and environmental implications

- 11.1. There are no specific climate change or environmental implications arising from this report.

## 12. Crime and disorder implications

- 12.1. There are no specific crime and disorder arising from this report.

## 13. Background papers

- 13.1. None.

## 14. Report author and contacts

- 14.1. Fenella Beckman, Director of Housing Services, London Borough of Lewisham  
[Fenella.beckman@lewisham.gov.uk](mailto:Fenella.beckman@lewisham.gov.uk)
- 14.2. On behalf of Exec Director Finance: Tony Riordan, London Borough of Lewisham  
[Tony.Riordan@Lewisham.gov.uk](mailto:Tony.Riordan@Lewisham.gov.uk)
- 14.3. On behalf of the Director of Law, Governance &HR: Leonard Tribe, London Borough of Lewisham, [Leonard.Tribe@lewisham.gov.uk](mailto:Leonard.Tribe@lewisham.gov.uk)

### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>



## Housing Select Committee

### Report title: Select Committee Work Programme Report

**Date:** 9 December 2021

**Key decision:** No.

**Class:** Part 1

**Ward(s) affected:** Not applicable

**Contributors:** Assistant Chief Executive (Scrutiny Manager)

### Outline and recommendations

This report gives committee members an opportunity to review the committee's work programme and make any modifications required.

The Committee is asked to:

- To review the work programme attached at **appendix B**.
- Note the four strategic themes of the borough's recovery plan: *Future Lewisham*
- To consider the items for the next meeting and specify the information required.
- To review the forward plan of key decisions at **appendix E** to consider whether there are any items for further scrutiny.

### Timeline of decision-making

HSC Work Programme 2021/22 – draft agreed on 7 June 2021

HSC Work Programme 2021/22 – agreed by Business Panel 20 July 2021

## 1. Summary

- 1.1. The committee proposed a draft work programme at the beginning of the municipal year. This was considered alongside the draft work programmes of the other select committees and agreed by Business Panel on 20 July 2021.
- 1.2. The work programme should be reviewed at each meeting to take account of changing priorities.

## 2. Recommendations

- 2.1. The Committee is asked to:
  - To review the work programme attached at **appendix B**.
  - Note the four strategic themes of the borough's recovery plan: *Future Lewisham*
  - Consider the items for the next meeting and specify what evidence is required, including being clear about the information the committee wishes to be included in officer reports.
  - To review the forward plan of key decisions at **appendix E** to consider whether there are any items for further scrutiny.

## 3. Work Programming

- 3.1. When reviewing the work programme the Committee should consider the following:
- 3.2. The Committee's terms of reference (Appendix A). The Committee's areas of responsibility, include, but are not limited to:
  - Homelessness and rough sleeping
  - Social housing
  - Affordable housing
  - Private rented sector
- 3.3. Whether any urgent issues have arisen that require scrutiny. If so, consider to the prioritisation process (Appendix C) and the Effective Scrutiny Guidelines (Appendix D)
- 3.4. Whether a committee meeting is the most effective forum for scrutinising the issue. For example, would a briefing be more appropriate?
- 3.5. Whether there is capacity to consider the item - could any work programme items be removed or rescheduled?
- 3.6. Whether the item links to the priorities set out in the [Corporate Strategy for 2018-2022](#):
  - [Open Lewisham](#) - Lewisham is a welcoming place of safety for all, where we celebrate the diversity that strengthens us.
  - [Tackling the housing crisis](#) - Everyone has a decent home that is secure and affordable.
  - [Giving children and young people the best start in life](#) - Every child has access to an outstanding and inspiring education, and is given the support they need to keep them safe, well and able to achieve their full potential.
  - [Building an inclusive local economy](#) - Everyone can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy.
  - [Delivering and defending: health, social care and support](#) - Ensuring everyone

### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

receives the health, mental health, social care and support services they need.

- [Making Lewisham greener](#) - Everyone enjoys our green spaces, and benefits from a healthy environment as we work to protect and improve our local environment.
- [Building safer communities](#) - Every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.

