

Overview and Scrutiny



Housing Select Committee Agenda

Thursday, 5 January 2023

7.00 pm,

Civic Suite

Lewisham Town Hall

London SE6 4RU

For more information contact: Nidhi Patil (020 8314 7620)

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

Part 1

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The public are welcome to attend committee meetings. However, occasionally, committees may have to consider some business in private. Copies of reports can be made available in other formats upon request

Housing Select Committee Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Thursday, 5 January 2023.

Jeremy Chambers, Monitoring Officer
Friday, 23 December 2022

<p>Members</p> <p>Councillor Stephen Penfold (Chair)</p> <p>Councillor Will Cooper (Vice-Chair)</p> <p>Councillor Natasha Burgess</p> <p>Councillor Suzannah Clarke</p> <p>Councillor Billy Harding</p> <p>Councillor Rosie Parry</p> <p>Councillor Sakina Sheikh</p> <p>Councillor Mark Ingleby (ex-Officio)</p> <p>Councillor Ese Erheriene (ex-Officio)</p>	
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MINUTES OF THE HOUSING SELECT COMMITTEE

Thursday, 17 November 2022 at 7.00 pm

IN ATTENDANCE: Councillors Stephen Penfold (Chair), Will Cooper (Vice-Chair), Natasha Burgess, Suzannah Clarke, Billy Harding and Rosie Parry

ALSO JOINING THE MEETING VIRTUALLY: Councillor Ese Erheriene (Vice-Chair of Overview & Scrutiny)

APOLOGIES: Councillor Sakina Sheikh

ALSO PRESENT: Timothy Andrew (Scrutiny Manager), Nidhi Patil (Scrutiny Manager), Fenella Beckman (Director of Housing Services), Jennifer Daothong (Executive Director for Housing, Regeneration and Public Realm), Margaret Dodwell (Chief Executive) (Lewisham Homes), Ellie Eghtedar (Head of Housing Needs and Refugee Services), Paul Leo (Housing Programme Director), Councillor Sophie Davis (Cabinet Member for Housing Management and Homelessness) and Margaret Dodwell (Chief Executive, Lewisham Homes)

ALSO PRESENT VIRTUALLY: Katharine Nidd (Head of Strategic Finance, Planning and Commercial), Patrick Dubeck (Director of Inclusive Regeneration), Sarah Willcox-Jones (Director of Repairs, Lewisham Homes), Sam Jones (MEL Research)

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

1 Minutes of the meeting held on 12 October 2022

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

2 Declarations of interest

- 2.1. Councillor Cooper declared an interest as a service manager for Community Advice Works- which provides advice and advocacy for people regarding housing matters in Lewisham.
- 2.2. Councillor Penfold declared an interest as an employee of the Lewisham Refugee and Migrant Network- which provides advice to refugees and migrants in Lewisham.
- 2.3. Councillor Harding declared an interest as an employee of Centre Point- a youth homelessness charity- which manages property in Lewisham.

3 Responses from Mayor and Cabinet

3.1. There were none.

The Chair informed the committee that the items on the agenda would be considered in the following order- Lewisham Homes Repairs Update, Future of Housing managed by Lewisham Homes, Budget Reductions Report, Accommodation Procurement Strategy.

4 Budget reductions report

Katharine Nidd (Head of Financial Strategy, Planning & Commercial) introduced the report. The following key points were noted:

- 4.1. Some of the context for the report had changed slightly as it was written before the Autumn statement that came out on 17th of November 2022.
- 4.2. The Medium-Term Financial Strategy (MTFS) that came out in July 2022, signalled that cuts of circa £14 million were needed for 23/24, out of which cuts of £3.6 million were identified in prior years leaving a gap of circa £10 million for next year. The savings proposals in this report were for this gap of £10 million.
- 4.3. Since the Local Government Finance Settlement had not been confirmed yet, there was a risk that the MTFS savings target estimate may increase.
- 4.4. Table 5.8 in the Mayor & Cabinet report listed the savings proposals that required member decisions. Table 5.13 listed the savings proposals that required officer decisions as per the scheme of delegation in the Council's constitution.
- 4.5. A member of the public was invited to address the Committee. They queried whether the tax rise and the plans to reduce the cap on Local Government spending would affect the residents in Lewisham Homes and if it would affect the services that Lewisham Homes and Lewisham Council provide. The response summarised that the Council would inevitably have to make cuts in order to set a balanced budget for next year, but it was currently going through that process now so more details could not be set out yet.

Jennifer Daothong (Executive Director for Housing, Regeneration & Public realm) introduced the savings proposal HRPR_SAV_01. The following key points were noted:

- 4.6. HRPR_SAV_01 proposal focused on the Temporary Accommodation (TA) Cost Reduction.
- 4.7. There was an invest to save element to this proposal that required the funding of a dedicated project team who would work alongside the service to oversee a wide-ranging programme of interventions aimed at reducing overall spend on TA.
- 4.8. Over a period of 3 years, net savings of a million pounds a year was expected. This would go some way to reducing the impact TA had on the general fund budgets.

Jennifer Daothong and Katharine Nidd responded to questions from the Committee – the following key points were noted:

- 4.9. The Committee was keen to ensure that the lower cost of TA did not mean lower quality. The proposal recommended that the cost reduction would be achieved by reducing the number of people in nightly paid TA, using data to better understand the needs of the households in TA and by securing longer term placements at lower costs. This would not mean compromising the quality of TA provided.
- 4.10. The overall aim of the proposal was to ensure that households spent less time in TA and that households were not moved in-between TA placements multiple times. This was to ensure that households felt more settled and had more clarity about their situation in the longer term.

- 4.11. The level of outstanding debt set against the Housing service was remarkably low for a council run housing service signalling that the rent collection rate was very good. Although there was still room for improvement in the rates of collection for TA managed by Lewisham Homes. The Council was working together with Lewisham Homes to understand how to improve that.
- 4.12. The proposal that tenants pay for their own utilities would not be rolled out to all households in TA instantaneously. This scheme would be trialled as a pilot first and then rolled out more widely if possible. It was noted that these savings were identified for later years to try and minimise the risk of this coinciding with the current cost of living crisis.
- 4.13. The housing service had been restructured recently to tailor the service to be able to deal with the challenges arising from homelessness prevention. There was a need to explore additional routes to tenancy sustainability and the new dedicated project team would help identify some of those pathways.
- 4.14. The proposal to reduce spend on storage would be achieved through identifying and closing the storage accounts of households that were no longer supported by the council's housing service.
- 4.15. A second member of the public was invited to address the Committee. In light of the autumn statement, they queried how the potential rise of council tax by 5% would affect local people. The full detail of what would happen to council tax was not yet available as the council would not be making any decisions until it had received the funding from central government which would not happen at least until December 2022.

RESOLVED: That the report be noted.

Following consideration of the Accommodation Procurement Strategy, it was noted that whilst the Committee had not challenged any of the recommendations in this report, it had concerns as to whether these savings could be achieved.

5 Lewisham Homes repairs update

Margaret Dodwell (Chief Executive of Lewisham Homes) and Sarah Willcox-Jones (Director of Repairs at Lewisham Homes) introduced the report. The following key points were noted:

- 5.1. Lewisham Homes had appointed a dedicated Director of Repairs which underlined their commitment to delivering efficient repair services.
- 5.2. In January 2022, Councillor Penfold had expressed his dissatisfaction with the level of money that was being paid to solicitors for costs. Lewisham Homes had since increased the size of their Legal Disrepair team.
- 5.3. Work was being done on the implementation of a customer experience application called Localz. The introduction of the Localz app would help to identify where repairs had not gone well. This would allow the team to proactively contact residents and improve the repairs service while reducing the number of calls to the contact centres.
- 5.4. Lewisham Homes recognised and accepted the need to reduce its reliance on sub-contractors. They recently recruited 4 operatives and were actively looking to recruit 6 more. Staff were also working with Lewisham College to look at options for apprenticeships and were training staff who wanted to join the repairs team.

- 5.5. Residents found it difficult to contact Lewisham Homes, so ease of access was still an issue. People were waiting for unacceptably long times to get in touch with the contact centre. Although 6 new starters had been recruited in the contact centre, it was noted that the turnover was really high.
- 5.6. Lewisham Homes was still averaging around 5000 repairs per month and the aim was to have no more than 3500 repairs at any given time. They were approximately 1000 repair jobs over where they needed to be and were taking a project team approach to clearing the backlog of repairs. This was expected to be completed by mid-January 2023 subject to the recruitment of 10 temporary operatives.

The Committee asked a number of questions about the status of repairs in Lewisham Homes and the following key points were noted:

- 5.7. The Committee was concerned about the high turnover in the contact centres and low retention rates. Lewisham Homes still had a 100% work from office approach for contact centres which was not helpful with staff retention as other places offered a 60-40 split between work from home and work from the office. Due to reliance on old IT systems this 60-40 split couldn't be provided by Lewisham Homes. There was hope that the introduction of Localz app would help the contact centre as it would take a proactive approach in picking up dissatisfaction with repairs, in turn reducing the calls to the contact centre.
- 5.8. An exit interview process did exist in Lewisham Homes, but it was not mandatory. Most of the exit interviews had revealed that very old IT systems and the level of use of sub-contractors which meant longer time in getting answers for the residents, led to dissatisfaction amongst the contact centre staff.
- 5.9. The Localz app had been tried and tested by other housing associations. Lewisham Homes took references from Fairhive Housing, one of the early adopters of Localz. Localz had 3 elements to it- a text element (which residents could access without smartphone), a web portal element (which was only available to residents with smartphones) and a survey element which was a satisfaction survey sent to all residents after the repair service.
- 5.10. There was a lack of trust amongst residents in Lewisham Homes' online reporting system. Lewisham Homes acknowledged that the online portal was still clunky and that they were working on a longer-term solution following the introduction of the new housing management system.
- 5.11. Lewisham Homes had organised estate days and open days for repairs, but follow-through had been an issue for some residents' whose issues could not be resolved on the day. There was no access to proper IT on the estate days / repairs open days which had been a key issue. In the future, Lewisham Homes would better pre-plan for such events in advance to ensure public confidence in these outreach events was not lost.
- 5.12. The Committee had concerns about how the repairs in the current backlog of repairs were being prioritised. Prioritising was being done in a number of ways such as looking at the age of repair, type of repair (particularly focusing on leaks, damp & mould) and resident vulnerability.
- 5.13. A recent inquest report concluded that the tragic toddler death in Rochdale was caused by the mould affecting his airway. Following this news, Lewisham Homes briefed all its repair staff on the importance of responding with empathy and pace. Lewisham Homes has a damp & mould register and is reviewing all outstanding damp & mould cases to

proactively tackle cases at pace. As of 26th of November, Lewisham Homes would carry out damp & mould repair works on Saturdays in addition to during the week. Operatives were happy with this overtime possibility as it was an opportunity for them to earn additional income in this cost-of-living crisis.

5.14. There had been a significant increase in disrepair cases across the social housing sector. In January 2022, Lewisham Homes had 224 legal cases and out of their disrepair budget spend of £1 million, 75% was spent on compensation and legal fees. At the time of this meeting, Lewisham Homes had 267 live legal cases which was an increase from January 2022. The Committee asked for further information on how many legal cases were being brought against Lewisham Homes every week and how much money from their disrepair budget was being spent on legal fees and compensation.

5.15. Property MOTs were still being undertaken by Lewisham Homes but in a more targeted way rather than as a blanket offer for all residents.

5.16. It was suggested that the use of smart meters might help households to decide how much and when they could use their heating. Lewisham Homes had linked with Switchee to provide smart logging thermostats to help identify condensation, damp, or mould risk. Lewisham Homes were also signposting residents to South East London Community Energy for guidance and advice around their heating options.

RESOLVED:

- that the report be noted along with the fact that the Committee still had very serious concerns about Lewisham Homes' repairs;
- that Lewisham Homes attend the Committee's meeting in March 2023 to provide a further update on repairs;
- that Lewisham Homes provide the Committee with further information on how many legal cases were being brought against them every week and how much money from their disrepair budget was being spent on legal fees and compensation.

6 Future of Housing Managed by Lewisham Homes

Jennifer Daothong (Executive Director for Housing, Regeneration & Public realm) introduced the report, and it was noted that:

6.1. This was a pre-decision scrutiny report in advance of the paper being taken to Mayor & Cabinet in December 2022 that would seek approval, noting the outcome of resident engagement, to bring the management of homes currently managed by Lewisham Homes back in-house to the Council.

Paul Leo (Housing Programme Director) delivered a presentation following the introduction of the report. The following key points were noted:

6.2. Engagement activities took place in every ward across the borough with housing stock between August 2022 to early October 2022.

6.3. 71% (tenants and leaseholders) supported the proposal to bring housing management services into direct management by Lewisham Council while 6% disagreed and 23% didn't state a preference.

6.4. The response rate for the consultation was 21% which was a good rate in this sector. For comparison, Haringey had a 7% response rate, Hackney

18%, and Brent 20% to a similar consultation when they were deciding whether to bring their ALMOs in-house.

- 6.5. Geographic variance in the response to the consultation was very minor and the consultation had a very good representation of the demographics.
- 6.6. The key priorities for residents supporting the proposal to bring the ALMO in-house were repairs being carried out promptly and right first time and improvements to home, whereas for leaseholders it was providing value for money, calls and correspondence being responded to promptly and the communal spaces being well-maintained.

Jennifer Daothong and Paul Leo responded to questions from the Committee – the following key points were noted:

- 6.7. Anecdotal data and interactions with residents at the engagement exercises suggested that the people who were against the ALMO being bought in-house didn't think that bringing it back would make the service any better.
- 6.8. In terms of the governance structure, it was noted that the Council wanted to work very closely with Lewisham Homes as they currently held the expertise of engaging with their residents. Work would be done to build on what already existed, but this was also an opportunity to involve even more residents.
- 6.9. Councillor Sophie Davis noted that the officers in the housing team had put in a lot of effort in carrying out the engagement exercises and wanted to put her appreciation on record.
- 6.10. The Committee met with officers and councillors from Haringey Council as Haringey had also been through this process of bringing their ALMO in-house. It was felt that it was usually better for the transition process to be done quickly. Lewisham Council would be transferring the services back piecemeal rather than all at once as it recognised the balance required between the need for pace and the need for ensuring continuity of service.

RESOLVED:

- that the report be noted.

The Committee voted to suspend standing orders.

7 Accommodation procurement strategy

Fenella Beckman (Director of Housing Services) introduced the report. The following key points were noted:

- 7.1. The Accommodation Procurement Strategy had been refreshed in light of significant changes in demand since the last Procurement Strategy and Location Priority Policy refresh in 2015. Since 2015, there were now an additional 1000 households in Temporary Accommodation (TA).
- 7.2. The cost of the private rented sector rent coupled with the reduced supply of accommodation meant that the Council faced significant challenges in moving people out of TA at the same rate that they were moving them in. This was one of the reasons why the number of households in TA had increased. By end of October 2022, the Council had around 2740 households in TA.
- 7.3. The increase in number of households in TA and the increase in lengths of stay meant increasing costs. Provision of TA was the highest spend of the council's housing division and was now a budget pressure for the council

The council's housing division was forecast to spend £50 million on TA this financial year which was an increase of £18 million to what was spent 2 years ago.

- 7.4. To achieve a reduction in the TA procurement costs, the council would need to access more affordable accommodation. Therefore, one of the main changes in this strategy was a proposal to increase procurement of affordable accommodation outside of where the council currently procures from.
- 7.5. It was recognised by officers that there were challenges around resettling households into new areas, so the proposal was to pilot this approach with new applicants who did not have a location priority. It would be ensured that no one was forced to move outside of Lewisham if they had an overriding need to live in Lewisham. All relevant factors such as size of family, number of children, children who were in key school years and so on would be considered while making every offer of accommodation.

Fenella Beckman and Ellie Eghtedar (Head of Housing Needs & Refugee Services) responded to questions from the Committee – the following key points were noted:

- 7.6. Assessment for determining the location of accommodation for families/households was based on the location priority policy which had 3 categories, households that had to be placed within Lewisham, households that had to be placed within Greater London or households that had no location priority.
- 7.7. Households that had a location priority to be in Lewisham usually had an overriding need to stay within the borough. There were a lot of factors that were considered to determine the overriding need such as- families who had children at a critical school age, exceptional circumstances such as support needs, long standing arrangements to provide or receive care in the borough, specialist treatment that could not be transferred to other hospitals and so on.
- 7.8. Location of employment was not considered to be an overriding need to be within the borough, but exceptional circumstances were considered on a case by cases basis. For example, a case where an out-of-borough placement would result in working unsociable hours or in the loss of employment.
- 7.9. The Committee asked to see the location priority policy in detail.
- 7.10. Since the strategy recommended to increase the procurement of properties outside of London, the committee enquired as to how many households would be placed into TAs outside of London. Drawing from the fact that the council accepted roughly 200 households into TAs every year, the rough estimate was that this would mean around 45 households would be placed in TAs outside of London.
- 7.11. It was noted that there was a shortage of accessible and adapted properties across London. Officers in the council's housing team were working with colleagues in the planning & social care team to ensure that the proper process was followed for residents who needed adapted properties.
- 7.12. For the assessment of whether a family had an overriding need to live in the borough, the critical school years for children were considered to be GCSEs or A-levels or a year below those two exam levels.
- 7.13. A member of the public was invited to address the Committee who queried whether the figures on temporary accommodation placements

within relevant priority bands could be shared, along with the plans for the eventual resettlement of those households in TA.

- 7.14. Out of the total TA placements, 59% (that was 1643 households) were placed within Lewisham, 38% (that was 1037 households) were placed within Greater London and 3% (that was 94 households) were placed outside of London. Out of the 38% households placed within Greater London, majority of households were placed in Croydon, Bromley, and Greenwich. Out of the 3% households placed outside of London, majority of households were placed in Harlow (Essex), Bracknell, and Medway (Kent).
- 7.15. The Council had been an active member of Capital Letters, but less property offers had been received from them over the last year than expected.

RESOLVED: That

- the Committee's concerns about moving young children to a distance where they couldn't continue at the same school be noted, as this had an impact on the mental health of the young children, although the committee recognised the significant pressures on the housing service;
- the location priority policy be shared with the Committee;
- information be provided to the Committee on which London Local Authorities were members of Capital Letters;
- the report be noted.

8 **Select Committee work programme**

The Committee considered the work programme. The following was noted:

- 8.1. For the 'Housing retrofit- Housing partners' agenda item on the next meeting in January 2023, the Committee would invite Phoenix, Pinnacle and Lewisham Homes.
- 8.2. For the 'Repairs update- Housing providers' agenda item on the meeting in March 2023, the Committee would invite Housing associations such as L&Q and Clarion.
- 8.3. Further information on exempt accommodation was requested by the committee.

RESOLVED: That

- the agenda for the next meeting in January 2023 be agreed;
- A repairs update from Housing Providers be added as an agenda item for the March 2023 meeting;
- A Lewisham Homes Repairs update be added as an agenda item for the March 2023 meeting.

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: 5th January 2023

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

5th December 2022 – Pinnacle meeting with residents

6th December 2022 – Lewisham Homes meeting with Leaseholders

7th December 2022 – Pinnacle drop-in session for residents

12th December 2022 – Lewisham Homes meeting with residents

February 2023 - 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 2023/24, including resident feedback on the proposals.
- 1.2. The rent increase under the current policy of increases in line with the formula or target rent calculation would have been 11.1%. However, government issued a consultation in October 2022 to social housing providers which proposed to limit rent increases to either 3%, 5% or 7% for 2022/23.
- 1.3. The council response was to agree that the impact of the cost of living crisis on residents was of great concern and that we are doing everything we can to support

residents, and target help at those who need it most and that it is right that something is done to protect social housing tenants.