3.7. The committee should also note and take into account the four strategic themes of the borough's Covid-19 recovery plan, **Future Lewisham**, which support what we want for every single resident and that we know are what we need to focus on locally:

### 3.8. **An economically sound future**

*We are working to get the borough back in business, with a future where everyone has the jobs and skills they need to get the best that London has to offer.*

*We are a borough with businesses that are adaptable and prepared for change, a thriving local economy that sees 'local' as the first and best choice, with digital inclusion at the heart of our plans. We do all we can to support residents into jobs that pay fairly and provide families with the opportunities and security they deserve.*

### 3.9. **A healthy and well future**

*Good health and wellbeing should be something we can all depend on, something that is equally accessible to everyone.*

*We know this is much wider than 'medicine' and the NHS. Our health and well-being is also dependent on our housing, the air we breathe, our support networks and more. We will make sure to pay as much attention and invest as much effort into improving these wider factors and taking action on inequality at every turn. Rectifying health inequalities and developing good mental health & wellbeing for everyone drives what we do.*

### 3.10. **A greener future**

*Our next steps will be our greenest yet, continuing our efforts to preserve our climate for future generations and ensuring everyone can enjoy the place we call home.*

*We will capture and build on the best of what we saw from the increase in walking and cycling locally, and all the other ways our environment benefitted from behaviour changes over the last year. We will nurture and protect the place we call home so that we can continue to appreciate its benefits for generations to come.*

### 3.11. **A future we all have a part in**

*We work together as one borough, within our communities and identities, to harness the power of volunteering and community spirit that has helped get us through the last year.*

*We will work alongside our strongest asset – our community – to strengthen and enhance our borough for everyone. We achieve more together and being connected and taking an active role in our borough benefits us all. Our year as Borough of Culture 2022 will be Lewisham's best year yet, celebrating our fantastic part of London and providing opportunities for everyone to connect and get involved in our local community.*

3.12. The committee is recommended to schedule **two substantive items per meeting**, leaving space available for Mayor & Cabinet responses and other urgent business as the need arises throughout the year.

3.13. Provision is made for meetings to last for up to 2.5 hours, but the committee should aim to **manage its business within 2 hours**. In exceptional cases the committee may decide to suspend standing orders and extend the meeting for a further 30 minutes to conclude any urgent business.

## Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

## 4. The next meeting

- 4.1. The following items are scheduled for the next meeting. For each item, the Committee should clearly define the information and analysis it wishes to see in officer reports.
- 4.2. The Committee should also consider whether to invite any expert witnesses to provide evidence, and whether site visits or engagement would assist the the effective scrutiny of the item.

Agenda Item	Information and analysis required	Review type	Corporate Priority
Budget cuts proposals		Standard item	CP2
Location Priority Policy (LPP)		Standard item	CP2
Lewisham Homes repairs		Standard item	CP2

## 5. Scrutiny between meetings

- 5.1. Below is a tracker of scrutiny activity, including briefings, visits and engagement, that has taken place outside of the committee meetings.

Agenda Item	Date due	Outcome	Corporate Priority
Shared ownership	1 <sup>st</sup> November	Briefing	CP2

### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

**6. Referrals**

6.1. Below is a tracker of the referrals the committee has made in this municipal year.

Referral title	Date of referral	Date considered by Mayor & Cabinet	Response due at Mayor & Cabinet	Response due at committee

**7. Financial implications**

7.1. There are no direct financial implications arising from the implementation of the recommendations in this report. Items on the Committee’s work programme will have financial implications and these will need to be considered as part of the reports on those items.

**8. Legal implications**

8.1. In accordance with the Council’s Constitution, all scrutiny select committees must devise and submit a work programme to the Business Panel at the start of each municipal year.

**9. Equalities implications**

9.1. Equality Act 2010 brought together all previous equality legislation in England, Scotland and Wales. The Act included a new public sector equality duty, replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

9.2. The Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

9.3. There may be equalities implications arising from items on the work programme and all activities undertaken by the Select Committee will need to give due consideration to this.

**10. Climate change and environmental implications**

10.1. There are no direct climate change or environmental implications arising from the implementation of the recommendations in this report. Items on the Committee’s work programme may have climate change implications and these will need to be considered as part of the reports on those items.

## **11. Crime and disorder implications**

- 11.1. There are no direct crime and disorder implications arising from the implementation of the recommendations in this report. Items on the Committee's work programme may have crime and disorder implications and these will need to be considered as part of the reports on those items.

## **12. Health and wellbeing implications**

- 12.1. There are no direct health and wellbeing implications arising from the implementation of the recommendations in this report. Items on the Committee's work programme may have health and wellbeing implications and these will need to be considered as part of the reports on those items.

## **13. Report author and contact**

If you have any questions about this report please contact: John Bardens, 020 8314 9976 [john.bardens@lewisham.gov.uk](mailto:john.bardens@lewisham.gov.uk)

## 14. Appendix A - Select Committee Terms of Reference

The following roles are common to all select committees:

### (a) General functions

- To review and scrutinise decisions made and actions taken in relation to executive and non-executive functions
- To make reports and recommendations to the Council or the executive, arising out of such review and scrutiny in relation to any executive or non-executive function
- To make reports or recommendations to the Council and/or Executive in relation to matters affecting the area or its residents
- The right to require the attendance of members and officers to answer questions includes a right to require a member to attend to answer questions on up and coming decisions

### (b) Policy development

- To assist the executive in matters of policy development by in depth analysis of strategic policy issues facing the Council for report and/or recommendation to the Executive or Council or committee as appropriate
- To conduct research, community and/or other consultation in the analysis of policy options available to the Council
- To liaise with other public organisations operating in the borough – both national, regional and local, to ensure that the interests of local people are enhanced by collaborative working in policy development wherever possible

### (c) Scrutiny

- To scrutinise the decisions made by and the performance of the Executive and other committees and Council officers both in relation to individual decisions made and over time
- To scrutinise previous performance of the Council in relation to its policy objectives/performance targets and/or particular service areas
- To question members of the Executive or appropriate committees and executive directors personally about decisions
- To question members of the Executive or appropriate committees and executive directors in relation to previous performance whether generally in comparison with service plans and targets over time or in relation to particular initiatives which have been implemented
- To scrutinise the performance of other public bodies in the borough and to invite them to make reports to and/or address the select committee/Business Panel and local people about their activities and performance
- To question and gather evidence from any person outside the Council (with their consent)
- To make recommendations to the Executive or appropriate committee and/or Council arising from the outcome of the scrutiny process

### (d) Community representation

- To promote and put into effect closer links between overview and scrutiny members and the local community
- To encourage and stimulate an enhanced community representative role for overview and scrutiny members including enhanced methods of consultation with local people
- To liaise with the Council's ward assemblies so that the local community might participate in the democratic process and where it considers it appropriate to seek the views of the ward assemblies on matters that affect or are likely to affect the local areas, including accepting items for the agenda of the appropriate select committee from ward assemblies.
- To keep the Council's local ward assemblies under review and to make recommendations

### Is this report easy to understand?

Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

to the Executive and/or Council as to how participation in the democratic process by local people can be enhanced

- To receive petitions, deputations and representations from local people and other stakeholders about areas of concern within their overview and scrutiny remit, to refer them to the Executive, appropriate committee or officer for action, with a recommendation or report if the committee considers that necessary
- To consider any referral within their remit referred to it by a member under the Councillor Call for Action, and if they consider it appropriate to scrutinise decisions and/or actions taken in relation to that matter, and/or make recommendations/report to the Executive (for executive matters) or the Council (non-executive matters).

**(e) Finance**

- To exercise overall responsibility for finances made available to it for use in the performance of its overview and scrutiny function.

**(f) Work programme**

- As far as possible to draw up a draft annual work programme in each municipal year for consideration by the overview and scrutiny Business Panel. Once approved by the Business Panel, the relevant select committee will implement the programme during that municipal year. Nothing in this arrangement inhibits the right of every member of a select committee (or the Business Panel) to place an item on the agenda of that select committee (or Business Panel respectively) for discussion.
- The Council and the Executive will also be able to request that the overview and scrutiny select committee research and/or report on matters of concern and the select committee will consider whether the work can be carried out as requested. If it can be accommodated, the select committee will perform it. If the committee has reservations about performing the requested work, it will refer the matter to the Business Panel for decision.

**The Housing Select Committee has specific responsibilities for the following:**

- a) To fulfil all overview and scrutiny functions in relation to the discharge by the authority of its housing functions. This shall include the power to:
- b) review and scrutinise decisions made or other action taken in connection with the discharge of the Council of its housing function
- c) make reports or recommendations to the authority and/or Mayor and Cabinet with respect to the discharge of these functions
- d) make recommendations to the authority and/or Mayor and Cabinet proposals for housing policy
- e) to review initiatives put in place by the Council with a view to improving, increasing and enhancing housing in the borough, making recommendations and/or report thereon to the Council and/or Mayor and Cabinet
- f) To establish links with housing providers in the borough which are concerned with the provision of social housing