- 1.4. However we face significant challenges in doing so and that without further support from Government to mitigate the funding gap, the imposition of a rent cap would severely impact on our ability to maintain decent homes, maintain and invest in our existing stock, meet building safety and new regulatory requirements and continue building new social homes. It was imperative that the Government recognise the financial impact on Councils a cap in increases would have and provide us with direct funding to bridge this gap.
- 1.5. The government's response to the consultation was to confirm and issue a notice to the regulator of social housing to cap rent increase to a maximum of 7%, without additional recompense to housing providers to allow us to continue to meet our obligations and invest in our stock.
- 1.6. The council therefore in an effort to continue to meet all of its obligations, will recommend that we take the difficult decision to increase rent at 7%.
- 1.7. The potential average service and heating and hot water charge changes are contained in the Regenter RB3 & Lewisham Homes Service charge report's 2023/24, which are included at appendix 2 & 3 to this report. The proposal is for an increase of £2.32pw or 7.0% for the Lewisham Homes area, and an increase of £0.93pw or 13.6% for the Brockley RB3 area
- 1.8. 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.
- 1.9. Garage rents are proposed to be capped at a 10.0% increase. This represents an increase of £1.66pw and would raise the average basic charge from £16.62pw to £18.28pw. The proposed increase will raise an additional £191k of revenue income. A garage increase report is included at appendix 4 to this report.
- 1.10. Although no direct efficiencies or savings are currently being considered for 2023/24, 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.

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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 of this 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. Subsequently, from April 2020 government lifted the rent reduction policy and allowed councils with social housing stock to return to the previous method of rent increase calculations to at least 2025. This method of rent increase is based on CPI + 1%, which was the Government's policy for rent increases. This method had been implemented in Lewisham and became effective for rental increases applied from April 2020 onwards.
- 4.3. However, due to the current cost of living crises and current high inflation which would impact on rent increases, Government issued a consultation in September 2022 seeking opinion from Local Authorities on capping rent increases for 2023/24 to 3%, 5% or 7%, or to allow increases to follow the policy guidance of CPI + 1%. Any capping of increases would result in a loss to the HRA, as noted in table in paragraph 5.7. The consultation closed on 12th October 2022.
- 4.4. The council responded to the consultation and agreed that, like local authorities across London and the country, we were very concerned about the impact of the cost of living crisis on residents and that we are doing everything we can to support residents, target help at those who need it most and that it is right that something is done to protect social housing tenants.
- 4.5. However we face significant challenges in doing so and that without further support from Government to mitigate the funding gap, the imposition of a rent cap will severely impact on our ability to maintain decent homes, maintain and invest in our existing stock, meet building safety and new regulatory requirements and continue building new social homes.
- 4.6. It was imperative that the Government recognise the financial pressures on Councils and provide us with additional funding. Significant financial pressures are already bearing down on local authority HRAs. Primarily these pressures have been driven by the previous policy to reduce social housing rents by 1% for four years from 2016/17 but have also been compounded by the impacts of the COVID-19 pandemic, rising inflation impacting on the HRA cost-base and increasing demands on funding as noted above whilst continuing to achieve a balanced HRA.
- 4.7. While it is essential that rents increases are kept as low as possible, any cap in rent increases should be accompanied by additional funding from the Government, via a grant of some kind or through re-opening of the HRA self-financing settlement, in order to allow housing providers to continue to invest in their stock and meet their obligations,
- 4.8. The government's response to the consultation was to confirm and issue a notice to the regulator of social housing to cap rent increase to a maximum of 7%, without additional funding to housing providers.
- 4.9. We therefore propose to increase rents by an average 7% for 2023/24. We would have liked to have been able to propose a lower increase but, without additional funding from Government, this would have resulted in unsustainable pressures on the HRA and left us unable to carry out essential works to buildings. This results in an average increase of £7.22pw over a 52 week period. This will increase the full

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year average dwelling rent for the London Borough of Lewisham HRA stock (as at April 2022) from £103.25pw to £110.47pw

- 4.10. Following Grenfell, our top priority is to make our blocks safe; we also want to get all of homes to decent homes standard and, particularly following the tragic case of Awaab Ishaak, make all homes safe from damp and mould. Given the age of much of our stock, these works are costly and will severely impact the HRA. The lack of funding from the government means we are increasingly having to choose which of these crucial works to prioritise.
- 4.11. There is a further complication in that due to recent legislative changes, leaseholders cannot be recharged for some of the fire remediation works leading to further income losses
- 4.12. Sustainability and carbon reduction ambitions, as well as improving thermal comfort for our tenants is another pressure on the HRA.

5. Proposal for rent increases

- 5.1. In line with the formula rent calculation policy, rents would have been expected to rise by 11.1% based on CPI of 10.1% (as at September 2022) + 1% for 2023/24 and CPI + 1% up until 2025.
- 5.2. An 11.1% increase in average rents for HRA dwelling stock 2023/24 would have equated to an average increase of £11.45pw over a 52 week period. This would have increased the full year average dwelling rent for the London Borough of Lewisham from £103.25pw to £110.47pw. The proposed increase would have resulted in additional income of £8.185m for the HRA against 2022/23 income levels.
- 5.3. However, due to the current cost of living crises and current high inflation which would impact on rent increases, Government issued a consultation seeking opinion from Local Authorities on capping rent increases for 2023/24 to 3%, 5% or 7%, or to allow increases to follow the policy guidance of CPI + 1%. The capping of increases could take effect for either 1 or 2 years. At the time, Government stated that their preferred preference was for an increase capped at 5%.
- 5.4. However, following the autumn statement on 17th November 2022, Government confirmed that rents would be capped at a maximum increase of 7% for financial year 2023/24. Given the lack of additional funding by the Government, we are therefore proposing to increase by an average 7% for 2023/24. This results in an average increase of £7.22pw 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 2022) from £103.25pw to £110.47pw.
- 5.5. It is right that rents are kept lower for tenants in these difficult times. However, without support from the government, lower rents will impact on our ability to invest further in the stock. As noted in the table in paragraph 4.7, a 7% increase will raise an additional £5.162m in rents, but will be some £3.0m lower than an increase based on CPI + 1% and result in a total of £159.9m of lost resources over the 30 year period of the HRA business plan, which isn't compensated for by the Government.
- 5.6. It should be noted that the HRA cost base for management and maintenance, materials and capital investment will be inflated based on inflation increases similar to or based on the CPI output data. In addition, debt interest charges will also increase based on the need to borrow for HRA investment needs and increase in interest rates applied to debt.
- 5.7. The table below sets out the rent increase at the capped rate and impact of any rent losses for 1 and 30 years against the normal calculation for increases based on CPI

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+ 1%.

Rise	Average Increase Per Week	Additional Income – 2023/24	Annual Loss against CPI + 1%	30 Year Loss
CPI+1% = 11.1%	£11.45pw	£8.185m	-	-
Capped @ 7.0%	£7.22pw	£5.162m	£3.023m	£159.9m

5.8. The following table provides details of the 7% capped average rise by bed size for stock in the HRA as at 1st April 2022.

Bed size	Average Rent 2022/23	Average Rent 2023/24	£ Change	% Change
Bedsit	£77.82	£83.26	£5.44	7.0%
1	£90.85	£97.21	£6.36	7.0%
2	£102.05	£109.19	£7.14	7.0%
3	£119.36	£127.71	£8.35	7.0%
4	£133.62	£142.98	£9.36	7.0%
5	£153.85	£164.62	£10.77	7.0%
6	£159.31	£170.46	£11.15	7.0%
7	£164.24	£175.73	£11.49	7.0%
Average Total	£103.25	£110.47	£7.22	7.0%

5.9. For the purpose of business and financial planning, it is assumed that rental charges for the period 2024/25 to 2025/26 will be increased in line with the previous guidance of CPI + 1%.

5.10. At the present time, the financial models used by the council forecast CPI to be an average of 6% for 2024/25 and 4% for 2025/26. It reverts back to the Bank of England target of 2.0% annually from 2026/27. This will be constantly monitored and updated when necessary.

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 2023/24 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 2023/24 to Lewisham Homes 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.

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- 6.3. An update of the HRA Strategy, proposed rent & service charge increases and 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 13.6% for Brockley residents and 7.00% 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 2023/24. 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 in February 2023. Tenant's feedback and comments are included as appendix 1 to this report.

Garage Rents

- 7.4. Garage rents are proposed to be capped at a 10.0% increase. This represents an increase of £1.66pw and would raise the average charge from £16.62pw to £18.28pw. The proposed increase would raise an additional £191k 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 2024/25 onwards.
- 7.6. Property Services have provided a separate consultation report to the panel giving further details of the increase to be applied for 2023/24. 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 tenant's 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 2023/24.
- 8.3. The Lewisham Tenant's Fund Administrator has provided the panels with an update report regarding the accounts of the fund and budget proposals for 2023/24.

9. Engagement

Engagement with residents

- 9.1. Engagement meetings on rents, service charges and garage rent proposals have taken place in line with the existing arrangements through tenant representatives. 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.

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Mayor and Cabinet

- 9.2. Mayor and Cabinet will consider the proposed increases and feedback from tenants and Housing Select Committee as part of the overall council budget setting report.

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 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->

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- 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, any re-investment as noted above, means that those affected will continue to receive the expected level of service and benefit from future investment programmes.

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 2023/24
- 15.2. Appendix 2 – Leasehold and tenants charges 2023/24 Brockley
- 15.3. Appendix 3 – Leasehold and tenants charges 2023/24 Lewisham Homes
- 15.4. Appendix 4 – Garage rent increase report 2023/24

16. Report author and contacts

- 16.1. Fenella Beckman, Director of Housing Services, London Borough of Lewisham
Fenella.beckman@lewisham.gov.uk
- 16.2. On behalf of Exec Director Finance: Tony Riordan, London Borough of Lewisham
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

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APPENDIX 1: Tenants' rent consultation 2023/24

The Tenants' rent and service charge increase meetings took place on 5th December 2022 with Regenter B3 (Brockley) managed tenants and 12th December 2022 with Lewisham Homes managed tenants. Lewisham Homes also held a meeting with Leaseholders on 6th December 2022. A drop-in session for residents for the Brockley area was held on 7th December 2022.

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

	Lewisham Homes	Brockley PFI
No of representatives (excl Cllrs)	50	15
Rent Increase @ 7.0% Cap	See Below	See Below
Savings Proposals:-		
No Savings proposed	n/a	n/a
Service Charges inc:		
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 from a drop-in session held on 7th December between 4pm to 7.00pm and additional comments from residents received by RB3 up to and including 14th December 2022. This is also included at the end of this section.

Lewisham Homes

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

We held a virtual event) for Lewisham Homes residents on the evening of Monday 12 December 2022, the meeting was held on zoom and attended by approximately 50 residents. Invitations were sent to all TRA’s and the mailing list for all residents.

Comments received are below:

<p>Lewisham Homes</p>	<p>Rent increase: Representatives at the meeting queried why there is a 7% increase as opposed to the possible 5% at this time as there are issues of affordability</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>There were questions of value for money as charges are increasing but service delivery is not improving.</p> <p>Lewisham Homes requested attendees to contact them directly with specific service queries that they will note and respond to.</p> <p>Garage Charges:</p> <p>There was a discussion on affordability issues, as per the rent increase proposals.</p> <p>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>Tenants Fund:</p> <p>n/a – no increase proposed</p>
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Rent setting and service charge meeting feedback (Lewisham Homes)

RENT and SERVICE CHARGES

Resident feedback

- There is a lack of transparency and evidence on charges when you call/email. Lewisham Homes promised a new system that would provide detail but this has never happened.
- Lewisham Homes really do not communicate. These past few months are the most we've had but hardly with enough notice.
- We have a duty to pay our service charges etc but you want to come back to us about your financial challenges and reduction in services now yet we can't let you know about ours
- It's such a shame that when LH started it had do much promise but has failed us really badly causing so much stress, creating economic challenges and a level of disrespect to its client based the tenants and residents
- According to 3.1 of the service charge document, the tenants are subsidising the leaseholders.
- Leaseholders on our estate have to battle to get a LH to repair when damage caused from a problem with the fabric of the block ie not the responsibility of the leaseholder. In addition, the delay in anyone responding or doing anything becomes an issue when there's a time limit for the leaseholder to claim on their insurance (even though they shouldn't have to claim on their insurance).
- Will fly tipping / bulky waste costs be removed from our future bills when Lewisham Homes is abolished, as the council does this service for free?
- Lewisham seem to have no interest in claiming from leaseholders for damage they have caused to the fabric of the building or indeed the tenants property.
- Lack of transparency and lack of evidence of costs. This is the main theme running through everyone's complaint on here. LH should be able to be transparent at the point of contact in a timely manner not coming back to residents time and time again to no conclusion.
- Why doesn't the council audit and check on service standards? Can we trust LH to provide reports?
- Is it true that Lewisham Council has no money so have to acquire such monies from rents - the only proper income for councils and/or housing providers.
- Moving forward what figure are we going to agree upon - bearing in mind the testimonies from all your residents, it should be a 0% increase.
- I feel the service charge should not be increased. My area has become so dirty and the people from Glendale only appeared at our blocks due to numerous complaints. The footpaths around our flats are never swept so why are we paying service charge every week. We also have serious mould & damp issues in our property which doesn't justify a rent increase. Lewisham homes have failed and should return services to the council

- My neighbour has been trying to sell for over a year but it simply won't sell because the estate is in such disrepair and scaffolding has been up for over 2 years.
- I'm a leaseholder with a top floor flat. Due to negligence- Not locking the access to the flat, kids went into the roof and crashed into my flat. Lewisham homes insurance team are refusing to sort out the repairs to my ceiling. It seems like they think I will give up.
- Lewisham Homes have failed to provide services adequately to meet basic needs
- The increase on this Service charge has to be reduced for obvious reasons: LH has not performed and you are increasing charges.
- I requested a more detailed breakdown for estimated charges which increased dramatically, and the actual charges were even more.
- I would negotiate for 5% initially with a 1% over the next five (5) years.
- Legal implications - infestations, window cleaning, no entry phones in our block - appears that LH are in breach of the Equality Act 2012.
- We've been promised an entry phone system for about two decades now.
- Can you show us the proof of purchase and expenses for work completed.
- It's always too complicated. Why over complicate when transparency is what is required
- We are continuing to be charged for a poor service and now expected to pay more for the same. A lot of the grounds maintenance and caretaking has actually been done by residents instead over the years.
- The reason major works will cost so much is because Lewisham Homes have neglected to do minor repairs and maintenance for years (easily 20+ years)
- I have still not had an answer with regard to the caretaking provision for the building I live in, nor has the grounds maintenance occurred fortnightly as I am told it should be.
- LH gives you savings but the work is substandard with cheap materials and poor workmanship without an agreed standard that the council checks.
- Can Lewisham revisit the decision and cap at 5 rather than 7%
- There has definitely been a decline in services - especially in general caretaking etc
- Maintenance and repair standards are poor.
- We receive no caretaking provision and very little grounds maintenance even though it should be happening fortnightly
- The management of disrepairs is set up to stall and do nothing.

- I do not understand why Lewisham did not choose the 5% option rather than going straight to 7%

Lewisham Homes

We held a virtual event for Lewisham Homes leaseholders on Tuesday 6 December 2022, the meeting was held on zoom and attended by approximately 14 residents. Invitations were sent to all leasehold forum members. Comments received are below:

Lewisham Homes	<p>Service charge increase: Attendees stated: We don't mind paying an increase, but we want the services to be up to standard. We are paying for services, and we are not getting the level of service.</p> <p>My property is looking run down and neglected: two wooden bollards have broken and not been replaced. There is moss all over the carpark, the stairwell has paint peeling and the whole place looks rundown. Where is the investment?</p> <p>When we challenge costs through the Homeownership Team it takes too long to get a response. Can you turn things around quicker?</p> <p>Specific clarity on how much next year's actual service charges will be requested.</p> <p>As a leaseholder I am charged a proportion of the ACTUAL costs according to the cost to the whole block. This doesn't really seem to fit with the document, which suggests a regime where an average weekly charge is levied</p> <p>I understand an increase in costs but there is a disparity of services being delivered and the cost being charged. General maintenance not being delivered/kept up to standard e.g., Grass cutting/removal of weeds, cleared gutters, paintwork touch ups bollards not being replaced. It feels like the estates and blocks are being neglected</p> <p>Efficiencies should be looked at there is too much wastage. Use of LED lighting instead of fluorescent bulbs.</p>
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One comment was received on Garages:

I strongly disagree with any further increase in rent for the garages, until Lewisham Homes demonstrates some investments from the previous many increases in rent that we had. Residents have seen their garage rent almost doubling in just a few years with absolutely no further investment in the maintenance of the garages. It seems that the increased revenue from the garages is spent elsewhere. This is not in the residents' interests.

On Pepys Estate (where I live), garages have no electricity, this means that we can't easily use them in the evening and also we can't use small power tools (e.g., to vacuum the car). People with electric cars can't recharge them either on site. Our TRA years ago asked Lewisham Homes to have electricity installed in the garages.

Comments from The meeting with Regenter B3 tenants and leaseholders is shown below:

We held a virtual event via Zoom for all residents in the Brockley PFI area on the evening of Monday 5th December 2022. All residents, which are both leaseholders and tenants, were texted or emailed to invite them to participate in this meeting. Invitations were also sent to all TRA's.

Approximately 46 residents responded to the invitation to attend, and they were sent the joining link. On the evening there were 21 residents on the meeting.

Comments received are below:

<p>London Borough of Lewisham Rent Proposal</p>	<p>Rent increase: Representatives at the meeting queried why there is a 7% increase at this time as there are issues of affordability especially with the energy crisis.</p> <p>Concern was expressed that a wider audience should have the opportunity to consider the proposals and provide any comments.</p> <p>Officers responded that it is a legal requirement that a balanced budget must be set and that costs are increasing.</p> <p>RB3 had agreed that they would use a variety of ways to make this meeting and the drop in opportunity known to as many residents as possible. Posters were put up in block notice boards, texting to all whose details we hold as well as emailing invitation to residents to join the meeting 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.</p> <p>There were questions of value for money as charges are increasing.</p> <p>RB3 requested attendees to contact them directly with specific service queries that they will note and respond to. Date of responses to be sent to Lewisham, via Pinnacle, by 14 December 2022. These comments are below.</p> <p>Garage Charges:</p> <p>There was a discussion on affordability issues, as per the rent increase proposals.</p> <p>Residents said they wanted to see the garage stock repaired.</p> <p>Tenants Fund:</p> <p>n/a – no increase proposed</p>
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Minutes of Regenter Brockley Resident Panel Meeting

Monday 5th December 2022

Meeting: 6.30pm - 8.00pm

1	<p>Welcome & Introductions</p> <p>Pinnacle staff and Lewisham staff introduced themselves and their roles</p> <p>Residents introduced themselves</p>
2	<p>Purpose of this meeting</p> <p>To discuss the proposals of increase to the rent and service charge for the tenants' rents, the tenant fund, the garage rents and the service charges.</p>
3	<p>Lewisham Council Rent Proposal</p> <p>FB: The government carried out a rent consultation that concluded in November: Rents now capped at 7%. Lewisham's paper proposes rents at 7% which is an increase of @£7 per week for the average rent which takes it from £103 per week to £110.00 per week. The rent cap is for the year and don't know if it will extend next year.</p> <p>Date of responses to be sent to Lewisham by 14 December 2022</p> <p>TR: Feedback will go to the housing select committee.</p> <p>SH: Executive summary mentions a loss of £374 million pounds over a 30 year lifespan of the business as a justification for a rise. A 30-year forecast will not be accurate -may overstate the case and is not helpful. Can it be noted that it is based on a number of assumptions</p> <p>2.9 of the paper : an increase in rent and no direct efficiencies of savings have been considered for – would there not always be savings plan in place for any business for efficiencies of savings</p> <p>Statement: tackling housing crisis – this will add to it if rents go up</p> <p>UM: OK to increase rent and service charge but please match it with the repairs service in the building and increase the quality of repairs. Does not believe Lewisham does any control</p> <p>SS stated that she has contacted the office and someone has been out to see her.</p> <p>UM: Said that Pinnacle respond only when she complains to the Director of Rydon. Lewisham is not supervising Pinnacle. SS: Rydon is a different company. Emails are forwarded to Rydon when they have undertaken work, to enable them to respond directly to the resident.</p>

FB: 30 Year forecast comment responded to by FB. It is broken down into 5 years and 20 years.