**Is this report easy to understand?**

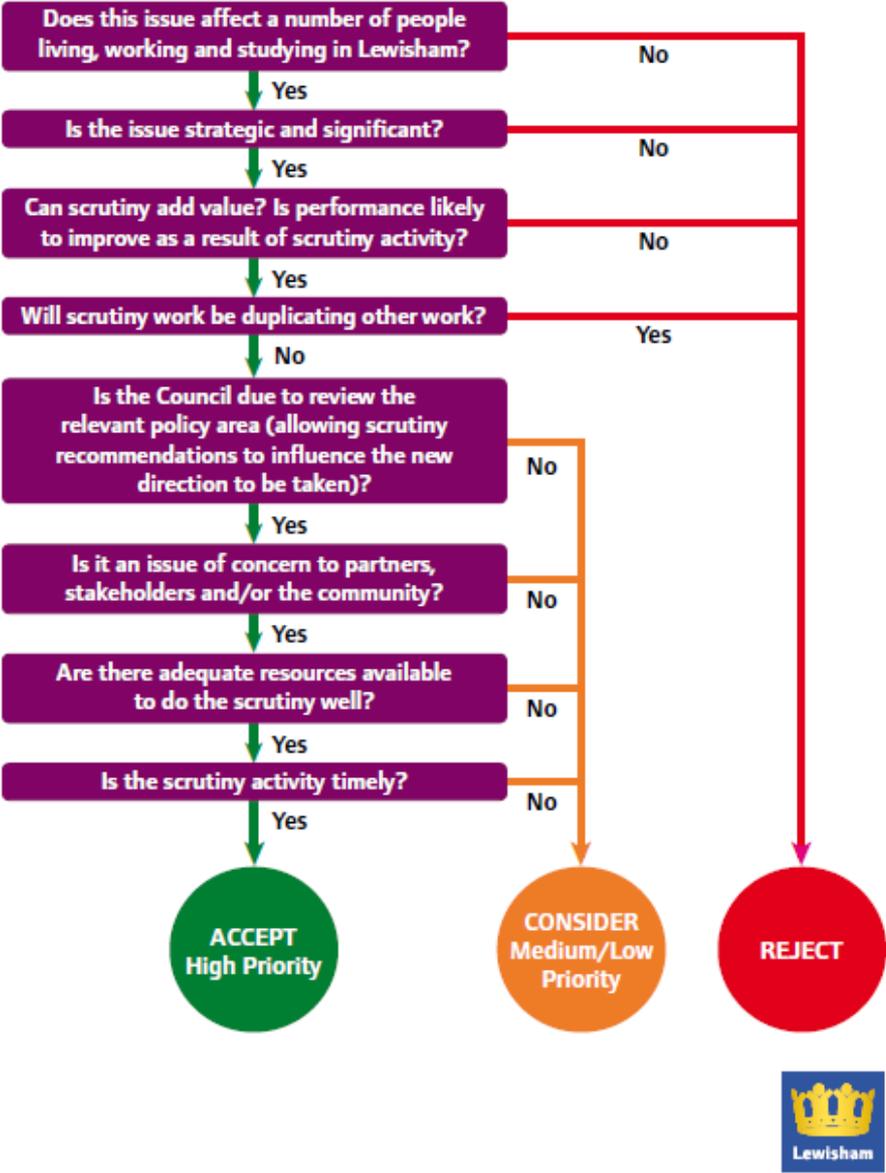
Please give us feedback so we can improve.

Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

# Appendix C

The flowchart below is designed to help Members decide which items should be added to the work programme. It is important to focus on areas where the Committee will influence decision-making.

## Scrutiny work programme – prioritisation process



**Is this report easy to understand?**

Please give us feedback so we can improve.  
 Go to <https://lewisham.gov.uk/contact-us/send-us-feedback-on-our-reports>

## **Effective Scrutiny Guidelines**

### **At Lewisham we:**

#### **1. Prioritise**

It is more effective to look at a small number of key issues in an in-depth way, than skim the surface of everything falling within scrutiny's remit. We try to focus on issues of concern to the community and/or matters that are linked to our corporate priorities. We only add items to the work programme if we are certain our consideration of the matter will make a real and tangible difference.

#### **2. Are independent**

Scrutiny is led by Scrutiny Members. Scrutiny Members are in charge of the work programme and, for every item, we specify what evidence we require and what information we would like to see in any officer reports that are prepared. We are not whipped by our political party or unduly influenced by the Cabinet or senior officers.