Efficiencies and savings – TR will pick that up

Section 3.1 – it is how the reports are framed

TR: Obligated to have business plans that span 30 years, it is a government requirement and helps both the government and local authority plan for longer term issues, such as affordability. Critical guideline set is that Lewisham Council cannot fall into a deficit – it is illegal and they are monitored on that.

They do forecast for medium – 5year period and long term as well. We don't know what inflation will look like in a four or five years' time so on inflation Lewisham generally use the forecast in line with the Autumn statement.

SH: States that the sum is given for 30 years and should show other years and variables and thinks that it is put in the report to cause alarm and to justify an increase.

TR: The 374 million pounds has already been lost out of the business plan because it referred to the 4 years when there was a 1% deduction in rents for 4 years. It has already come off the rental income stream.

Lewisham try and indicate what the future rent rises would look like so in 4.10 CPI is going to be 6% 2024/25, in 25/26 4%, and 2% the year after.

FB: If UM has any concerns with Rydons she should use the complaints procedure and can also contact Lewisham Council complaints procedure.

GW: His experience is that the complaints process is being manipulated to prevent people raising a complaint. He had an experience that it is not easy and still has an outstanding complaint. Can he meet with Lewisham Council about his complaint experience?

FB: She will get back to him.

ACTION POINT

SO: SS mentions that any feedback from here goes back to the Council. Stated that last year she had refused to take the feedback to the Council and had to force her to take the feedback. He had to contact Fenella Beckman to complain because not many people had been consulted and he had to work very hard last year with SR to contact residents on behalf of Pinnacle because Pinnacle would not do this. SS refused to accept the feedback and he had to complain.

She was criticised for not telling the residents about this

This year it is the same and only the bare minimum has been done and he will be speaking to Fenella directly about this soon.

He couldn't get to read the documents beforehand as they were sent out last minute and he has been too busy reaching out to the residents that SS did not reach out to. He has not received an agenda and the first time he has seen it is tonight, on the Zoom screen. He does not think that very much progress has been made this year. He wanted this recorded for the minutes.

Allison: Agrees with SO and agrees with GW on the complaint's procedure. It isn't very clear. She has to email a number of times with no responses or very rude responses – residents can give up to challenge them as you don't get anywhere. Would like to speak to Lewisham directly to ensure they are not been fed a watered-down version as to what is going on.

QUESTION: What is the reason why savings were not considered?

TR: It is standard business practice that you do not put savings into any financial model because you cannot identify initially where they should be taken from. Have built in efficiencies in terms of when Lewisham lose stock through stock sales and demolitions. Efficiencies will have to be identified by Lewisham Homes and RB3. As the business plan is developed, then the savings will be brought in when they speak to the housing management providers.

GW: Almost every business will do that as part of the modelling process. Can Lewisham do this?

TR: We can do this, by liaising with the housing management providers and that takes time. Savings efficiencies will result in direct service reduction

GW: Believes that you can't then use the 30-year business plan which is then not accurate.

TR: Does not agree with this statement.

IC: Expects that it will be going up because everything else is. It seems like Lewisham have opted for the maximum amount that they are legally allowed to charge and she believes that there are efficiencies that can be made in the service that she is receiving at the moment to make it more efficient.

Rents are capped at 7% however the Councils' costs are going up by a minimum of 10%, A deficit is in the HRA for next year which they are using the reserves to try and cover, because government has capped the local authority's ability to try and cover those costs.

He cannot say that savings or efficiencies will come down the line when they get a clearer picture of what is happening in the next couple of years as the HRA obligations and the Council have to balance the books.

It is increasingly becoming difficult to do this when there is high inflation, costs that they incur and a limited scope for increasing rents.

EC: Would like TR to address why the leaseholders service charge is going up by 13.6% when the Councils' costs have increased by 10%.

TR: 10% cost increase is an average. Lewisham has different contracts. RB3 contract is linked to RP1X which removes mortgage interest from the calculation and RP1X is higher than RPI or CPI. Therefore, if they want full cost recovery, then this will lead to a high increase, such as the one here at 13.6%.

EC: Does not believe that it is fair to put a cap on some services and no other services.

TR: Cap on rent was imposed by government. Lewisham has a choice for not going for full recovery, but in doing so, there would be a bigger deficit in the HRA which would have to be funded through efficiencies and better ways of working or direct cuts, which they would like to avoid.

EC: Asked if the leaseholders are funding the gap in rents which are capped by the government

TR: Leaseholders are not funding any cap. This is leaseholders and has nothing to do with the rents which is not related to the leasehold money. When they speak about leasehold, they talk about providing services to leaseholders and this is not linked to rents. They are separate charges.

EC: Are the tenants service charges capped at 7%

TR: No, they are not capped at 7%. They are going up at the same rate as leaseholders.

IC: There is CPI, RPI AND RPIX. Why have you used RPIX? It is higher because of mortgage costs.

TR: The RB3 contract is linked to RPIX, which was signed in 2007.

GW: What is in place if the contract is not been met to penalise Rydon. . The service is appalling. Need a contractor that can deliver value for money.

TR: The Council are tied into this contract and it would be down to RB3 to make a decision about their contracts.

GW: Are there any penalty clauses.

TR: There are penalty clauses

GW: Can he have sight of the contract

TR: Does not know the answer. Will defer

GW wants this as an action point to get a copy of the contract
ACTION POINT

SS has responded to acknowledge receipt of this request. The document is commercially sensitive so the request will be taken back and you will be sent a response.

4

Lewisham Council Garage Rent Proposal

DL Manages garages. He is the Estates Manager at Lewisham Council, in the commercial team. They are normally increased by RPI each year It is currently 12.6% at the moment, but they've decided to cap it at 10%.

There are almost 2.5k garages in the borough – most are Lewisham Homes. There are 311 in Brockley.

Social tenants and leaseholders and non-resident with garages is approximately 70:30%.

Large waiting list of almost 3.5k applicants for garages in the borough. The current average rent for a garage is 16.62 per week – covering a range from the highest at £25.00 and lowest is around £6.00. 50% discount across the board for blue badge holders. The proposed increase of 10% will put the average charge from £16.62 per week to £18.29 per week. A £1.66 per week increase.

QUESTION: Is the use of garages for cars only or other uses?

RH All the garages are used for businesses. She has reported this

DL: Garages can be used for storage and has to specifically state that if not being used for parking a motor vehicle. DL has noted RH statement that businesses are using the garages.

SS: The garage complaints have been passed to the housing team. The garages are small for the average car and are increasingly being used for storage. Some have pots and pans in them as some people do catering and use it to store their equipment, as long as there are no gas appliances in there, they can use it for storage.

RH: Has complained about a lady with a garage and she has asked for her garage to be taken away, and as she causes obstructions but nothing has happened. She believes vehicles should be used in garages or the terms and conditions should be changed. Sometimes they are used to fix cars.

SS will remind the housing management team about the use of the garages.

ACTION POINT

RH: Said that she was surprised that there were no objections to this increase as they are making money from the businesses.

KRIS: Sent in an email about Alder House that there is a parking problem which prevents her from using her garage.

SS: If an email has been received in the last week, she will receive a response

KRIS will speak to SS separately. Also, someone has moved away and she thinks that their belongings should be removed from the garage.

SS stated that not everyone that rents a garage live in the blocks. There is no requirement. There is a waiting list and people do not have to live in Lewisham to rent it.

RH: 2 garages in Dunstan House are being used by people who do not live in Lewisham. She will send in an email to SS.

KRIS: Will write in about the resident next door who is preventing her from using her garage and she is concerned that she still has to pay for it although she cannot use it.

5 Lewisham Council Tenants Fund Proposal

JL is the administrator of Lewisham's tenant fund. The fund provides grants to resident associations and TRA's in Lewisham to help them to make a positive difference to the neighbourhood. The 15p rent levy funds these grants and will remain at 15p for the next financial year. There are no plans to increase the levy.

A: How does it work

SS: It is collected as part of the rent

JL: They have grants that they give out to TRA's so if the block that you live in is interested in forming a tenant resident association then please contact her. It has to be a credited association for the Lewisham Tenants fund to provide a grant.

6 Pinnacle Service Charge Proposal for leaseholders and tenants

SS explained the increase is 12.6% RPI plus 1% uplift which totals 13.6% for the new financial year. Every year at the beginning of April, there is an increase for grounds maintenance, caretaking, general repairs etc., to keep the estate running and to cover salaries and materials but the leaseholders get an adjustment 18 months later to reflect what the actual cost is. Some will have a debit and some will receive a credit.

SH: Why do you use RPI? Is it not inaccurate?

TR: It is used because Lewisham are tied into the contract at RPIX. When the contract expires, a new set of indices will be put in place. It is correct that most people are moving to CPI now instead of RPI. If they moved to CPI and it was 7% for example, the contract will still be increased by around 14%, there would still be an adjustment to pay because costs go up. Using RP1 PLUS 1% is close to what RP1X would come out to, using an inflationary increase. There would still be an adjustment. This process ensures that it is consistent.

EC: Received an adjustment for last year, but no detail was attached. Can this be attached this year

SS: The adjustments are sent out and if you need any further breakdown, then this will be sent out for Rydon's work. We can give information on the data we have – we cannot share caretaker's salary information but we can give you the salary increase percentage. We cannot predict what work will happen on an estate, so we use the RPI increase. We provide an estimate. Section 20 Notices give the details of estimates if works cost more than £250 per person.

EC: Is concerned with actuals.

SS would like to be able to present a spreadsheet of repairs for all leaseholders but out of 600 leaseholders, only 8 or 9 leaseholders request it.

EC: Can it not be sent out automatically?

SS: It is not possible to send it out as it is a large spreadsheet so the information has to be extracted one by one.

EC: She will be requesting a breakdown in the future. She had received one in the past and noticed that she was charged for the wrong block last time.

SR: Is the increase in the service mandated in the contract with RB3 and you have no discretion.

TR: No, that's not correct. The contract states that Lewisham have to inflate the contract by RPIX. Then Lewisham have to decide what the service charges will go up by. The contract cannot state what the indices would be as it wouldn't know. RB3's contract states that they should attempt full costs recovery which means that if we are aware that the contract is being increased by inflation then the proposals must reflect the contract increase. For example, if the contract is going up by 20%, for example then service charges will need to be increased by the same amount to ensure that Lewisham can maintain full costs recovery.

SR: So, Regenter can increase their contract by RPI?

TR: No, the contract terms and conditions state that the contract inflation to use is RPIX The Council has no discretion on that – they have to increase the contract by RPIX

GW: So, where does the plus 1% come from?

TR: RPIX takes out the mortgage interest payment. RPIX and RPI are not the same. RPI is lower than RPIX. So, what Lewisham have agreed with RB3 is that because RPIX is higher than RPI, Lewisham will use RPI plus 1% to try and ensure that there is no gap between the contract price going up and the leasehold recovery

GW: Why don't you just say to them to use what is in the contract? Is it not your discretion

TR: No, we cannot describe it as Lewisham discretion

SR: Do the service charges for leaseholders in Lewisham Homes go up by RPI plus 1%

TR: No, they do not use a formula like RPI or RPIX, they are not tied into a contract like RB3

SR: So, we are paying more? Our increase is more than Lewisham Homes? Is that right as that was the situation last year

TR: What you are forgetting is that Lewisham Homes leaseholders pay more than Brockley leaseholders for the services they receive so although your costs in inflationary terms are going up more than Lewisham Homes, your actual leasehold charge is lower than Lewisham Home residents.

SR: There appears to be lack of evidence in the paper. I understand that leasehold costs have to be recovered. The costs are 'baked' in. I expect that some of the costs are people costs. Are the staff having a salary increase of 13.6%.

TR: The local government pay deal has just been revealed, and some people will get inflationary increases in their salary. Inflation is high and the cost of living is high. Repairs are going up, material costs are going up by 12-15%, contract prices are going up at least an average of 10% and RB3's contract is probably going to go up in the region of 13-14%

SR: Does not understand the justification for RPI plus 1%. She has a past paper from 2014 when service charge increased from RPI to 0.5%.

TR said that there is discretion from the Council as there is no legislation that requires that certain things are done. Legislation states that you must endeavour to do full costs recovery and the Council have to do it the best way that they can.

For example, If RB3 had told them that they would be putting up service charges by 6%, then the Council would ask then how does that balance with an increase in their costs of 10-20%. RB3 takes their contract money so if there is a shortfall, then the Council loses that money. They cannot fall into deficit. It would not balance with the contract

FB: Suggest that SS can put a bit more in the paper about how the costs were made up and that the Council can put a bit more in the paper about the breakdowns so people can understand what the different elements have.

ACTION POINT : Lewisham to include more information in the paper about what costs are included

SS: The leaseholds receive a cost breakdown annually for each leaseholder.

UM: When does the contract end

SS: 2027. Also, the money that is collected for service charges is paid directly to Lewisham Council and RB3 do not have the ability to deduct any money from Lewisham's bank account. When money is received, Lewisham then pay Regenter B3 their monies due as per the contract. RB3 cannot 'syphon' off any profits. Pinnacle do not touch any money.

DL: Service charges are general – please explain the rubbish collection and pram sheds and can they have space for bike sheds.

SS: Pram sheds are rented to residents and they have to pay extra for that If you would like a bike rack to be placed on your estate, then you will need to send in an email. Rubbish collections are included as bulk waste collection to ensure that the estate looks better. Anyone can ask for a bulk waste collection. Fly tipping is not collected and has to be reported to Lewisham Council and they deal with it.

NW: Bulk waste is household items, not including fixtures and fittings up to the size of a double bed or double wardrobe. Flooring, internal doors or kitchen units would need to be paid for as a separate contractor that you organise for yourself.

Fly tipping is different – if a non-resident were to dump a double bed or wardrobe outside the block, it would have to be collected because if it is left there it will be detrimental to the surroundings and increase the fly tipping in the area

DL: Does not want to pay it. Thinks people should not do this.

NW: If you want items to be removed, preferably with a photo and then send an email.

GW: Concerned about the oversight and processing of the RB3 contract. Concerned about the quality of services that the repairs team are providing. Is it based on KPI's or is there another method of auditing?

TR: The housing strategy team do this but there is a suite of KPI's that are used.

SS: The KPI's are set in the contract. Brockley provide the KPI's back to the Council on a monthly basis and is scrutinised. A strategic team look at performance and Pinnacle are penalised and if not met, then Pinnacle have to pay Lewisham back if targets not met.

GW: Has the strategic housing team ever said that the KPI's are not accurate? The complaints do not seem to be registered as complaints and is a tricky process.

FB: Lewisham do not just accept the KPI's. They visit RB3 and check the offices and check the files, and check the KPI's. They look at feedback to question if the information they are being given is correct. Lewisham challenges the KPI's.

GW: Do you get access to emails?

FB: Has access to complaints that have been raised. Erica is the Clienting Officer and goes into the offices and does walkabouts and will be making notes of the feedback that has been raised today.

EC: Happy to pay more if there is an improvement in the service. She has weekly fly tipping and anti-social behaviour. Can anything be done to stop the fly tipping? Has not got a response to an email about fencing. Also, what is being done by improving the area by doing repairs? Major works were done and asked for double-glazed windows that she will pay for, but it was declined. She was told the windows had to be like for like.

SS: You live in Lewisham Way, which is a conservation area so you couldn't have double-glazing. It is a question for Rydon. Monitoring of fly tipping in the area, it is reported to the Lewisham team. It is a crime so they try and identify who has done this. Putting up fencing is classed as an improvement and not a repair, because all Rydon do is to maintain the properties. Anything sent into the Brockley in-box is sent to the correct department. Lewisham can scrutinise that in-box and they can go through that in-box.

Leaseholder will write in about improvements to Rydon and she will receive a response.

KRIS; Sometimes there is fly tipping and would like it monitored

SR: They do not see Regenter at the Housing Select Committee talking about their annual report, like Lewisham Homes who talk about theirs. And not everyone has received an invite to this meeting, even though it has improved since last year. Putting up a notice in a notice board would be helpful.

SS: Has confirmed that 14 December 2022 is the deadline to send in comments. Rydon do not need to attend as this meeting is about the increase.

GW: Can there be an extension?

TR: No, as Lewisham need time to collate the information for various reports.

LF: If we have to pay the 13.6% increase, what can they push back on, e.g fly tipping

SS: There are certain items that have to be in the service charges. Bulk waste collection is important.

LF: If I can get away with dumping bulk waste, then he would.

SS & TR: Tenants also pay for bulk waste collection

NW: Council are responsible for general waste collection

SM confirmed that with everyone's permission in the meeting, he will arrange for the recording to be uploaded onto the Regenter website
ACTION POINT

FB: Picked up comments on more time to come back due to the engagement exercise. There has been a huge improvement to the consultation last year. The results of the government consultation came out in November, and the Council only knew about the 7% increase recently and the papers were then done very quickly after that. This year posters have been erected to advertise the Consultation period and the papers were made available as soon as could be.

QUESTION: The papers but there was no note to say that they there was a deadline for feedback. Will that be publicised?

SM: Will upload to the website the deadline date to respond
ACTION POINT

UM; Communication is a problem. When there is a complaint, they are pushed from pillar to post. Lewisham Council should monitor the complaints.

She would like Lewisham Council to have a separate meeting with leaseholders.

GW: Agrees with that suggestion

IC: Thanked the panel for putting this on. She feels much more informed. She hopes going forward that this can be a more positive experience. Great communication and this meeting is a good step.

Comment: Anxiety comes from lack of information but there has been improvement now that communication is better.

RH: Front door enquiry. She received documentation about new fire doors being required. However she believes that leaseholders does not have to comply and that she feels that she will be financially penalised. She will send in a copy of the letter that she has received.

SS: We have not told leaseholders that there will be a financial penalty if they do not comply. It is mandatory that the flat is made safe with a fire door. If a door is not replaced, then a conversation will take place and if leaseholders refuse then they will be asked to have another conversation.

RH: Has objected to complying as she has two cats and has a cat flap.

CF: Doors have been replaced in the past. He asked a question and is concerned that he has to spend £1,500 on a door now, when he has previously been asked to spend £10,000 on a replacement door and windows.

SS will look into this. Also, if people are at the end of the balcony, then this will not be necessary to change the door. Everyone who has sent in their form will be contacted by a surveyor for a survey to take place.

DL: Why are only future-proofing the doors to 30 minutes.

SS: This is the legislation. Leaseholders can replace the door themselves.

The recording will be put on the website. Please send any emails to the Brockley customer services. Thank you.

Any Other Business

None.

Brockley Rent and Service Charge increase proposals
Drop in session, Pinnacle Housing Office, 111 Endwell Rd
Wed 7th Dec 2022 4 – 7pm

In attendance

Fenella Beckman – Director of Housing Services LBL

Tony Riordan – Senior HRA Accountant LBL

Erica Turner –Partnerships and Housing Contracts Mngr LBL

John Pedretti – General Manager RegenterB3

Five tenants and 2 leaseholders attend this session

Feedback from tenants who attended:

- Further clarity sought on how the increases are determined – explanation provided by LBL
- Further explanation requested on the rent increase cap at 7% - explanation provide by LBL
- Concerns raised that the rent cap could lead to a reduction in services
- Concerns raised around future contingency
- Acceptance of the increases for both the rent and service charges
- Some incidents of ASB were reported – strangers entering the blocks and urinating in lifts – request for installations of entry doors on blocks – concerns to be forwarded to Pinnacle
- Request for assistance to help set a tenant and resident’s group with the view to improving communications and build a sense of community on the estate – request to be forwarded to Pinnacle.
- Query raised around timing of block decorations and painting of the blocks – follow up information to be provided by Regenter.

Feedback from leaseholders who attended:

- Concerned that increases are coming at worst possible time with cost of living crisis
- Increases don’t result in any new or improved services
- Acceptance that increases have to happen
- Those that attended welcomed the opportunity to have a say in the proposals
- Enquiry about purchase of freehold – LBL to investigate and provide follow up response

Additional Comments & Feedback was received from residents up to and including 14th December 2022, and is shown below

RENT

Resident feedback

No direct comments regarding rent increases as the majority of attendees were leaseholders

SERVICE CHARGES

Resident feedback

Below are the direct email comments received regarding the service charge increase:

I am not aware that an increase happens every year and I would be grateful if you could point me in the direction of the relevant section of the lease that states this. The ground rent has been at £10 per year since I became a leaseholder and the service charge has been between £900 and £1,100 since then as well – see below.

	Actual	Actual	Actual	Actual	<i>Estimated</i>
	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023
Service Charge	£ 926.68	£ 1,024.23	£ 1,050.73	£ 988.30	£ 1,086.60
Ground Rent	£ 10.00	£ 10.00	£ 10.00	£ 10.00	£ 10.00

Thank you for sending the link to the reports on the website. I have reviewed the reports on the website and I do have concerns around the percentage increases given that these are related to inflation, which has been incredibly high recently. Given the rise in utility bills, council tax and food prices, I think that a cap would be beneficial as then residents would at least have some form certainty around what the increase could be.

I am particularly concerned around the 13.6% increase proposed for the service charge. Has any consideration been given to whether another service provider could be found that could provide better value for money?

Is the idea that these percentage increases would apply on yearly basis going forward for the rent and service charge? Cumulatively, these increase in costs could make being resident in Brockley very difficult.

As per my previous email, is it possible to get a copy of the minutes of the Zoom meeting that took place on 5th December?

Where Lewisham Council and their contractors are refusing to communicate with residents this cannot be considered a consultation process.

I pointed this out at the meeting on December 5.

I also said I'm waiting for a response from Lewisham Council to questions from the Residents Panel of 17 December 2019. I insisted Lewisham contacted me. I have not yet heard from them. They must do this.

I was told Councillor Stephen Penfold was present. I pointed out I have spoken to him. He had taken my email address and said he'd get back to me but didn't. He said he'd never had any contact with me. I pointed out he was wrong to say that. I have not heard from him yet.

Lewisham Council councillors and officials and contractors must start responding to residents to prevent fraud and further "Appalling and Substandard work". The consultation process can then start.

Residents were given up until 14th December 2022 to share feedback following the above meeting.

I attach a collation of some resident's feedback here. There may of course be others from individuals or anything the current Panel Chair, TRA's or others may have provided.

Thank you

Brockley Service Charge Report 2023-24

- 1.2 – May Pinnacle confirm that this report and relevant documents was sent to all (700?) Brockley Resident Panels members at least a week before the meeting?
 - If the documents were not sent to all Panel members may Pinnacle confirm that it made ALL residents and panel members aware of that the documents were posted online?
 - How did Pinnacle ensure that residents / panel members without internet and email access received the information in time before the meeting?
- 1.2 – Is the 1% discretionary or part of the “uplift under RegenterB3 contract”? It has been applied for all years.
- 2 Policy Context – This huge increase (13.6%) in service charges will be detrimental to Corporate Strategy Objectives and may mean that a decent home is not secure or affordable and may lead to an increase in homelessness.
- 2.3 – This paragraph refers to ensuring that tenants do not subsidise leaseholders but does not state the mechanisms in place to ensure that leaseholders do not subsidise tenants, the Council or are exploited by Pinnacle. Please state the mechanisms to ensure this.
- 5.3 – the key principles for setting service charges do not refer to the levels of profits made by contractors. Why is this not a key principle?
 - How much profit did RegneterB3 contractors make in 2021-22? Without knowing this how can Lewisham Council and residents test if the contract delivers value for money?
 - The report does not stipulate or define value for money and how it is measured. What economic, efficiency, effectiveness and equity indicators are used to measure value for money?
- 6.2 Leasehold Service Charges – Please provide the details to explain the massive difference between street properties (£86.22) and for blocks (£183.05)? Normally you would expect economies of scale reflecting more people living in blocks so costs are lower. Are the costs for blocks much higher due to ongoing neglect by service providers leading to more complaints?
 - Are the management charges for resident engagement and customer service the same for tenants and leaseholders in street properties and blocks? If not please explain why?

- 6.3
 - Resident Involvement – Please explain what this includes and provide a breakdown of unit costs?
 - Customer Services – Please explain what this includes and provide a breakdown of unit costs?
 - General repairs and technical repairs – please define and explain the differences.
 - Management fee – Please explain what this includes and provide a breakdown of unit costs?
- 8.3 – As per the above, at this stage not enough clear and defined information has been provided to ALL residents to explain the variations.
- 8.4 – Is this supposed to be 2023-24?
- 9 – Crime and disorder implications
 - Please confirm what this refers to? Does it mean that RegenterB3 contractors are not responsible for dealing with the impacts of crime and anti-social behaviour in the blocks they manage?
 - A huge price increase may lead to frustration and strains on families which may lead to crime and disorder implications. Why was this not considered?
- 10 Equalities Implications – Why is Lewisham Council 20 years behind some third world countries on ensuring equality and equity in housing provision? Different residents have different needs. If you provided size 10 shoes to all children in a class that does not mean you have equally met their needs because some shoes may be too big/small so may only benefit some residents. What steps has Lewisham Council taken to ensure that the needs of the most vulnerable are met by this contract?
- 11 Environmental Implications – Why were no implications considered? There are implications.
- 12.1 – The customer service provision by Pinnacle has been poor for many years so the charges are not fair. How will the council ensure that the quality of customer service provision is improved?

Lewisham Council Dwelling Rents 2023/24

- 1 – The document states “residents are invited to consider this report” but as the Council knows from previous years, this document and the others have not been sent to all residents. There is uncertainty if Pinnacle sent the document or made it available to a panel members let alone all residents.
- 2.1 – What are the sources for these figures? Do they refer to Lewisham Council income or national?
- 2.9 states no direct efficiencies/savings are currently being considered. The Brockley Service Charge Report 2023-24 Para 5.3 states that one of the key principles for setting service charges is value for money. Is the Council confirming that Value for Money is not a key principle and no efforts will be made to improve the quality or quantity of services or to make any efforts to reduce costs for the same services?
 - The Council had a similar line for the 2022/23 charge increases. Please may the Council confirm what opportunities for cost reductions and efficiencies it identified and implemented for 2021/22 and 2022/23? Or is this just another generic Council line without any substance?
- 2.8 Garage rents – the focus of this paragraph is raising income for the council. Please state how this aligns to Pinnacle’s objectives for raising charges? Why don’t the objectives of the RegenterB3 contract align to the Councils?
 - 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
- 3 – How does raising charges help deliver Council objectives?

- If Lewisham Council states there are no direct efficiencies or savings and there are no value for money indicators to assess effectiveness who does the Council measure that quality of homes has been improved?
- How does increasing charges strengthen communities and embrace diversity? What baselines does the Council use to measure success / failure? What were the results from last year?
- 5 Efficiencies and savings proposals for 2023/24 – This contradicts the generic para 2.9.
 - Why is it 'prudent' to develop a model without savings identified? It's the opposite of prudent and suggests value for money was an afterthought and the Council would set its own meaningless indicators to mark its own homework.

Inclusive Regeneration Estates Team Report (garage)

3 – How does raising garage rents help to build an inclusive local economy and make Lewisham greener? The actions will not help to deliver the objectives.

- Some residents may have garages for personal and not business purposes so there is no impact on the local economy.
- What are the green links? Most cars will not be electric. Will the Council prioritise electric cars for garage use?

9 – This section states that there are no specific (positive or negative) environmental considerations but the Council's objective is to make Lewisham Greener. Again the proposal does not match reality, objectives or the strategy.

I appreciate your intention of inviting feedback on the increase in service charges for 2023/4 and that at least some attempt has been made at having different engagement methods.

Pay increases (even if in line with inflation) is wrong when you are a service provider whilst there is a cost of living crisis happening. I imagine most of your residents, in the diverse jobs they are in, aren't getting any pay increases in line with inflation. There should really be a freeze on pay increases for Regenter and new figures given. You cannot pass on that cost to your service users.

However, my concern is the frequent comments on the call on the 5th of December that, "although comments are welcomed, nothing can be done to change this decision".

Therefore, all my questions/comments are to be able to request more detail and context on charges, the process for any future increases and zooming out to the bigger picture:

Could you confirm the difference between Regenter/Pinnacle/Rydon and what their responsibilities are with regard to services provided to residents?

The constant feedback and messaging from residents is that the quality of service is pretty dire and so many residents have been providing negative feedback on service. If the service charge is being increased, surely a minimum level of quality assurance can be guaranteed or at least held to account alongside that. Please can you confirm the 1) official routes to provide feedback to Regenter and 2) the process Pinnacle has in place to manage actions on that feedback against the SLA with Regenter (i.e., Quality Assurance)?

What Quality Assurance metrics are already in place?

& to follow on from that, we need visibility on the collective resident feedback as well as actions taken by Regenter to provide a quality service from now on. What is the best way to address this on an annual basis?

Please can you also therefore share any recent examples of when Regenter have addressed any feedback by improving their services for Pinnacle Lewisham residents?

What happens when Regenter continually fail Quality Assurance or to deliver against the SLA? Is that a breach of contract?

When did RB3's Annual report last go before the housing select committee in open session? For the last two years it seems to have been provided as an "information only" briefing that was not published in the papers- whereas Lewisham Homes report was discussed in open session.

If we are unable to bring down the service charge increase, are we able to remove lines of work that can be agreed with the building to be removed from service charges? (for eg bulk waste removal?) In other words, are there any ways we can manage unnecessary costs to balance out the increase in service charge for residents?

For any costs outside of the Estimated Service Charge at the start of the year, what is the process to green light this from residents? How are we able to ensure a long-term view is kept with any services completed? (for example, many residents have complained about low quality, quick work that therefore needs to be redone more often than if investment has been made for higher quality, greener, and longer lasting work, therefore adding value for money.)

Given more time, we would have liked to also include specific results/actions required that we'd like to see alongside each of the comments which get submitted – i.e. lead you in the right direction. It was disappointing that Fanella Beckman (Director of Housing at the Council) just made vanilla responses with no actions in her reply letter last year.

There are other issues which seriously affected/effect resident's ability to respond, such as actively getting residents involved in these meetings, discussions and feedback, by reaching out and not depriving them or depending on a few residents to pass the information on because Regenter don't. Regenter can and should do far more. It wasn't in the Bugle. It wasn't mentioned at the last meeting. You were asked for an agenda but never provided one. It only went up on the Website much later and with far too short notice and as the Website is known to be months or years out of date, no-one would expect to see it or know where to find it. Notices on some blocks went up far too late and likely only in response to Facebook or some residents pressurising Regenter which occurred immediately beforehand. This year, it was a clever way to add a few last-minute items that could then be claimed to be improvements, when in fact nothing had changed except the response to pressure from residents last minute, and it seems the Council have bought it. The Council are in no way checking or verifying Regenter's obligations or year on year improvements on this, they are just accepting what is said by the Regenter propaganda machine. Fanella Beckman's response last year to significant concerns was also shocking, dismissive, belittling and highly suspicious and seems to be again this year.

I refer to the documented aspects of last year's closed meeting – a short notice system of highly limited discussion on rent, service charges and garage price increase. It lacked so much communication and outreach and invitation, despite being for all residents. Regenter first invited the Chair and Vice Chair to form a panel, then refused to allow a panel to attend, then created/invited their own and refused to disclose even who they were – with the Panel Chair! This was also mentioned in the meeting for which Fanella and other Council reps attended but remained silent, during and after. After more pressure, Regenter then agreed to provide time for residents to meet, discuss and create feedback and this was minuted. This was also rejected and the Chair had to complain to Fanella Beckman who accepted the document, but I am not sure if she took any action or said anything to Regenter. I would appreciate confirmation of any reprimand, sanction or other action taken against Regenter for this open and outrageous treatment and deprivation to residents. The extent and audacity clearly show a deliberate attempt to stop feedback. The only response to this concern I got from Fanella was that... it should be better next year. I would like to see her give this pipsqueak of a response if in the presence of critics, residents, councillors and MPs, following all the shameful lead up just mentioned. I think this is a huge elephant in the room and I am calling it out, not least as Fanella Beckman tried a similar tactic in supporting Regenter at this year's meeting. She declared that this year's communication and outreach and notice was much improved. It was not, though under duress from caring residents, a number of points/omissions were made and (coincidentally) immediately responded to. Any progress from last year was not voluntary or from their own choice or ideas, but being dragged from pressure from residents... again. Regenter are still not engaging with residents, not listening to residents, not actively or voluntarily reaching out, missing huge opportunities that have been raised many times and at meetings to progress, but never taken up.

It is hard to know where to take resident concerns when the most senior housing representative in the Council is impotent and at one with an organisation she should be looking at critically, listening to residents about and holding them (Regenter) to account, wielding some authority/incentives, without which, nothing is likely to improve.

<https://www.insidehousing.co.uk/news/news/a-third-of-social-housing-residents-struggling-with-debt-survey-finds-79328>

In this recent report, debt has skyrocketed in the last six months. Based on the number of residents Regenter have, hundreds and as many as 1,000 are in serious debt and struggling to pay their landlords and energy bills.

I submitted my comments separately,

The questions below were not meant to be replied to by you Sandra. Had the correspondent read the email I sent, these questions were to give you all a heads up prior to the meeting of the issues I felt were pertinent to your submission to receive additional funding. For reasons unknown to me Sam decided to submit this as a customer service enquiry thing.... Totally pointless and another waste of everyone's time.

I am sorry I could not attend either the virtual or in person meetings but it became impossible due to other commitments.

I will point out that neither of my comments below were 'about' the smoke alarms, my point was very clear, it was about performance and I simply used two good examples of the complete an utter shambles that RB3 and Pinnacle have overseen. That you chose to concentrate on the words 'smoke alarm' at the expense of answering the actual claim says everything about every interaction I have had with your office, wilful avoidance of anything that might incur a degree of responsibility or humility.

My point about the layout of the charges was very simple, I don't pay weekly and I don't pay half the charges, send me a letter which is relevant to my charges so that I can comment with some degree of understanding rather than just guessing..... basically write better letters.

The letter says that customer engagement is a new charge, if you have been charging it for some time then why say its new, its not me who is confusing here..... basically write better letters.

Glad to hear the council will be seeing and judging the comments.

Whilst I understand inflation has increased and costs will inevitably increase my and others pay does not increase, certainly not inline with inflation. The best my work could manage was 3.5 percent this year and I think I'm one of the lucky ones.

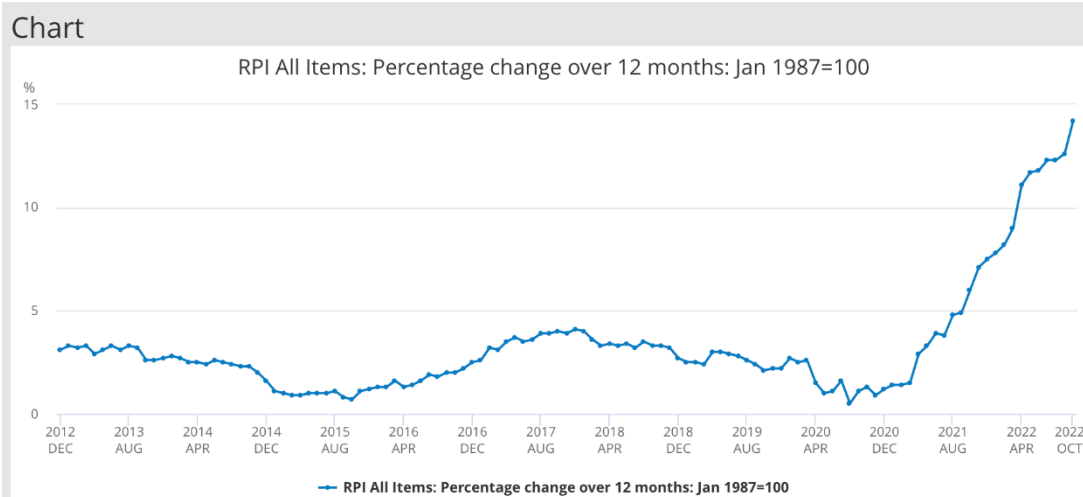
Anything you can do to insulate us from these costs would be greatly appreciated.

To Whom It May Concern:

1.2 The service charges increased should be in line with a 5-year average. The years following, Brexit and COVID-19, including a war in Ukraine have resulted in a cost-of-living crisis, and the fastest rise in inflation in decades and increasingly rising interest rates. Using a snapshot of using the *September 2022 RPI (Retail Price Index) of 12.6% plus 1% (uplift under RegenterB3 contract) making a total increase of 13.6%* is unethical. Should the RPI fall next year the increases will be added to an already inflated service charge.

Below is a chart from the Office for National Statistics (ONS)

<https://www.ons.gov.uk/economy/inflationandpriceindices/timeseries/czbh/mm23>



This shows the RPI over the last 10 years. The average is clearly below 5%. Using any percentage increase based on any measure over the last 12 months is not only misleading but applying this percentage increase *to the actual cost of each service element of the 2021/2022 figures* is opportunistic.

This percentage increase is also higher than *“the Consumer Prices Index including owner occupiers’ housing costs (CPIH) [which] rose by 8.8% in the 12 months to September 2022”*. Source: ONS

2.1.1 Yew House in particular, has had many anti-social issues, including theft, fire and drugs. Pinnacle have failed for many years to make residents feel secure and these increases will certainly not be affordable. The residents have complained about these issues for years and the quality of service has been unsatisfactory.

In terms of the service charge increases I don't feel that its fair that its so much more than the % increase in the rent. I feel it should be the same and equal to the rent increases. I understand that you have put the maximum increase of 7% to the rents and stated it will be 13% increase on the service charge.

I am letting you know my views on this matter and feel it should be the same increase.

Leases holders are already having to find the cost of the fire door, the works that have taken place plus the cost of pram shed fire doors.

I feel you need to relook at the plan again.

I saw the notice in Conifer House regarding the above meetings this weekend and I wanted to drop you a note.

The notice is the first I have heard of any proposed service charge and rent increases and I am very concerned that this is how it was communicated to residents and the

incredibly short notice we were provided of the meetings (the meeting is due to take place on 5 December and the notice only went up on Friday 2 December in Conifer House). It makes it difficult for those of us who work or have childcare commitments to be able to make the meetings. I also find it concerning that we have not been given any prior details of what these proposed changes are ahead of the meeting.

Due to other commitments I am unable to make the zoom meeting but I would like to request a copy of the minutes. Please could you also provide me with further details of what these proposed changes are and any further opportunities there will be to provide you with feedback on this?

Please could I also request that any further communications regarding any changes to the service charge or ground rent are provided by way of letter or email to ensure all residents get a copy and that we are given more notice of meetings or to provide input/feedback?

I appreciate your intention of inviting feedback on the increase in service charges for 2023/4 and that at least some attempt has been made at having different engagement methods.