#### **3. Work collectively**

If we collectively agree in advance what we want to achieve in relation to each item under consideration, including what the key lines of enquiry should be, we can work as a team to question witnesses and ensure that all the required evidence is gathered. Scrutiny is impartial and the scrutiny process should be free from political point scoring and not used to further party political objectives.

#### **4. Engage**

Involving residents helps scrutiny access a wider range of ideas and knowledge, listen to a broader range of voices and better understand the opinions of residents and service users. Engagement helps ensure that recommendations result in residents' wants and needs being more effectively met.

#### **5. Make SMART evidence-based recommendations**

We make recommendations that are based on solid, triangulated evidence – where a variety of sources of evidence point to a change in practice that will positively alter outcomes. We recognise that recommendations are more powerful if they are:

- Specific (simple, sensible, significant).
- Measurable (meaningful, motivating).
- Achievable (agreed, attainable).
- Relevant (reasonable, realistic and resourced, results-based).
- Time bound (time-based, time limited, time/cost limited, timely, time-sensitive).

## Corporate Priorities

### Priority

1	Open Lewisham	CP 1
2	Tackling the Housing Crisis	CP 2
3	Giving Children and young people the best start in life.	CP 3
4	Building an inclusive local economy	CP 4
5	Delivering and defending: health, social care and support	CP 5
6	Making Lewisham greener	CP 6
7	Building Safer Communities	CP 7

This page is intentionally left blank

## FORWARD PLAN OF KEY DECISIONS

### Forward Plan November 2021 - February 2022

This Forward Plan sets out the key decisions the Council expects to take during the next four months.

Anyone wishing to make representations on a decision should submit them in writing as soon as possible to the relevant contact officer (shown as number (7) in the key overleaf). Any representations made less than 3 days before the meeting should be sent to Kevin Flaherty 0208 3149327, the Local Democracy Officer, at the Council Offices or [kevin.flaherty@lewisham.gov.uk](mailto:kevin.flaherty@lewisham.gov.uk). However the deadline will be 4pm on the working day prior to the meeting.

A "key decision"\* means an executive decision which is likely to:

- (a) result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates;
- (b) be significant in terms of its effects on communities living or working in an area comprising two or more wards.

**FORWARD PLAN – KEY DECISIONS**

<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>
August 2021	<b>Extensio<b>n</b> of New Hope Mental Health Supported Housing Project</b>	16/11/21 Executive Director for Community Services	Polly Pascoe, Integrated Commissioning Manager and Councillor Chris Best, Cabinet Member for Health and Adult Social Care		
October 2021	<b>Instrument of Government Sydenham School</b>	16/11/21 Executive Director for Children and Young People	Suhaib Saeed, Strategic Lead Governors' Services and School Leadership and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
October 2021	<b>Contract award report for Services to support the Whole Systems Approach to Obesity in Lewisham</b>	16/11/21 Executive Director for Community Services	Laura Harper, Public Health Commissioning Manager and Councillor Chris Best, Cabinet Member for Health and Adult Social Care		
October 2021	<b>Refurbishment works at Lewisham Library</b>	16/11/21 Executive Director for Community Services	Adam Platts, Project Manager and Councillor Andre Bourne, Cabinet member for Culture		
September 2021	<b>Statement of Council Accounts 2020-21</b>	24/11/21 Council	Kathy Freeman, Executive Director for Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		

**FORWARD PLAN – KEY DECISIONS**

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
September 2021	<b>Scheme of Polling Stations for 2022 Elections</b>	24/11/21 Council	Jamie Baker, Electoral Services Manager and Councillor Kevin Bonavia, Cabinet Member for Democracy, Refugees & Accountability		
October 2021	<b>CRPL - Appointment of Directors</b>	24/11/21 Council	Kplom Lotsu, SGM Capital Programmes and Councillor Paul Bell, Cabinet Member for Housing & Planning		
September 2021	<b>Compulsory Purchase Order application for 2 - 30A Reginald Road</b>	08/12/21 Mayor and Cabinet	James Ringwood, Housing Delivery Manager and Councillor Paul Bell, Cabinet Member for Housing & Planning		
September 2021	<b>Lewisham and Lee Green Low Traffic Neighbourhood: Consultation report and next steps</b>	08/12/21 Mayor and Cabinet	Louise McBride, Head of Highways & Transport and Councillor Patrick Codd, Cabinet Member for Environment & Transport		
September 2021	<b>Textiles contract award</b>	08/12/21 Mayor and Cabinet	Luke Ellis, Support and Engagement Officer Strategic Waste and Environment and Councillor Patrick Codd, Cabinet Member for Environment & Transport		
August 2021	<b>Financial Monitoring 2021-22</b>	08/12/21	Selwyn Thompson,		