Pay increases (even if in line with inflation) is wrong when you are a service provider whilst there is a cost of living crisis happening. I imagine most of your residents, in the diverse jobs they are in, aren't getting any pay increases in line with inflation. There should really be a freeze on pay increases for Regenter and new figures given. You cannot pass on that cost to your service users.

However, my concern is the frequent comments on the call on the 5th of December that, "although comments are welcomed, nothing can be done to change this decision".

Therefore, all my questions/comments are to be able to request more detail and context on charges, the process for any future increases and zooming out to the bigger picture:

1. Could you confirm the difference between Regenter/Pinnacle/Rydon and what their responsibilities are with regard to services provided to residents?
2. The constant feedback and messaging from residents is that the quality of service is pretty dire and so many residents have been providing negative feedback on service. If the service charge is being increased, surely a minimum level of quality assurance can be guaranteed or at least held to account alongside that. Please can you confirm the 1) official routes to provide feedback to Regenter and 2) the process Pinnacle has in place to manage actions on that feedback against the SLA with Regenter (i.e., Quality Assurance)?
3. What Quality Assurance metrics are already in place?
4. & to follow on from that, we need visibility on the collective resident feedback as well as actions taken by Regenter to provide a quality service from now on. What is the best way to address this on an annual basis?
5. Please can you also therefore share any recent examples of when Regenter have addressed any feedback by improving their services for Pinnacle Lewisham residents?
6. What happens when Regenter continually fail Quality Assurance or to deliver against the SLA? Is that a breach of contract?
7. When did RB3's Annual report last go before the housing select committee in open session? For the last two years it seems to have been provided as an "information only" briefing that was not published in the papers- whereas Lewisham Homes report was discussed in open session.

8. If we are unable to bring down the service charge increase, are we able to remove lines of work that can be agreed with the building to be removed from service charges? (for eg bulk waste removal?) In other words, are there any ways we can manage unnecessary costs to balance out the increase in service charge for residents?
9. For any costs outside of the Estimated Service Charge at the start of the year, what is the process to green light this from residents? How are we able to ensure a long-term view is kept with any services completed? (for eg, many residents have complained about low quality, quick work that therefore needs to be redone more often than if investment has been made for higher quality, greener, and longer lasting work, therefore adding value for money.)

Do let me know if you require any further information or clarification on any of the above points.

Hello, I have previously read through the rent and service charge increases for the future and I understand the information.

Following the resident panel meeting of 5 December 2022, please find below my comments on the proposed rent and service charge increases for 2023-24. I would be grateful if you would acknowledge receipt of this email and the next steps as regards decision-making on these increases (eg when any paper is due to go to Committee and Cabinet, and how resident feedback is being taken forwards).

The below comments refer to the paper "Leasehold and Tenant Charges Proposal" available here [PUBLIC ACCOUNTS COMMITTEE / MAYOR AND CABINET \(squarespace.com\)](https://publicaccountscommittee.mayorandcabinet.squarespace.com)

- The increase of 13.6% on leasehold and tenant service charges appears to be based on an arbitrary formula (RPI + 1%) that is derived from a contract that Lewisham Council has signed with Regenter B3. There is no evidence provided in the paper that demonstrates that the cost to RB3 of providing these services to residents is going to increase by the rate 13.6%, and therefore there is no evidence to show that such an increase is justified. Instead, what it appears to show is that RB3 has a blank cheque to increase its charges to residents year on year at an above inflation rate, without ever being asked to evidence whether the costs of providing these services has increased at this rate.
- There is no explanation of whether the Council has discretion to depart from this formula of RPI + 1% (a question that has been repeatedly asked by residents but still remains unanswered), given the very real pressures that households are facing during the current cost of living crisis, or what (if any) options the Council or RB3 have considered to impose a lower increase on residents this year, taking into account the fact that many will be facing rising mortgage payments and other increasing costs in the year ahead. Where is the evidence that RB3 have attempted to find any efficiency savings to offset this above inflation increase in the service charge? Has it even been asked to do this?

- What residents like myself find particularly difficult to accept is that our service charge is increasing by ever larger amounts year on year, yet there is no commitment or expectation that the services we receive will improve. How can this be justified?
- Please explain the meaning of Para 12.2 of the paper. It states "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 the principle of the service charge is cost recovery, eg that residents should only pay for the cost of the services incurred, then what are the "additional resources" that this increase in the service charge is going to generate? Para 12.2 suggests that residents are somehow subsidising the costs of a PFI contract, and/or plugging a hole in the Housing Revenue Account - when in fact the service charge is exclusively going towards services like caretaking, grounds maintenance, etc. This must be explained further. Residents do not have a bottomless money pit to subsidise a PFI contract that the Council chose to enter. Are we being used to raise funds to pay for this contract?

GARAGES

Resident feedback

No comments solely about garage increase from residents

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APPENDIX 2: Leasehold and Tenants Charges 2023/24 Brockley

Committee	Brockley Residents Panel	Item No	
Report Title	Leasehold and Tenant Charges Proposal		
Contributor	Regenter Brockley Operations Manager		
Class	Proposal	Date	11th November 2022

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 2022 RPI (Retail Price Index) of 12.6% plus 1% (uplift under RegenterB3 contract) making a total increase of 13.6%. This percentage will be applied to the actual cost of each service element of the 2021/2022 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 177 tenants in receipt of Housing Benefits and 365 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.	Actual Weekly Amount (End of Year 2021/2022)	Increase (13.6%)	weekly increase	New Weekly Amount at 13.6%
Caretaking	419	£3.35	13.60%	£0.46	£3.81
Grounds Maintenance	425	£1.93	13.60%	£0.26	£2.19
Communal Lighting	397	£0.12	13.60%	£0.02	£0.14
Bulk Waste	419	£1.29	13.60%	£0.18	£1.47
Window Cleaning	222	£0.02	13.60%	£0.00	£0.02
Resident Involvement	568	£0.25	13.60%	£0.03	£0.29
Customer Services	568	£0.41	13.60%	£0.06	£0.47
Ground Rent	568	£0.00	13.60%	£0.00	£0.00
General Repairs	568	£2.95	13.60%	£0.40	£3.35
Technical Repairs	401	£0.77	13.60%	£0.10	£0.87
Entry Phone	140	£0.14	13.60%	£0.02	£0.16
Lift	237	£1.59	13.60%	£0.22	£1.81

Management Fee	568	£3.23	13.60%	£0.44	£3.67
Total		£16.06			£18.25

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 2023/24 will be set in November 2022 to be applied from 1st April 2023. 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 13.6% (September 2022 RPI of 12.6% + 1.0%) Overall, charges are suggested to be increased by an average of 93pence per week which would move the current average weekly charge from £6.86 to £7.79.

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 based on the Actuals for 2021/22	Increase (13.6%)	weekly increase	New Weekly Amount at 13.6%
Caretaking	£3.35	13.60%	0.46	£3.81
Grounds Maintenance	£1.93	13.60%	0.26	£2.19
Communal Lighting	£0.12	13.60%	0.02	£0.14

Bulk Waste	£1.29	13.60%	0.18	£1.47
Window Cleaning	£0.02	13.60%	0.00	£0.02
Tenants fund	0.15	13.60%	0.02	£0.17
Total	£6.86			£7.79

6.3.6 The RB3 Resident Panel is asked for their views on these charges from April 2023 to March 2024. Results of the discussion 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, 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.

12.3 Though the increased cost of living and the energy crisis has pushed the retail price index figures into double figures this year. The audit of actual costs once completed, will ensure that any necessary adjustments are undertaken to ensure full cost recovery.

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

Or

on 0204 518 1447

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APPENDIX 3: Leasehold and Tenants Charges 2023/24 Lewisham Homes

Meeting	TRA Chairs Meeting		Item No.	x
Report Title	Service Charges 2023/24			
Report Of	Director of Finance and Technology - Rowann Limond			
Class	Information	Date	12 December 2022	

1. Purpose of the Report

- 1.1 This report sets out proposals for resident's service charges in 2023/24 Residents are invited to comment on the proposals which will be fed back to the Mayor and Cabinet 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 and Cabinet.

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 The 2023/24 service charges have been set against a backdrop of high inflation and a cost-of-living crisis. Service charges should be based on actual costs but following comparison against the 2021/22 actual costs it has been decided to cap the increase to the service charges at 7% as the increase would need to be significantly higher if the weekly charge was to recover the actual costs incurred.
- 3.4 It is acknowledged the current cost of living increase is significantly affecting Tenants and Leaseholders. Lewisham Homes empathises with all residents about the difficult choices that are having to be made and has done its very best to keep the proposed increase at an absolute minimum.
- 3.5 It is important to note the actual services charge costs incurred exceed the amount recovered. In future years it may be the policy to recover service charges closer to the actual costs incurred.

4 Tenant and Leasehold service charges 2023/24

- 4.1 The proposed 2023/24 charges as compared with 2022/23 are shown in Appendix 1
- 4.2 The proposed charges for 2023/24 have been aligned, as much as possible, to the 2021/22 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 caretaking, building repairs and maintenance.

- 4.3 The total proposed service charges have increased from £37.18 per week to £39.50, an increase of 7.0%. This increase has been driven by inflationary increases to costs. In particular there has been a 10% cost of living increase to caretaking 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 window cleaning and pest control due to costs for 2021/22 being lower than estimated.
- 4.6 A proposed increase in communal heating and communal lighting of £0.18 and £0.53 per week respectively is due to an increase in energy costs.

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

Appendix 1

Existing Service	Tenant (T) / Leaseholders (LH)	2022/23		2023/24		
		Weekly Charge	Estimate 2022/23	Weekly Charge	Estimate 2023/24	Increase from 22/23
		£	£	£	£	%
Caretaking	T & LH	6.76	4,560,283.05	7.44	5,016,311.35	10%
Ground Maintenance	T & LH	2.20	1,870,031.07	2.20	1,870,031.07	0%
Repairs and Maintenance - Building	LH	3.28	854,174.95	3.51	913,967.19	7%
Repairs and Maintenance Technical	LH	1.13	273,415.53	1.25	300,757.08	10%
Lifts	LH	1.77	90,033.51	1.83	99,036.86	10%
Entry Phone	LH	0.51	34,452.63	0.76	51,678.95	50%
Block Pest Control	T & LH	2.10	197,112.86	1.75	164,238.00	-17%
Ground Rent	LH	0.19	50,550.00	0.20	54,088.50	7%
Sweeping	LH	1.08	220,016.84	1.26	235,418.02	7%
Management	LH	2.70	706,522.92	2.89	755,979.53	7%
Window Cleaning	T & LH	0.12	46,593.20	0.09	33,822.00	-27%
Bulky House Hold Waste Collection Service	T & LH	0.58	363,058.00	0.72	388,472.06	7%
Bulk Waste Disposal	T & LH	0.88	566,915.10	0.95	606,599.16	7%
Insurance	LH	1.14	300,237.58	1.22	321,254.21	7%
Total excluding energy charges		24.47	10,133,397.25	26.08	10,811,653.98	7%
Communal Lighting	T & LH	1.20	690,306.47	1.39	738,627.93	7%
Communal Heating and Hot Water	T & LH	11.50	880,462.96	12.04	921,238.50	5%
Total energy charges		12.71	1,570,769.43	13.43	1,659,866.43	6%
Grand Total		37.18	11,704,166.68	39.50	12,471,520.41	7%

APPENDIX 4: Garage Rent Increase Report 2023/24

INCLUSIVE REGENERATION Estates Team Report		
Report Title	Rental Increases for Garages from April 2023 – Lewisham Homes and Regenter RB3	
Key Decision	Yes	Item No.
Contributors	Directorate of Housing, Regeneration and Public Realm	
Class		Date: November 2022

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. For the past few years, the garage rents have been increased in line with the Retail Prices Index, which currently stands at 12.6%. However, due to the current cost of living crisis and economic uncertainty, it has been decided to cap the increase at 10% for the next financial year.

2. Recommendation

It is recommended that the Council approves, in principle, an increase in rent for the garage portfolio of 10%, to be effective from April 2023. This increase is 2.6% less than 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 2023 it is intended that the increase applied is capped at 10%, which is 2.6% less than the Retail Prices Index.

There are approximately 134 Council garage sites in the borough, comprising 182 garage blocks. There are 2,379 garages in total, which are split 2,011 to Lewisham Homes, 311 Brockley Regenter and 57 TMO's. The split between social tenants/leaseholders and non-residential tenants is approximately 70%/30%

The current waiting list for Lewisham Homes garages is 3,426 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 current average basic rent charge (before discounts) for the garage stock is £16.62 per week. The highest rent charged is £24.90 per week and the lowest is £6.15 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.

5. Financial Implications

The current annual rent roll for the garage portfolio is £2.056M, based on a basic average standard charge of £16.62 per week per garage (i.e. before discounts are applied).

If the rents are increased by 10%, as proposed, in April 2023, the revised annual rent roll will increase to approximately £2.262M, or from £16.62 per week to £18.29 per week per garage, an uplift of £1.66 per week on average, and a total increase of approximately £191,000 on the annual rent roll, or £151,000 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 10% 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 £xxx191,000, or £151,000 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



Housing Select Committee

Climate Emergency Action Plan: update 2022/23

Date: 05 January 2023

Key decision: No

Class: Part 1

Ward(s) affected: Not Applicable

Contributors: Climate Resilience Manager

Outline and recommendations

This report provides the Housing Select Committee with an update on delivery of Lewisham's Climate Emergency Action Plan.

The report is a modified version of a report scheduled for discussion by the Sustainable Development Scrutiny Committee on 10 January 2023 and is intended to support the Housing Select Committee's discussion on Climate Emergency and housing retrofit.

The Committee will also be given presentations from local social housing providers at the meeting on the 5 January 2023.

Timeline of engagement and decision-making

In February 2019 Lewisham councillors agreed a motion to declare a 'Climate Emergency' and asked Mayor and Cabinet to adopt an action plan by the end of 2019/20 with the aim of making the borough carbon neutral by 2030.

<https://councilmeetings.lewisham.gov.uk/documents/s62942/Motion%20%20proposed%20Cllr%20Anwar%20seconded%20Cllr%20Krupski.pdf>

Mayor and Cabinet agreed Lewisham's Climate Emergency Action Plan on 11 March 2020.

<https://councilmeetings.lewisham.gov.uk/documents/s72555/Climate%20Emergency%20Action%20Plan.pdf> and have reviewed progress on an annual basis:

10 March 2021

<https://councilmeetings.lewisham.gov.uk/documents/s78637/Lewishams%20Climate%20Emergency%20Action%20Plan.pdf>

<https://councilmeetings.lewisham.gov.uk/documents/s78638/Annex%20Action%20tracker.pdf>

9 March 2022

<https://councilmeetings.lewisham.gov.uk/documents/s96746/Climate%20Emergency%20update.pdf>

A further update to Mayor and Cabinet is scheduled for March 2023.

In March 2022 Lewisham's Housing Retrofit Task & Finish Scrutiny Group published a range of recommendations aimed at supporting retrofit and reducing carbon emissions across housing in the borough of all tenures

<https://councilmeetings.lewisham.gov.uk/documents/s96788/Housing%20Retrofit%20Task%20and%20Finish%20Group%20final%20report.pdf>

<https://councilmeetings.lewisham.gov.uk/documents/s96789/Final%20report%20of%20the%20Housing%20Retrofit%20Task%20and%20Finish%20Group.pdf>

In September 2022 Mayor and Cabinet approved a response to the Task and Finish Group recommendations

<https://councilmeetings.lewisham.gov.uk/documents/s102828/03%20Response%20to%20the%20recommendations%20of%20the%20Housing%20Retrofit%20Task%20and%20Finish%20Group.pdf>

1. Summary

- 1.1. This report provides the Housing Select Committee with an update on Lewisham's Climate Emergency Action Plan, published in March 2020.
- 1.2. The report is a modified version of a report scheduled for discussion by the Sustainable Development Scrutiny Committee on 10 January 2023 and is intended to support the Housing Select Committee's discussion on Climate Emergency and housing retrofit.
- 1.3. The Committee will also be given presentations from local social housing providers.
- 1.4. A further version of this update will be reported to Mayor and Cabinet in March 2023

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and following that a public-facing document will be produced in line with the Manifesto commitment for “a fully costed plan to make the Council net-zero by 2030”.

2. Recommendations

- 2.1. Housing Select Committee is invited to review and comment on the update on progress, specifically in relation to the sections on ‘Sustainable Housing’.

3. Policy context

- 3.1. In 2016, the UK Government ratified the Paris Agreement, part of the United Nations Framework Convention on Climate Change, which commits countries to taking action to prevent the global average temperature increasing 2°C above pre-industrial levels. In 2019 the Climate Change Act 2008 (2050 Target Amendment) Order 2019¹ committed the UK to a legally binding target of net zero emissions by 2050. In 2021 the Government published its Net Zero Strategy the UK’s latest proposals for delivering the UK’s commitment under the Paris Agreement. In the 2022 Autumn Statement the Government set a national ambition to reduce energy consumption by 15% by 2030, with a new Energy Efficiency Taskforce to drive improvement in energy efficiency in households, business and the public sector. The Autumn Statement also announced £6bn new funding in 2025-28 in addition to the £6.6bn from existing manifesto commitments.
- 3.2. The Lewisham Council Corporate Plan 2022-26 identifies the climate emergency as one of four local challenges, and states that
 - We continue to strive towards being a net zero borough by 2030 and will continue to lobby the government and work with our partners to achieve this.
 - We will lead by example, by using 100% renewable energy, retrofitting public buildings where possible to make them more energy efficient, and supporting residents to make their homes warmer and more efficient.
 - Our parks and green spaces are a lifeline to the health and wellbeing of our residents and provide important resilience against the climate emergency. We will continue to invest in them and continue to plant more trees – adding to the 25,000 we’ve planted since 2018.
 - The progress of our Climate Emergency Action Plan will be reviewed annually by our Executive Management Team and through our scrutiny committee process, including reporting annually to the Mayor and Cabinet. We will publish a public update once a year setting out what has been done in that year and updating our set of actions going forward.
- 3.3. The Corporate Plan priority ‘Greener and Cleaner’ commits to continue to embed climate throughout the Council and identifies work on tree planting, parks and active travel as part of this work. The priority on ‘Quality Housing’ includes a commitment to improve the conditions in the borough’s housing stock, working with all housing providers to encourage retro-fitting as part of our drive to be carbon-neutral by 2030.

4. Background

- 4.1. In February 2019 Lewisham Councillors approved a motion declaring a Climate

¹ <https://www.legislation.gov.uk/ukdsi/2019/9780111187654>

Emergency and setting the ambition for Lewisham to be carbon neutral by 2030². Lewisham’s Climate Emergency Action plan was developed over the course of 2019 through an internal working group, discussions with residents and community groups, and input from the Sustainable Development Select Committee. The Action Plan was also informed by a study to identify and cost delivery of the ambition for the borough to be net zero carbon by 2030³. Lewisham’s Climate Emergency Action Plan was approved by Mayor and Cabinet on the 11 March 2020⁴.

- 4.2. The Action Plan identified the following priorities:
- The scale of threat from climate change requires us to be ambitious
 - Action on climate change is action on social justice
 - Responding to the climate emergency creates opportunities to improve local health outcomes and benefit the local economy
 - The Council must demonstrate leadership through its own operations
 - Net zero Lewisham cannot be delivered by the Council alone
- 4.3. An assessment of progress against each of the actions in Lewisham’s Climate Emergency Action Plan is included as an annex to this report.

5. Update on delivery

- 5.1. The 143 actions in the March 2020 Action Plan are divided across the following themes:
- Leading by Example;
 - Sustainable Housing;
 - Decarbonised Transport;
 - Green Infrastructure;
 - Inspiring, Learning and Lobbying.
- 5.2. COVID19 affected delivery in the immediate period after the Action Plan was published. The pandemic also reinforced the central underlying principle of the Council’s response to the climate emergency: that a changing climate has the greatest impact on our most vulnerable communities, and that taking action on climate should be framed in the context of taking action on social justice.
- 5.3. An annotated list of the actions is attached as an annex to this report. Each action has a narrative update and is then assessed as either: Achieved, Not Achieved or Ongoing. The following table shows these assessments by Action Plan thematic:

	Achieved	Not Achieved	Ongoing
Leading by Example (45)	40% (18)	4% (2)	56% (25)
Sustainable Housing (43)	28% (12)	5% (2)	67% (29)
Decarbonised Transport (22)	17% (4)	5% (1)	77% (17)
Greener Adaptive Lewisham (14)	1% (1)		93% (13)
Inspiring Learning and Lobbying (19)	58% (11)		42% (8)

² <https://councilmeetings.lewisham.gov.uk/documents/s62942/Motion%20%20proposed%20Cllr%20Anwar%20seconded%20Cllr%20Krupski.pdf>

³ <https://councilmeetings.lewisham.gov.uk/documents/s72556/Annex%20C%20Routes%20to%20Carbon%20Neutral%20Report.pdf>

⁴ <https://councilmeetings.lewisham.gov.uk/documents/s72555/Climate%20Emergency%20Action%20Plan.pdf>

All (143)	32% (46)	3% (5)	64% (92)
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Note: rounding errors mean some rows do not add to 100%

5.4. Key achievements since Lewisham's Climate Emergency Action Plan was published in March 2020 include:

Leading by Example

- In 2022 Climate Emergency UK published a scored assessment of all UK Climate Emergency Plans. Lewisham's was scored 77%, 4th highest in London and 12th nationally (see action 1.1.1).
- In 2021 Lewisham Council was awarded £3.5m to deliver works to 10 corporate and school buildings under the Government's Public Sector Decarbonisation Scheme. The works, completed in 2022, cut carbon emissions by 316 tonnes a year through replacing gas boilers with heat pumps and retrofitting insulation, lighting upgrades and wider improvements to heating and ventilation (1.2.1).
- In 2021 the Pension Investment Committee approved a low carbon mandate to divest the Council's pension scheme from carbon and moved assets into holdings supporting positive investment in carbon reduction (1.5.1).
- A range of Council services have adopted improvements that are reducing emissions associated with delivery. This includes upgrades to the Council's fleet (1.3.2), electrification of tools used in parks and green spaces (1.3.9), adopting 'warm mix' for road surfacing works (1.3.10) and the roll out of food waste collections to schools (1.4.7).
- In 2020 the Council switched its corporate electricity contracts to 100% renewable (1.5.5)

Sustainable Housing

- In 2022 Lewisham's Housing Retrofit Task & Finish Scrutiny Group published a range of recommendations aimed at supporting retrofit and reducing carbon emissions across housing in the borough of all tenures (2.3.1)
- In 2021 Lewisham Homes approved an Asset Management Strategy and Sustainability Strategy setting out plans to improve Lewisham Homes' housing stock to 2030 in line with the Lewisham Climate Emergency Strategic Action Plan (2.1.1). This approach informed the development of an application by the Council in November 2022 for £2.9m funding from the Social Housing Decarbonisation Fund as part of £9m decarbonisation works to the Lewisham Homes' estate (2.1.5).
- Lewisham Council leads the South London Healthy Homes partnership delivering a practical energy advice service across 12 South London boroughs targeted at low income and vulnerable households helping them stay warm in Winter. In three years the programme has supported 8,699 households including 1,602 in Lewisham (2.4.1).
- Lewisham has delivered borough-wide energy master-planning and detailed techno-economic studies into the viability of decentralised energy in clusters based in Catford, Lewisham Town Centre and Deptford which will support zero carbon growth through the planning system (2.6.2).
- The Council has sought to improve standards in the borough's least efficient homes. With Government funding officers led a sub-regional approach to engagement with private sector landlords to raise awareness of Minimum Energy Efficiency Standards, which in Lewisham involved 2,840 stakeholders (2.3.6). In 2022 the Council launched a new borough-wide additional licensing scheme

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meaning that all HMOs in the borough are now licensable (2.3.1).

Decarbonised Transport

- Lewisham has one of the highest number of School Streets in London with 48 covering 39 schools. School Streets have roads closed to traffic at drop off and pick up times, reducing congestion and improving air quality and road safety around the school site. (3.2.3).
- Permanent traffic orders have been approved for Lewisham's Low Traffic Neighbourhood in Lee Green, the largest LTN in London. Further monitoring and implementation of wider complementary measures continue to support the scheme (3.2.2).
- In December 2022 Mayor and Cabinet approved a Sustainable Transport and Parking Improvements Programme which will take an area-based approach to controlling parking alongside improvements to promote walking and cycling including footway widening, trees and planting, bike hangers as well as electric vehicle charging and car clubs. (3.2.2).
- There are currently 153 electric vehicle charging points across Lewisham. The Council is accelerating delivery of charging points and will continue to seek additional funding in support of the ambition that all residents live within a 500m walk of a charging point (3.4.1).
- The Council is installing anti-idling signage near local schools, with 75 schools scheduled to be covered by the end of 2022 and new campaigns to raise awareness and compliance (3.4.7).

Green Infrastructure

- The Council has planted 25,000 trees since 2018. In 21/22 there were 964 trees planted in parks and 294 street trees in partnership with Street Trees for Living (4.1.1) over 500 trees are going in over the 22/23 planting season.
- Thanks to the additional care and ownership of trees by local communities developed as a result of the partnership with Street Trees for Living, Lewisham's street trees have an excellent survival rate of 98%, significantly higher than the industry standard of 70% (4.1.1).
- The Council has secured funding for new flooding measures at Beckenham Place Park: £1.2m from the Environment Agency will create new flood storage capacity protecting communities the length of the Ravensbourne River and reducing risk to over 800 properties as part of the wider enhancements to the eastern side of the park (4.1.2).
- The Council has consulted on and published a range of key strategic documents including a new Parks and Open Spaces Strategy (4.1.7), Waste Strategy (4.3.2), Flood Risk Management Strategy (4.1.4) and Air Quality Action Plan (3.4.7) supporting a long-term and joined up approach to improving the borough's environment.

Inspiring, Learning and Lobbying

- Lewisham's London Borough of Culture Year 2022 has had a strong focus on diversity and climate (5.1.2). Lewisham Speaks was the result of a 6-month artists' residency within the Climate Resilience Team and a borough-wide programme of engagement resulting in a show in summer 2022 performed in every ward and Lewisham's People's Day. Over 5,000 residents engaged with Lewisham Speaks in one way or another and the commission has left as a legacy a giant map created by residents, a manifesto and a video that will be part of Lewisham's induction programme for new staff and members (5.1.4).

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- In November 2022 Mayor and Cabinet approved proposals to proceed with the development of a £1m Lewisham Green Bond. The Bond is expected to launch in 2023 and will be an opportunity for residents and communities to directly invest in net zero initiatives whilst earning a return on their investment (1.5.3).
 - A Schools' Climate Conference was held during COP26 in 2021 with 26 schools attending. This led to an ongoing Schools' Climate Network meeting termly with an average of 15 schools attending. A Pupils' Climate Network has also now been launched meeting twice in person in 2022 to share good practice and enthusiasm for climate action across the borough's schools (1.4.3).
 - A practical guide to retrofit was published in December 2022. <https://lewisham.gov.uk/my services/environment/climate-emergency/improving-the-energy-efficiency-of-your-home> A 'Residents' guide to action on the climate crisis' was published in 2021 and updated in 2022. <https://lewisham.gov.uk/my services/environment/resident-guide> (5.1.3).
 - Lewisham has played a leading role in lobbying government for change and influencing delivery at a regional and national level. Through UK100, London Councils' Transport & Environment Committee, the London Environment Directors Network and a range of other forums the Council has called for greater clarity on the role of local authorities in delivering net zero and a need for realism and long-term thinking about how current funding works. (5.5.2)
- 5.5. An annotated list of all 143 actions is attached as an annex to this report. Following discussion at Sustainable Development Scrutiny Committee and Housing Select Committee this update will be adapted as a report to Mayor and Cabinet in March 2023. This report will also identify priorities for delivery in 2023/24. In 2023/24 a public-facing document will be produced based on the update to Mayor and Cabinet and in line with the Manifesto commitment for "a fully costed plan to make the Council net-zero by 2030".

6. Financial implications

- 6.1. Achieving the ambition for Lewisham to be net zero carbon has significant cost implications. Work undertaken to support the development of Lewisham's Climate Emergency Action Plan estimated a minimum cost of £1.6bn over 10 years.
- 6.2. Lewisham Council's funding from government has been hugely cut since 2013/14, while at the same time, the Council has faced increased costs through population growth, changes to government policy, the COVID19 pandemic and costs associated with inflation and rising energy bills. Considering the minimum cost required to achieve the action plan, there is a need to find creative ways to find the resources needed to support this work.
- 6.3. Responding to the Climate Emergency is about making better use of resources and creating an alternative to a high-carbon consumer economy. In this context there are potential connections between delivering on a low carbon agenda and the Council's need to cut expenditure and secure greater financial stability.

7. Legal implications

- 7.1. The report refers to the Climate Change Act 2008 and regulations under that Act. The Act establishes a legal framework that underpins the UK's commitment to tackling climate change, including reducing CO2 emissions and addressing climate risks. The provisions of the Act apply at central government level.
- 7.2. Local authorities can use their own powers to take actions. The relevant powers are likely to include the wide general power of competence under Section 1 of the Localism Act 2011 which allows local authorities to do anything that individuals generally may do. The existence of the general power is not limited by the existence of any other power of the Council which (to any extent) overlaps the general power.
- 7.3. The matters considered in this report are not key decisions. The implementation of various matters referred to in this report may be key decisions and if so will be addressed through the appropriate mechanisms when those decisions arise.

8. Equalities implications

- 8.1. There are no specific equalities implications arising directly from this report but it should be noted that the risks and impacts of a changing climate will not fall equally, and without action the consequences will exacerbate poverty and health inequalities globally and locally.
- 8.2. In addition, given the fundamental nature of the changes needed, there are considerable risks that the actions taken to limit carbon emissions could, in themselves, disadvantage low income and vulnerable individuals and communities. Further work is needed to fully identify the equalities implications of climate change for Lewisham residents.

9. Climate change and environmental implications

- 9.1. The environmental implications of the climate crisis are summarised in the Action Plan. Further work is needed to embed action on the climate within the Council's strategies and operational functions, and to bring together the Council's work across wider environmental activity including in relation to air quality, waste and recycling, biodiversity, flood risk and sustainable transport and air quality.

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10. Crime and disorder implications

10.1. There are no direct crime and disorder implications arising from this report.

11. Health and wellbeing implications

11.1. Lewisham's Climate Emergency Action Plan will deliver a range of health and wellbeing benefits to residents, including actions to improve air quality, increased participation in active travel as well as support for low income and vulnerable households to cut the cost of staying warm in winter.

12. Background papers

12.1. Lewisham's Climate Emergency Action Plan (March 2020)

<https://councilmeetings.lewisham.gov.uk/documents/s72555/Climate%20Emergency%20Action%20Plan.pdf>

13. Report author and contact

Martin O'Brien: Climate Resilience Manager; martin.o'brien@lewisham.gov.uk; 07736 900 214

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14. Glossary

Term	Definition
Carbon / Carbon dioxide	Carbon dioxide (CO ₂) is a naturally occurring gas fixed by photosynthesis into organic matter and is a by-product of fossil fuel combustion, land use changes and other industrial processes. CO ₂ is the principal greenhouse gas (see below) associated with human activity and climate change (see below) and the reference against which other greenhouse gases are measured. Unless otherwise indicated the terms 'carbon' or 'carbon dioxide' are used in this report to refer to a combined measure of greenhouse gases (CO ₂ e or CO ₂ equivalent), of which carbon dioxide is the most common.
Carbon Neutral	The term "carbon neutral" is used in this report in line with the original declaration of a Climate Emergency in Lewisham. Carbon neutrality balances greenhouse gas emissions with carbon removals. As defined by the Committee on Climate Change, a net-zero or carbon neutral target requires "deep reductions in emissions, with any remaining sources offset by removals of CO ₂ from the atmosphere". In the context of Lewisham's target this means additional carbon removal and storage activity at the borough level or 'carbon offsets' funding an equivalent removal outside the borough.
Carbon Offsetting	Carbon offsetting enables individuals and organisations to compensate for any emissions they cannot avoid by paying for a carbon credit, typically a payment for an equivalent amount of emissions to be reduced or removed elsewhere. These emissions savings are generated through the implementation of a variety of projects such as planting trees and installing solar panels. Offsetting should be seen as an option of last resort and there is no commitment by Lewisham Council to fund carbon offsets to meet the aspiration to be carbon neutral by 2030.
Climate	Climate is usually defined as the average weather, or more rigorously, as a statistical description in terms of the mean and variability of relevant quantities over a period of time ranging from months to thousands or millions of years. The relevant quantities are most often surface variables such as temperature, precipitation, and wind.
Climate Change	Climate change, as used by the United Nations International Panel on Climate Change, refers to a change in the state of the climate that can be identified by changes in the mean and/or the variability of its properties, and that persists for an extended period, typically decades or longer.
Fuel Poverty	The Government's definition of fuel poverty for England and Wales states that a household is said to be in fuel poverty if: they have required fuel costs that are above average (the national median level), and, were they to spend that amount they would be left with a residual income below the official poverty line. There is a direct link between living in cold and damp conditions and poor health outcomes.
Greenhouse Gases	Greenhouse gases are those gaseous constituents of the atmosphere which absorb and emit radiation at specific wavelengths within the spectrum of thermal infrared radiation emitted by the Earth's surface, by the atmosphere itself, and by clouds. This raises global temperatures with a consequential impact on climate. Water vapour (H ₂ O), carbon dioxide (CO ₂), nitrous oxide (N ₂ O), methane (CH ₄), and ozone (O ₃) are the primary greenhouse gases in the Earth's atmosphere.
Scope 1, 2 & 3 emissions	Scope 1, 2 and 3 emissions are a method of defining, measuring and reporting carbon emissions on an organisational or an area basis. Scope 1 covers direct emissions from owned or controlled sources. Scope 2 covers indirect emissions from the generation of purchased electricity, steam, heating and cooling. Scope 3 includes all other indirect emissions including in particular the supply chain.

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Ref	Action	Date	Action owner	Update December 2022	Status
LEADING BY EXAMPLE					
1.1.1	The Council's Executive Management Team to oversee delivery of the Climate Emergency Action Plan with an annual report to Mayor and Cabinet.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	The Action Plan and the Climate Emergency have been discussed by the Executive Management Team on a number of occasions since 2020. In 2022 a new officer-level Net Zero Carbon Board, chaired by the Executive Director for Housing, Regeneration and Public Realm has been established to provide strategic oversight of delivery of Lewisham's Climate Emergency Action Plan. In January 2022 Climate Emergency UK published a scored assessment of all UK Climate Emergency Plans. Lewisham was given an overall score of 77%, 4th highest in London and 12th nationally out of 184 UK single tier local authorities.	Ongoing
1.1.2	Publish an annual 'Corporate Use of Resources' statement setting out performance in relation to corporate carbon emissions, energy consumption, water, waste & recycling, paper use, staff travel, procurement, IT (information technology) and other environmental indicators.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	Corporate carbon emissions for 2020/21 have been calculated and a report will be published on the Council's website following approval by the Lewisham officer Net Zero Carbon Board. The methodology uses the Local Partnerships reporting tool setting out the Council's scope 1 and 2 carbon emissions, the methodology endorsed by London Councils' Emissions Reporting Group. A update for 2021/22 will be published by the end of January 2023 and 2022/23 will be published by the end of September 2023.	Ongoing
1.1.3	New programme of climate/carbon literacy training to be rolled out to staff and additional focus on Climate Emergency and carbon literacy in induction for new staff. Use the Staff Climate Forum to identify further opportunities for engagement.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	A new Climate Literacy module has been developed and will be included on the Council's Learning Hub for all staff. The first staff members are expected to go through the new training at the start of 2023. In an all staff survey in 2022 65% of staff said they considered the impact their role has on the environment; 54% agree the council is working to tackle the climate emergency; and 52% of staff want to hear more about the Council's work on climate change. These figures create a benchmark for tracking progress on embedding climate issues across the Council.	Ongoing
1.1.4	New policy of only vegan food served at events on corporate sites.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	This policy was established as part of Mayor and Cabinet's approval of the Climate Emergency Action Plan in March 2020 and has been featured as a case study on the LGA's Climate Emergency case studies https://www.local.gov.uk/case-studies/lewisham-council-vegan-catering-local-approach-global-emissions	Achieved
1.1.5	Review further opportunities to eliminate single-use plastic from across the Council's operations in line with the Council corporate commitment, including ending single-use plastics at events.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	Avoiding single-use plastic across the Council's buildings and service delivery remains a priority. Single use plastic was avoided throughout Lewisham's Borough of Culture events including People's Day.	Ongoing
1.1.6	Develop a strategic approach to reducing deliveries and servicing vehicles to and from Council buildings, including restricting delivery times to certain hours, learning from good practice elsewhere such as the model being used by Guys and St Thomas hospital at the Dartford Consolidation Centre.	Medium term	Corporate Resources - Financial Planning Strategy and Commercial	The pandemic changed the nature of office working for the Council, including deliveries to buildings. Reducing the need for vehicle transport and particularly fossil fuel powered vehicles will continue to be a priority. The Council's Sustainable Procurement Strategy (2021-25) including Social Value policy and KPIs provide guidance to service teams on this.	Ongoing
1.1.7	Review and reshape the current internal Climate Emergency Working Group to fit with delivery of the Action Plan.	2020/21	Housing Regeneration and Public Realm - Inclusive Regeneration	In October 2022 a new Net Zero Carbon Board, chaired by the Executive Director for Housing, Regeneration and Public Realm was established and will provide strategic oversight of delivery of Lewisham's Climate Emergency Action Plan.	Achieved
1.2.1	Our aim is to be carbon neutral in terms of our corporate emissions by 2030, with an interim target of reducing carbon emissions from our corporate buildings by 50% by 2025 against the 2017/18 baseline.	Medium term	Housing Regeneration and Public Realm - Capital Delivery	A 50% reduction in emissions from buildings by 2025 and 100% by 2030 is not achievable without substantial investment across the Council's buildings. The Council has however been successful in securing additional funding to deliver retrofit works to Council buildings and schools to ensure in the short term that heating works do not result in like-for-like gas boiler replacements. In 2021 Lewisham Council was awarded £2.7m to deliver works to 7 corporate sites and £0.8m for 3 schools under the Government's Public Sector Decarbonisation Scheme. The funding replaced gas boilers with air source heat pumps including a ground source heat pump at Brockley Rise Adult Learning Centre as well as installing insulation, lighting upgrades and wider improvements to heating and ventilation. The works at the 7 corporate sites has reduced carbon emissions by 208 tonnes a year and at the 3 schools by 108 tonnes annually. Further work is underway to deliver Heat Decarbonisation Plans across 32 corporate sites and 5 schools by March 2023 funded through the Government's Low Carbon Skills Fund. A further application to the Public Sector Decarbonisation Scheme was submitted in October 2022.	Ongoing
1.2.2	Set out a detailed programme, including milestones, for carbon management in the Council's Strategic Asset Management Plan to 2025.	Short term	Housing Regeneration and Public Realm - Capital Delivery	The Council's Strategic Asset Management Plan is scheduled to be finalised and published in 2023/24.	Ongoing
1.2.3	Embed the aspiration to be carbon neutral into the Catford Regeneration Masterplan with an aim for the Council's main corporate centre to achieve a DEC A rating.	Short term	Housing Regeneration and Public Realm - Inclusive Regeneration	In 2022 the Council completed a set of techno economic assessment of heat network opportunity areas including Catford. The Council's Strategic Asset Management Plan will set out the approach to design and delivery of the Council's future accommodation needs and civic presence.	Ongoing
1.2.4	Complete an estate lifecycle programme for 80 Council-owned sites to inform the Strategic Asset Management Plan. Outputs will identify works in relation to heating, insulation, lighting, windows and other energy related measures.	Short term	Housing Regeneration and Public Realm - Capital Delivery	The lifecycle programme completed in 2020. This work informs an ongoing estate maintenance programme for corporate sites with packages of work being tendered across multiple buildings at multiple sites. This is an ongoing programme of works which seeks to deal with backlog of maintenance issues and pro-actively ensure buildings remain fit for purpose. Some of these works directly contribute towards carbon reduction in the corporate estate – e.g. new windows, LED lighting, new roofs with insulation etc – however the programme does not include large scale heating replacement for carbon neutral technologies. External funding is required to support this (see 1.2.1).	Achieved
1.2.5	Deliver lighting upgrades and improvements to heating, ventilation and air conditioning in the Old Town Hall, Civic Suite, Catford Library and customer service centre in 20/21.	2020/21	Housing Regeneration and Public Realm - Capital Delivery	Refurbishment works to the Old Town Hall have concluded. These included repairing windows, installing LED lighting and some limited heating and cooling upgrades. Work to the ground floor of Laurence House continues to be on hold however M&E surveys have been completed to understand the requirements. Catford Library moved to the Catford shopping centre and refit works there included LED lighting, new electrics and heating/cooling.	Achieved
1.2.6	Review the applicability of ISO 50001:2018 Energy Management System standard as a means to drive improvements in energy efficiency.	Short term	Corporate Resources - Facilities Management	Capacity within the corporate energy team has meant this work has not been possible.	Not achieved
1.2.7	Build capacity in our capital delivery team in relation to energy and carbon reduction.	Short term	Housing Regeneration and Public Realm - Capital Delivery	The Capital Delivery Team have been directly involved in the delivery of Lewisham's Low Carbon Skills Fund and Public Sector Delivery Scheme funded works across corporate buildings and schools giving first hand experience of energy efficiency and carbon reduction measures.	Achieved
1.2.8	Explore new funding mechanisms to use the savings from reduced energy consumption to fund the upfront capital costs of works.	Short term	Housing Regeneration and Public Realm - Inclusive Regeneration	Rising energy costs have made any spend-to-save schemes impractical in terms of releasing budget. However new proposals for innovative funding mechanisms (see 1.5.3 and 1.5.4 below) may offer potential opportunities to support capital works.	Ongoing
1.2.9	Review water consumption across the corporate estate. Identify and publish targets to improve performance as part of the annual use of resources statement described in 1.1.2.	2020/21	Housing Regeneration and Public Realm - Inclusive Regeneration	Water consumption has been included as part of the Corporate Use of Resources data compiled for 2020/21 and will continue to be part of this work (see 1.1.2).	Achieved
1.2.10	Complete remaining EPC surveys for the 270 sites in the commercial portfolio and assessment against the requirements of the Minimum Energy Efficiency Standards.	Short term	Housing Regeneration and Public Realm - Inclusive Regeneration	The commercial estates team are in the process of instructing EPC advisers to undertake further inspections of properties where existing EPCs are due to expire, or we do not have a current record of an EPC certificate	Ongoing