**FORWARD PLAN – KEY DECISIONS**

<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>
		Mayor and Cabinet	Director of Financial Services and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
September 2021	<b>Award of Contract for Day Services for Older Adults</b>	08/12/21 Mayor and Cabinet	Heather Hughes, Joint Commissioner, Learning Disabilities and Councillor Chris Best, Cabinet Member for Health and Adult Social Care		
October 2021	<b>London Borough of Lewisham Waste Strategy</b>	08/12/21 Mayor and Cabinet	Wendy Nicholas, Strategic Waste and Environment Manager and Councillor Patrick Codd, Cabinet Member for Environment & Transport		
October 2021	<b>Award of the School Minor Works Programme Consultant Contract</b>	08/12/21 Mayor and Cabinet	Lemuel Dickie-Johnson, Project Manager Capital Delivery Programme and Councillor Chris Barnham, Cabinet Member for Children's Services and School Performance		
October 2021	<b>Annual Complaints Reports</b>	08/12/21 Mayor and Cabinet	Mick Lear, Service Manager, Benefits and Councillor Kevin Bonavia, Cabinet Member for Democracy, Refugees & Accountability		

**FORWARD PLAN – KEY DECISIONS**

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
November 2021	<b>Proposal for a Co-productive Approach to Modernisation of Adult Learning Disability Day Opportunities</b>	08/12/21 Mayor and Cabinet	Andrea Benson and Councillor Chris Best, Cabinet Member for Health and Adult Social Care		
November 2021	<b>A205 Realignment</b>	08/12/21 Mayor and Cabinet	Patrick Dubeck, Director of Inclusive Regeneration and Councillor Patrick Codd, Cabinet Member for Environment & Transport		
November 2021	<b>Approval to procure Corporate Estate Maintenance Programme: Phases 1 &amp; 2</b>	08/12/21 Mayor and Cabinet	Akweley Badger, Project Support Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
October 2021	<b>Laurence House 1st - 4th floor works for 'Future Working' contract award</b>	14/12/21 Executive Director for Housing, Regeneration & Environment	Petra Marshall, Community Resources Manager and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
August 2021	<b>Broadway Theatre Principle Contractor award contract</b>	14/12/21 Executive Director for Community Services	Petra Marshall, Community Resources Manager and Councillor Andre Bourne, Cabinet member for Culture		
August 2021	<b>Ladywell S105 Consultation and budget approval</b>	12/01/22 Mayor and Cabinet	Angela Bryan, Strategic Development Officer and Councillor Paul Bell, Cabinet Member for		

**FORWARD PLAN – KEY DECISIONS**

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
			Housing & Planning		
October 2019	<b>Mayow Road Supported Living Service Parts 1 &amp; 2</b>	12/01/22 Mayor and Cabinet	Heather Hughes, Joint Commissioner, Learning Disabilities and Councillor Chris Best, Cabinet Member for Health and Adult Social Care		
August 2021	<b>Mountsfield Park Café (design, build and operate) award for a new café at Mountsfield Park.</b>	12/01/22 Mayor and Cabinet	Vince Buchanan, Green Spaces Contracts Manager and Councillor Sophie McGeevor, Cabinet Member for Environment and Transport (on parental leave)		
August 2021	<b>Council Tax Base</b>	12/01/22 Mayor and Cabinet	Katharine Nidd, Strategic Procurement and Commercial Services Manager and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
August 2021	<b>Endorsement of the A21 Framework</b>	12/01/22 Mayor and Cabinet	Monique Wallace, Planning Manager, Strategic Housing and Councillor Paul Bell, Cabinet Member for Housing & Planning		
September 2021	<b>Libraries Consortium Courier Service Framework Agreement Contract Award</b>	12/01/22 Mayor and Cabinet	Veronica Hyatt, Service Development Manager and Councillor Andre		