1.2.11	Ensure compliance by 2023 with the Minimum Energy Efficiency Standards (MEES) legislation in relation to those commercial properties identified as falling below EPC E (currently 25 out of 170 EPCs).	Short term	Housing Regeneration and Public Realm - Capital Delivery	15 properties within the portfolio have an existing rating of F or G. These have been referred to the EPC advisers acting for the commercial estates team for advice and recommendations. The Government is yet to publish the outcome of a 2021 consultation on MEES regulations.	Not achieved
1.2.12	Identify the actions needed to bring the commercial estate up to EPC Band C by 2025 including opportunities as commercial property leases come up for renewal to implement 'green leases' that incorporates incentives into the lease to operate and manage premises in a sustainable way.	Short term	Housing Regeneration and Public Realm - Capital Delivery	Further discussions with Legal will be arranged to discuss the Council's approach and adoption and suitability of green leases. These are likely to vary for different locations and properties.	Ongoing
1.3.1	Upgrade the basement at Laurence House to remove all car spaces except essential users and improve facilities for cyclists.	Short term	Housing Regeneration and Public Realm - Capital Delivery	This work is currently on hold while funding is found to support the cost of the works but will be considered as part of a wider review of the Catford Complex and the development of a new staff travel plan in 2023.	Ongoing
1.3.2	Renew the corporate bus fleet with 40 new vehicles all with the latest Euro 6 engines.	2020/21	Housing Regeneration and Public Realm - Street and Environmental Services	Investment in Lewisham's fleet in 2020 means that all the Council's bus fleet are Euro 6 and compliant with the ULEZ.	Achieved
1.3.3	Upgrade the HGV fleet to Euro 6 standards including all 25 street cleansing and refuse vehicles.	2020/21	Housing Regeneration and Public Realm - Street and Environmental Services	The new HGV fleet came into operation at the end of November 2022. All Lewisham's HGV vehicles are now Euro 6 and compliant with the ULEZ	Achieved
1.3.4	Install 4 new electric vehicle charging points at the Council's Wearside depot.	Short term	Housing Regeneration and Public Realm - Street and Environmental Services	This has not been achieved and requires defining and capital investment. EV charging points at Wearside will be considered as part of the wider acceleration of EV charging for the borough (see 3.4.1).	Ongoing
1.3.5	Review opportunities for trial of a fully electric 1.5 tonne van and a fully electric refuse vehicle.	2020/21	Housing Regeneration and Public Realm - Street and Environmental Services	A 1.5t fully electric light van has been added to the fleet, other electric vehicles will be added as budget, technical feasibility and availability in the market allow.	Ongoing
1.3.6	Set a baseline for current staff travel by transport mode. Promote active travel and the use of public transport as the default option for all work journeys except where there is a legitimate reason. Extend use of team oyster cards and for journeys where vehicle is unavoidable use of electric pool cars. Seek to gain accredited status in relation to green staff travel.	2020/21	Housing Regeneration and Public Realm - Strategic Transport	A travel survey is planned in 22/23 to establish a staff travel baseline. This has only become possible now that staff have started coming back into the office. In Future Working Updates sustainable travel is promoted for commuting and work journeys. Use of team oyster cards has not yet been extended as it is dependent on the results of the travel survey and the electric pool cars remain in use. There is an ambition for their number to increase and for their availability to extend to council wide, rather than team specific. Green staff travel accreditation is still in planning stage.	Ongoing
1.3.7	Embed our response to the climate crisis into corporate service planning.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	The Council's corporate environmental performance has been embedded (KR6) within the Future Working Programme's Objectives and Key Results and is included within the focus of the two workstreams reporting to the Future Working Programme Board: 'Our Workplace' and 'Our Organisation'.	Achieved
1.3.8	Work with the Council's PFI provider Skanska to review opportunities to convert Lewisham streetlights to LED.	Medium term	Housing Regeneration and Public Realm - Highways	Lewisham continue to be in dialogue with the PFI service provider, Milestone, to review the capital costs, looking to reduce the payback period for the authority. The service provider is currently seeking an alternative lantern supplier to minimise costs.	Ongoing
1.3.9	Prioritise the procurement and use of electric tools rather than petrol in the parks service.	Short term	Community Services - Parks Sports and Leisure	Electric machinery purchased since the Climate Emergency Action Plan was agreed includes: 2020-21 electric machinery logged included: x1 buggy; x11 strimmers; x7 hedge cutters; x7 backpack blowers; x2 chainsaws; x2 pole saws; G33x2 long arm hedgecutters; x2 handheld blowers; x4 brushcutters; x1 zero turn mower; x1 stand on mower; x4 backpack blowers; x4 brushcutters.	Ongoing
1.3.10	Identify opportunities to reduce the carbon intensity of our resurfacing work including increased use of 'warm mix' and work with the regional officers group, The London Technical Advisers Group (LoTAG), to identify and integrate best practice into highway management in Lewisham.	2020/21	Housing Regeneration and Public Realm - Highways	In 2020 the Highways Team used warm mix asphalt on the carriageway more extensively reducing CO2 emissions by a forecast 15-30% as well as improving productivity as it takes less time to cool, reducing public disruption through earlier re-opening of the road and improved conditions for the workforce. Additionally on some footways we have reheated the existing asphalt to reform a new surface. In the long term the Council has plans to use, where possible, microsurfacing which is a protective seal which extends the life of the pavement and our intention is to firstly use this on some asphalt footways. The use of recycled materials on the highway is extensive particularly in fill materials to excavations and in the road structure.	Achieved
1.3.11	Review the Council's outdoor events and identify opportunities to remove avoidable carbon emissions, for example replacing diesel generators with zero carbon alternatives.	2020/21	Community Services - Culture, Learning and Libraries	A Climate Emergency Borough of Culture group was convened as part of LBoC and guidelines for events were adopted. These were put into practice as part of the BOC Commissions through the year as well as the launch event and Lewisham People's Day 2022. Funding for the annual Firework event in Blackheath has been cut and a decision on the future of Lewisham People's Day will be made ahead of 2023.	Achieved
1.3.12	Develop and implement a new document retention policy that minimises hard copy printing and replaces physical storage with scanned copies and standardised approaches to retaining and destroying records to minimise storage requirements. Extend the use of online and electronic processes to replace paper, for example in relation to pay slips.	2020/21	Corporate Resources - IT and Digital Services	The Council has not agreed a document retention policy yet due to the complexity and resource needed to develop, consult and implement. Payslips continue to be issued electronically. This will be considered as part of the Council's new Digital Strategy scheduled for 2023.	Ongoing
1.3.13	Carry out an energy and carbon audit of all Corporate IT functions.	2020/21	Corporate Resources - IT and Digital Services	The Council intends to consult on a Digital Strategy in early 2023. The environmental performance and impact of IT equipment will be considered as part of the Council's future decision-making on the ownership of devices and hardware. In June Mayor and Cabinet approved a report on data storage infrastructure which when implemented has the potential to save 55 tonnes of carbon a year. The new system has been procured and installed. Migration from the existing environment onto the new system is expected to complete by the end of 22/23 when the old system can be decommissioned and the carbon savings achieved.	Ongoing
1.3.14	Review planting schemes outside corporate buildings to reduce the use of short term plants chosen for appearances and promote the use of plants with greater climate adaptation resilience and biodiversity benefits particularly for bees, moths, butterflies and other pollinators.	2020/21	Community Services - Parks Sports and Leisure	The Council's new planting scheme has replaced annual, seasonal bedding at Laurence House and Civic Suite with more sustainable and drought resistant planting.	Achieved
1.4.1	Support schools in accessing SALIX funding and other sources of external resources to improve the energy efficiency of buildings and generate onsite renewable energy.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Council was awarded £120k in November 2020 to deliver detailed heat decarbonisation plans in four schools: Dalmain, Downderry, Myatt Garden and Torridon. The plans were then used to secure a further £794k in February 2021 for works in Downderry, Dalmain and Myatt Garden to replace gas boilers with air source heat pumps and a range of other energy efficiency improvements including cavity and roof insulation and ventilation works. A further grant of £220k was secured in July 2022 and this will deliver costed plans to decarbonise heat in schools with end of life heating systems. The Council's Strategic Asset Management Plan (see 1.2.1) will set out the broader approach to decarbonising the Council-owned schools' estate by 2030.	Achieved

1.4.2	Work towards achieving new higher energy standards for schools with the aim for new schools to be DEC A and refurbished schools DEC B.	Medium term	Housing Regeneration and Public Realm - Capital Delivery	Budget considerations will be a key factor in the feasibility of achieving this objective. But this will be explored on new education projects moving forwards, using the outputs from the Low Carbon Skills Fund assessments identified in 1.4.1.	Ongoing
1.4.3	Support efforts by school staff and pupils to take action on climate change. Put proposals for joined up activity and shared resources to the Schools Forum in 2020 including the scope for increasing climate literacy in school, for example by having a climate change trained teacher in every school. Help schools create their own carbon actions plans.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	A Schools' Climate Conference was held in November 2021 with 26 schools attending. A Schools Climate Network was launched as a result of this Conference which has met termly online, with an average of 15 schools attending. A Pupils Climate Network was also launched in June 2022 with 7 schools hosted by Edmund Waller Primary. Schools guidance has been created on how to declare a climate emergency and elearning promoted in summer 2022 for teachers to help teach climate change.	Achieved
1.4.4	Develop new carbon reduction targets for new school designs in the Project Implementation Document (PID) stage and Employer Requirements (ERs) of capital works.	Short term	Housing Regeneration and Public Realm - Capital Delivery	Contractors are currently required to achieve BREEAM Excellent on new build projects, and BREEAM Very Good on refurbishment projects. They are also required to meet all relevant targets within the London Plan. Budget constraints and grant funding conditions are the key constraints in achieving this action. Extending these requirements requires additional funding that goes beyond existing sources including the Government's Public Sector Decarbonisation Scheme.	Ongoing
1.4.5	Undertake an audit of schools' energy performance designed to share good practice and learn lessons that can be integrated into corporate standards.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	Following the assessment of St Winifred's School in 2020 detailed decarbonisation plans for four other Lewisham Schools (Dalmain, Downderry, Myatt Garden and Torridon) were funded through the Government's Low Carbon Skills Fund in 2021. In 2022 The Department for Education has funded a detailed assessment of the approach taken to Whole Carbon Assessments in these 5 schools as a national exemplar.	Achieved
1.4.6	Assess further improvements to the catering service including: An additional meat free day per week; increasing the number of vegan options; Future options for procuring the school catering service including insourcing, seeking opportunities to promote local produce, reduce food miles and offer more seasonal menus.	2020/21	Children and Young People Directorate - Education Services	The contract was let to Chartwells commencing on the 1st of August 2021 and servicing 25 schools. The improved specification includes an additional meat free day. Chartwells are part of the Compass group who have a roadmap to net zero and areas detailed within the life of the new contract include, the use of 100% reusable or recyclable packaging by 2023, 100% electric car policy by 2024 and a 25% switch from animal proteins by 2025. Chartwells identify that in 2020, 85% of ingredients were sourced from UK farmers and growers.	Ongoing
1.4.7	Trial food waste collection for school classrooms in 2020 year to assess the potential to roll out for all school kitchens. Review and identify opportunities for further reductions in waste from schools.	2020/21	Housing Regeneration and Public Realm - Street and Environmental Services	Trial successfully run with St Winifred's and Rathfern Primary schools. School composting workshops, school staff recycling sessions, school recycling workshops are all offered for free to schools by the Waste and Recycling team. The roll out of food waste collections to primary schools is underway.	Achieved
1.5.1	Agree and implement a new strategy for divesting the Pension Fund from high-carbon investments.	2020/21	Corporate Resources - Financial Planning Strategy and Commercial	In September 2021 the Pension Investment Committee (PIC) chose the LCIV Passive Equity Progressive Paris Aligned (PEPPA) and Storebrand Global ESG Plus funds for its developed and emerging market equity holdings, being circa 50% of the entire Pension Fund assets. As of September 2022 the Pension Fund completed the last of the transfers into these mandates. In addition the Fund has invested in the LCIV Renewable Infrastructure Fund as part of the review of its property fund holdings.	Achieved
1.5.2	Procurement and social value policies have been updated to strengthen the value placed on life-cycle assessments, support the circular economy and reduce carbon emissions across our supply chain. We will assess the introduction of requirements through contractor social value commitments to publicly report their corporate carbon emissions, and including CO2e emissions relating to the good and services we procure as performance metrics in contracts. We will assess the scope to improve the standards in contractor fleet vehicles. We will assess scope for Council Information Technology contracts to adopt the highest standards of efficiency and environmental performance including whole lifecycle costs.	2022/25-26	Corporate Resources - Financial Planning Strategy and Commercial	Lewisham Council's Sustainable Procurement Strategy (2021 - 25) and Social Value policy (2022-26) reinforce commitments in support of carbon net zero by 2030. For example, requested FORS accreditation in our recently tendered Highways contract will improve the standards in contractor fleet vehicles. The Social Value policy is a key tool for suitable projects particularly in relation to building retrofit to upskill the local workforce and SMEs on green construction.	Ongoing
1.5.3	Explore opportunities for a revolving fund that will deliver carbon reduction projects and recoup money through energy savings.	Short term	Corporate Resources - Financial Planning Strategy and Commercial	In November 2022 Mayor and Cabinet approved proposals to proceed with the development of a Lewisham Green Bond to raise circa £1m of finance via a Financial Conduct Authority (FCA) regulated crowd funding platform. This will be invested in low carbon schemes within the Council's capital programme. The report also seeks approval to sign the Green Finance Institute's Green Bond Pledge. The Lewisham Green Bond is expected to be launched in 2023 and will be an opportunity for Lewisham's residents and communities to directly invest to support the achievement of net zero within their communities whilst earning a return on their investment.	Ongoing
1.5.4	Explore partnerships with funders for new carbon reduction infrastructure projects that deliver local value and potential return on investment.	Long term	Corporate Resources - Financial Planning Strategy and Commercial	In November 2022 Mayor and Cabinet approved proposals to proceed with the development of a Lewisham Green Bond to raise circa £1m of finance via a Financial Conduct Authority (FCA) regulated crowd funding platform. This will be invested in low carbon schemes within the Council's capital programme. The report also seeks approval to sign the Green Finance Institute's Green Bond Pledge. The Lewisham Green Bond is expected to be launched in 2023 and will be an opportunity for Lewisham's residents and communities to directly invest to support the achievement of net zero within their communities whilst earning a return on their investment.	Ongoing
1.5.5	Use the Council's corporate energy procurement to support renewable energy, develop an energy procurement strategy that aligns our Climate Emergency ambitions with the way we procure energy contracts.	2020/21	Corporate Resources - Facilities Management	The Council has continued to purchase 100% renewable electricity backed through the industry REGO certification	Achieved
SUSTAINABLE HOUSING					
2.1.1	Deliver a new Asset Management Strategy that sets out a new ambition for energy and carbon performance across the Lewisham Homes' stock including: The requirements of achieving a minimum of SAP B6 EPC B across the Lewisham Homes stock; Ensuring new build developments comply with existing and emerging local and national policy and legislation including SAP10.1 methodology (and future upgrades of SAP); Includes a focus on improving property ventilation; Sets out an option appraisal on poorly performing properties.	2020/21	Lewisham Homes	Lewisham Homes' Board approved an Asset Management Strategy and a Sustainability Strategy in September 2021. The Sustainability Strategy sets out plans to improve Lewisham Homes' housing stock over the period 2021-2030, and is in line with the Lewisham Climate Emergency Strategic Action Plan. The Council has written a new HRA Business Plan which the AMS will be linked to. However due to the delay in the rent setting by the government this year, the HRA Business Plan will not be presented to Mayor & Cabinet until January 2023	Achieved
2.1.2	Develop a new strategic approach to decarbonising heating across the stock with the aim of centralising plant and creating opportunities for heat networks. Assess the opportunities and risks of technologies such as heat pumps, and improvements to existing electric heating systems and storage heaters identify the optimum approach to boiler replacements.	2020/21	Lewisham Homes	Lewisham Homes has worked closely with the Council to align investment plans for heating with the outputs from the Council's Energy Masterplanning work, which has identified opportunities to decarbonise heating across a central opportunity area from Catford, through Lewisham Town Centre and up to north Lewisham. The Council's energy masterplanning informs decision making in relation to new heat infrastructure supporting new builds, existing communal heating systems and electrically heated properties. The development of a detailed strategic plan for all stock would require a level of investment that is beyond current funding including through the Social Housing Decarbonisation Fund to address the required upgrades to building fabric, network capacity and cost of technologies such as heat pumps. Further work will be needed as part of the strategic response to the Housing Retrofit Task and Finish recommendations. Lewisham Homes currently has a small planned replacement programme of domestic gas boilers of approx. 200 units per year, with reactive replacements only as required.	Achieved
2.1.3	Raise standards in existing communal heating systems, ensuring compliance with regulation and installing metering and improved controls to systems. Develop a planned maintenance and investment plan that is informed by the emerging strategic approach to decarbonising heating across the stock.	Short term	Lewisham Homes	New communal heating systems have metering and billing and ongoing maintenance contacts in place. Discussions have begun on an exercise to look at all existing contracts being consolidated into a bundle of packaged works that we can put out to tender.	Ongoing
2.1.4	Review procurement policies to increase the sustainability of major works, including selecting lower carbon materials and reusing structures and construction materials where possible.	Short term	Lewisham Homes	The mobilisation of the two long-term framework partnerships provides excellent opportunities to begin to adopt a "sustainability by default" approach on Lewisham homes' capital works programmes. All contracts now include commitments around funding or delivering social value and sustainability projects.	Achieved