<b>FORWARD PLAN – KEY DECISIONS</b>					
<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>
			Bourne, Cabinet member for Culture		
September 2021	<b>Learning Disabilities Framework - Award of Contracts &amp; related contract extensions) for LDF2</b>	12/01/22 Mayor and Cabinet	Joanne Lee, Contracts Monitoring Officer and Councillor Chris Best, Cabinet Member for Health and Adult Social Care		
October 2021	<b>Lewisham Air Quality Action Plan 2022-2027</b>	12/01/22 Mayor and Cabinet	Eliane Foteu, Environmental Protection Manager and Councillor Patrick Codd, Cabinet Member for Environment & Transport		
November 2021	<b>New Cross Road Acquisition</b>	12/01/22 Mayor and Cabinet	James Ringwood, Housing Delivery Manager and Councillor Paul Bell, Cabinet Member for Housing & Planning		
November 2021	<b>Capital Strategy 2022/23</b>	12/01/22 Mayor and Cabinet	Kathy Freeman, Executive Director for Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
November 2021	<b>HRA Budget 2022/23</b>	12/01/22 Mayor and Cabinet	Kathy Freeman, Executive Director for Corporate Resources and Councillor Paul Bell, Cabinet Member for		

**FORWARD PLAN – KEY DECISIONS**

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
			Housing & Planning		
August 2021	<b>Main Grants Programme 2022-25 recommendations for funding</b>	02/02/22 Mayor and Cabinet	James Lee, Director of Communities, Partnerships and Leisure and Councillor Kim Powell, Cabinet member for Business and Community Wealth Building		
November 2021	<b>Housing Revenue Account Business Plan</b>	02/02/22 Mayor and Cabinet	Dawn Eckersley, Head of Housing Partnerships and Service Improvement and Councillor Paul Bell, Cabinet Member for Housing & Planning		
November 2021	<b>Treasury Management Strategy</b>	02/02/22 Mayor and Cabinet	Kathy Freeman, Executive Director for Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
November 2021	<b>Budget Cuts Report</b>	02/02/22 Mayor and Cabinet	Kathy Freeman, Executive Director for Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
November 2021	<b>Council Budget 2022-23</b>	09/02/22 Mayor and Cabinet	Kathy Freeman, Executive Director for Corporate Resources and Councillor Amanda De		

**FORWARD PLAN – KEY DECISIONS**

Date included in forward plan	Description of matter under consideration	Date of Decision Decision maker	Responsible Officers / Portfolios	Consultation Details	Background papers / materials
			Ryk, Cabinet Member for Finance and Resources		
November 2021	<b>Award of Corporate Estate Maintenance Programme Phases 1 &amp; 2 works contract</b>	09/02/22 Mayor and Cabinet	Akweley Badger, Project Support Officer and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
August 2021	<b>Council Budget 2022-23</b>	02/03/22 Council	Kathy Freeman, Executive Director for Corporate Resources and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources		
October 2021	<b>Location Priority Policy &amp; Procurement Strategy</b>	09/03/22 Mayor and Cabinet	Michael Moncrieff, Housing Policy & Partnerships Manager and Councillor Paul Bell, Cabinet Member for Housing & Planning		
October 2021	<b>Climate Emergency Action Plan update</b>	09/03/22 Mayor and Cabinet	Martin O'Brien, Climate Resilience Manager and Councillor Patrick Codd, Cabinet Member for Environment & Transport		
October 2021	<b>Approval of Flood Risk Management Strategy 2022-27</b>	09/03/22 Mayor and Cabinet	Martin O'Brien, Climate Resilience Manager and Councillor Patrick Codd, Cabinet Member for Environment & Transport		
October 2021	<b>Future Homecare</b>	09/03/22	Corinne Moocarme, Joint		

<b>FORWARD PLAN – KEY DECISIONS</b>					
<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>
	<b>Arrangements (New Model and Procurement Process)</b>	Mayor and Cabinet	Commissioning Lead, Community Support and Care, Community Services, LBL and Councillor Chris Best, Cabinet Member for Health and Adult Social Care		
November 2021	<b>Blackheath Joint Events Policy 2022-2027</b>	09/03/22 Mayor and Cabinet	Nick Pond, Parks and Open Space Contracts and Service Development Manager and Councillor Patrick Codd, Cabinet Member for Environment & Transport		

**FORWARD PLAN – KEY DECISIONS**

<b>Date included in forward plan</b>	<b>Description of matter under consideration</b>	<b>Date of Decision Decision maker</b>	<b>Responsible Officers / Portfolios</b>	<b>Consultation Details</b>	<b>Background papers / materials</b>

This page is intentionally left blank