2.1.5	Delivery within the Lewisham Home's major works programme of cladding improvements that deliver improved thermal efficiency combined with the highest standards of building safety.	Medium term	Lewisham Homes	Lewisham Homes' long-term partnerships with Mulalley and United Living as planned major works contractors is a key focus of achieving sustainability goals across the housing stock. Lewisham Homes are working closely with the major works contractors to ensure all works programmes maximise opportunities for carbon reduction. This includes specifications for products and materials as well as opportunities to combine sustainability works into ongoing repair and replacement works. This dovetailing of the external works programme with grants to fund fabric improvement retrofit works to maximise available resources was the basis of an application by the Council in November for £2.9m funding from the Social Housing Decarbonisation Fund as part of £9m decarbonisation works to the Lewisham Homes' estate.	Ongoing
2.1.6	Review and identify the financial, technical, operational and resident satisfaction implications of delivering a new homes programme to a carbon neutral standard, to include a understanding of: Building new homes to Passive House Standards (achieving a SAP rating of 92-100/EPC A); Delivering Energiesprong or similar retrofits; Early adoption of no gas; Meeting the new LETI (London Energy Transformation Initiative) design standard. Use the outcomes from the assessment to push central government and others for additional funding, investment in new technology, regulatory change and other actions that will enable this to be delivered in Lewisham.	Short term	Lewisham Homes	New Employer Requirements have been introduced by Lewisham Homes' New Development Team. PassivHaus was evaluated as an option but remains financially unviable. The aim on all new developments is to go beyond current Building Regs for Part L with the new LETI design standards as the aspiration. It is recommended that this action is amended to separate out new build and retrofit requirements (eg Energiesprong).	Ongoing
2.1.7	Implement lessons learned from good practice elsewhere and the assessment in 2.1.6 into delivery on a scheme-by scheme basis including in relation to: the use of pre-manufactured elements; air/ground source heat pumps; district heat networks; mechanical ventilation heat recovery (MVHR) units; alternative fuels and battery storage; energy efficient heating including underfloor; external shading devices; decentralised heating; green / living roofs and walls; sustainable drainage; AECB (Association of Environmentally Conscious Builders) standards; waste water heat recovery systems; smart water use; procurement and sourcing all materials and products from within 30 mile radius of site.	Medium term	Lewisham Homes	The approach taken by the Lewisham Homes' New Development Team is to determine the correct technical solution on a site specific basis, drawing on good practice and with a focus on achieving high environmental standards. Where possible contractors use local suppliers and subcontractors although procurement and sourcing all materials and products from within 30 mile radius of site is not always possible.	Ongoing
2.1.8	Evaluate the application of the 'Soft Landings Framework' to new build projects.	Short term	Lewisham Homes	New Development has in place an 'approval point schedule' which is akin to the soft landings framework, and every development follows these principles. At key touch points, there are internal gateways and the development team are updating and seeking approval to move the project forward in a way that involves input from key stakeholders. Examples of this are early involvement of the Asset Management team with procurement on onboarding for EV charging point contract and communal heating metering and billing contracts.	Achieved
2.2.1	Publish a Lewisham Homes to Sustainability Strategy document setting out an overarching approach to carbon reduction aligned to the Lewisham Homes' Asset Management Strategy. Set out baseline environmental performance metrics	2020/21	Lewisham Homes	Lewisham Homes has put in place a nine-year Sustainability Strategy, taking the housing stock from 2021-2030. This was approved by Board in September 2021 along with the Asset Management Strategy. The overarching aims of the Strategy are in line with the Lewisham Climate Emergency Strategic Action Plan (2020).	Achieved
2.2.2	Develop a sustainable working protocol for LHL employees, to include: sustainable staff travel policy, recycling, office etiquette; An updated Employee Code of Conduct; Encouraging vegan catering, local sourcing of supplies; A ban on single-use plastic except where there's a specific health and safety reason.	2020/21	Lewisham Homes	Lewisham Homes is reviewing working protocols including options to adopt good practice that may be based on a framework such as ISO14001 or the 'Sustainability Reporting Standard for Social Housing' to demonstrate performance and benchmark against similar organisations.	Ongoing
2.2.3	Ensure the Old Town Hall refurbishment promotes a sustainable office environment, including: Agile working; Improved cycling facilities and changing rooms; A paperless environment; Installation of smart and energy efficient products such as LED lighting, smart meters and water meters.	Short term	Lewisham Homes	This action was adopted by Lewisham Homes when they were operating out of the old Town Hall. As they have relocated to Laurence House the action is no longer relevant. Investment and longer term plans for the Old Town Hall will be addressed in the Council's Strategic Asset Management Plan (see 1.2.1)	Ongoing
2.2.4	Incrementally upgrade the Lewisham Homes' fleet to low emission combustion and hybrid with the aim of becoming fully powered by renewable electricity as soon as is practicable.	Short term	Lewisham Homes	An evaluation of options for adopting electric vehicles as part of the fleet renewal has been completed. Further EV charging infrastructure is needed to support the transition to an electric fleet. The fleet is due for renewal in 2025 and Lewisham Homes will look to align with the Council's policy in this area.	Ongoing
2.2.5	Recruit 100 resident 'Eco-Champions'.	2020/21	Lewisham Homes	This action was disrupted by the pandemic. There is currently insufficient internal resource to recruit and support 100 resident 'ECO Champions'. Lewisham Homes already runs a number of resident steering groups and one option is to more explicitly include sustainability/climate change as part of an existing group.	Not achieved
2.2.6	Develop a draft Sustainable Estate Parks and Gardens strategy.	2020/21	Lewisham Homes	The Environmental services team has in place a Sustainable Green Services Policy and this was approved by the Lewisham Homes ELT in December 2021.	Achieved
2.3.1	Assess the actions and investment needed to get all domestic buildings in the borough to an average of EPC Band B and develop more sophisticated methods of identifying which properties are energy inefficient, targeting resource where there will be most impact.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham's Housing Retrofit Task & Finish Scrutiny Group set out a range of recommendations aimed at improving the thermal performance of housing in the borough across all tenures. Officers are working on a new Housing Retrofit Strategy that will deliver the assessment of actions and investment needed to get all domestic buildings in the borough to the standard needed to meet the net zero ambition. This strategy is expected to be published in 2023. Much of the Council's work to date has focused on the worst performing properties through raising awareness of enforcement (see action 2.3.6), supporting qualifying residents to access grants (see action 2.4.2) and through licensing private rental properties. In relation to licensing just over 1,000 mandatory and additional HMO licenses have been issued by the council. All of these properties will have been inspected for hazards prior to licensing and issued with a schedule of works where necessary. Where landlords are not complying with the conditions of the license the Private Sector Licensing team issue fines and or prosecutions, if informal action to resolve issues does not succeed. In April 2022 a new borough-wide additional licensing scheme was launched meaning that all HMOs in the borough are now licensable. The Private Sector Housing team regularly inspect non-HMO properties in response to complaints from residents about hazards and disrepair. Though powers to enforce in these properties are more limited, the team can also issue non-HMO landlords with statutory notices, fines and prosecutions.	Ongoing
2.3.2	Inspect all HMOs (house in multiple occupation) in the borough over 5 years, an estimated 6,000 properties, as part of the HMO expanded licensing scheme. Inspections will focus on the eradication of category 1 and 2 hazards on cold and thermal efficiency, especially for vulnerable residents.	Short term	Housing Regeneration and Public Realm - Private Sector Licensing and Home Improvements	As set out above, the additional licensing scheme launched in April 2022, so far we have issued 128 licenses. The estimated numbers of HMOs in the borough is between 4000-6000. All properties will be inspected prior to licensing to eradicate Category 1&2 hazards, including excess cold.	Ongoing
2.3.3	Apply to the Secretary of State for a borough-wide licensing scheme with the intention of rolling out licensing to all 26,000 privately rented properties. Inspections of these properties will be conducted on a risk basis including analysis of potential poor standards in the stock, with a particular focus on damp and cold.	Short term	Housing Regeneration and Public Realm - Private Sector Licensing and Home Improvements	The public consultation on the introduction of a selective licensing scheme to cover all privately rented properties in the borough in 16 out of 18 wards closed in May 2022. Housing Select Committee discussed the consultation results at its meeting in October 2022.	Ongoing
2.3.4	Explore the potential to provide a discount on the licence fee if the landlord takes the EPC rating of their property to C or above and assess whether further discounts could apply for ratings above C.	Short term	Housing Regeneration and Public Realm - Private Sector Licensing and Home Improvements	The council has considered this option, however, the discount we could offer would be unlikely to act as any kind of incentive to improve properties, given the relative cost of the license versus the average cost of retrofit works. Offering the discount would impact on licensing income and therefore the quality of the service and is therefore not considered to be the most efficient use of resources.	Not achieved

2.3.5	Use the Council's online presence such as web pages and social media to promote energy efficiency advice to landlords.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	The Council has published practical advice for residents on retrofit https://lewisham.gov.uk/myservices/environment/climate-emergency/improving-the-energy-efficiency-of-your-home as recommended by the Housing Retrofit Task and Finish scrutiny group. Further improvements to the Climate Emergency webpages are planned including publishing a public-facing update on the Council's progress in delivering the ambition for the borough to be net zero carbon by 2030.	Ongoing
2.3.6	Take enforcement under the Domestic Minimum Energy Efficiency Standards Regulation, which allow us to issue a Community Protection Notice (CPN) for renting accommodation under an EPC rating of E.	Ongoing	Housing Regeneration and Public Realm - Environmental Health	In 2021 Lewisham was awarded £125k funding under a Government competition to boost engagement and enforcement work on the Private Rental Sector Minimum Energy Efficiency Standards. This funding supported additional capacity in Lewisham and Greenwich Trading Standards Teams and an engagement campaign to raise awareness of the legally enforceable minimum standards that exist and support landlords to improve their properties. The grant also funded partnership work with South East London Community Energy to undertake outreach work with landlords and tenants. In Lewisham 2,840 stakeholders were engaged with and 8 properties improved to an EPC of E or above. A wider ongoing review of enforcement activity across the Council will include consideration work with landlords.	Ongoing
2.3.7	Engage with landlord accreditation schemes that promote energy efficiency.	Short term	Housing Regeneration and Public Realm - Private Sector Licensing and Home Improvements	We offer a 20% discount for accredited landlords. This includes the RLA, who are running this campaign and the London Landlord's Accreditation scheme that promotes itself on the basis of being able to assist landlords to obtain grants to improve thermal efficiency (among other things).	Ongoing
2.3.8	Ensure all accommodation used as temporary accommodation by the Council meets the Minimum Energy Efficiency Standards including the current requirement for EPC rating E or above and has all the required gas and electrical certification.	Short term	Housing Regeneration and Public Realm - Housing Services	All properties utilised by the Council for the provision of temporary accommodation have to meet the Council's health and safety compliance requirements. This process involves accommodation providers, producing a number of health and safety documents for properties that they provide to the Council. These documents include an EPC, Gas Safety Certificate and Electrical Installation Condition Report. The Council Compliance Officer is being recruited to. This post is responsible for monitoring and managing all health and safety documents for the Council's TA portfolio. This includes monitoring when certificates expire and ensuring providers produce in date complaint certificates in the required timeframe.	Ongoing
2.3.9	Support a new PRS renters' union across the sector to provide a forum for renters; allowing us to raise awareness of the Climate Emergency and measures to tackle it and the union to flag up specific concerns to be addressed	Short term	Housing Regeneration and Public Realm - Housing Services	Officers continue to liaise with the lead member for Housing to establish the best way of supporting a PRS renters union within current budgetary constraints.	Ongoing
2.3.10	Develop a programme to target high risk streets and neighbourhoods with tailored inspections including the publication and promotion of initiatives.	Short term	Housing Regeneration and Public Realm - Housing Services	The Council's Lewisham Healthy Homes initiative works with local community organisations to provide practical support to households at risk of fuel poverty. In 2021 the Council purchased a licence for Parity Projects Pathways Database of enhanced Energy Performance Certificates which has allowed targeting of higher risk streets where EPCs are lower. This data was used to target a mailing to 5,000 households eligible for funding through the GLA's Warmer Homes Fund.	Ongoing
2.3.11	Develop the use of discretionary grant to support home owners. Roll out an active campaign to use this grant to improve energy standards in those properties that require it most.	2020/21	Housing Regeneration and Public Realm - Private Sector Licensing and Home Improvements	The Housing Improvements and Assistance team recognises fuel poverty contributes to social and health inequities and works to raise standards in properties where households are at risk in particular the identification of hazards which contribute to poor energy efficiency. Surveyors will carry out an assessment of heating and ventilation in properties as part of inspections of properties where applications have been made for Emergency Home Repairs Grant (EHRG) and Home Repairs Grants (HRG). Grant officers identify and eliminate Category 1 and 2 hazards most of which contribute to poor energy efficiency. The Health and Housing Coordinator who works from University Lewisham Hospital provides a referral pathway for those who attend or are admitted to hospital, suffering ill health due to a cold home. Service improvement planning is currently underway to assess what more the team can do to support the retrofit agenda across the borough.	Achieved
2.3.12	Actively participate in a pan-London 'Setting the Standard' initiative that will support inspections of the worst standard of accommodation B&Bs, working to support enforcement action taken in Lewisham and other boroughs to drive up property standards.	Short term	Housing Regeneration and Public Realm - Private Sector Licensing and Home Improvements	The Private Sector Housing team still receives reports of Cat 1 hazards identified and takes action on any that are within Lewisham. LBL currently have 90% of its providers on boarded with 4 providers still going through the on boarding process. LBL is working to support these providers in order to complete their registration and on boarding. Once on boarded LBL continues to encourage providers to upload accommodation onto the STS portal in order for them to be inspected and ensure that they meet the required property standards.	Ongoing
2.3.13	Introduce new technology and approaches to identifying cold houses, such as external surveying tools or internal monitoring equipment and including collaboration with a MHCLG funded Greenwich pilot.	Short term	Housing Regeneration and Public Realm - Housing Services	The Housing Service proposed this action in 2020 pre covid. Since then the service has built a range of partnerships with other teams and organisations to identify household with poor Energy Performance Certificates (EPC) ratings E,F or G in order to offer owners grant assistance and develop new referral pathways	Ongoing
2.3.14	Work with the GLA, London Councils and other London Boroughs to support the development of an offer to 'able to pay' home owners to increase home retrofit projects and to build trust and a joined-up approach in the supply chain to promote and respond to demand for home retrofits, such as affordable and independent whole-house audits.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Council has supported South East London Community Energy with a local street based 'able to pay' offer: Eco Street using a collective approach to retrofit assessment with the idea of developing joint purchasing as a way to reduce costs. The Council also continues to be a member of the ECO Furb project offering home owners access to independent advice on retrofit.	Ongoing
2.3.15	Explore potential for working with local community organisations to support bulk purchasing schemes that reduce the costs to homeowners of home energy improvements.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	Round 5 of Solar Together promoted in Lewisham - third highest uptake out of all London Boroughs in the 2022 round, with 216 personal recommendations accepted.	Ongoing
2.3.16	Investigate ways to ensure Lewisham grants are advertised on the government 'save energy' platform and promote the schemes available through the platform to residents.	Short term	Housing Regeneration and Public Realm - Housing Services	The Housing team continues to work closely with the Climate Resilience Team to enable Lewisham resident who qualify to benefit from housing grants to improve energy efficiency.	Ongoing
2.3.17	Apply minimum insulation and efficiency standards to works undertaken at homeowners' properties.	2020/21	Housing Regeneration and Public Realm - Housing Services	The Disabled Facilities Grant team use grant agreements to raise the thermal efficiency of properties including meeting minimum energy efficiency standards.	Achieved
2.3.18	Engage local registered social providers to encourage sharing of practice on carbon reduction and supporting all RPs to take meaningful action in relation to their stock in the borough.	2020/21	Housing Regeneration and Public Realm - Housing Services	A meeting with registered providers with local stock was held in September. The meeting was well attended and included a range of topics including the Social Housing Decarbonisation Fund. Further meetings of this forum are planned.	Achieved
2.3.19	Officers within the Private Sector Housing Agency team will use public transport for all routine inspections.	2020/21	Housing Regeneration and Public Realm - Housing Services	This action was proposed by the Private Sector Housing Agency team in 2020 pre covid. Wider plans to develop a sustainable staff travel plan are under development.	Ongoing

2.4.1	Expansion of the South London Energy Efficiency Project led by Lewisham, providing practical support to vulnerable residents in south London. Support 1,600 households in 2019/20. Seek external funding and partnerships to deliver the same in 2020/21.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Council leads the South London Energy Efficiency Partnership covering 12 South London Boroughs delivering a practical energy advice service targeted at low income and vulnerable households helping them stay warm in Winter. The advice service, South London Healthy Homes, has secured funding from a wide range of sources including the Greater London Authority, the Ofgem Redress Funds, British Gas Trust, UK Power Networks and participating boroughs. In the three years since 2019/20 the programme has supported 8,699 households across South London including 1,602 in Lewisham.	Achieved
2.4.2	Support low income and vulnerable residents in accessing external sources of funding for heating, insulation and ventilation.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Council has enabled 1,242 South London households including 226 Lewisham households access funding through the Government's Energy Company Obligation placed on energy suppliers to cover the cost of heating, insulation and ventilation improvements in low income households. The Council works with South East London Community Energy through our energy advice service Lewisham Healthy Homes to support those most vulnerable to access funding from energy suppliers, the Greater London Authority and other sources.	Ongoing
2.4.3	Undertake an assessment of the equalities implications of climate change and of the actions at national, regional and local level to reduce carbon and work with partners to find additional ways to support affected groups to mitigate the impact. Review the use of the Climate Just tool to understand the impact across different communities in the borough.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Council's declaration of a climate emergency was founded on the understanding that the climate crisis is a social justice issue. The 2022 Mayor of London's Borough of Culture programme in Lewisham has created opportunities to engage with and amplify the voices of a broad range of communities across the borough. Commissions within the BoC programme specifically seeking to explore diversity and equalities issues include the Artist of Change programme, Climate Home and Hope 4 Justice. Further work is still needed to understand and	Ongoing
2.5.1	Adopt a new Local Plan for the borough with Climate Emergency embedded within the document and development management policies supporting delivery of the ambition to be carbon neutral including achieving the London Plan policy for major developments to be zero carbon. We will seek that proposals for new self-contained major and minor residential development achieve the BRE Home Quality Mark and that proposals for major residential domestic refurbishment achieve a certified 'Excellent' rating under the BREEAM Domestic Refurbishment 2014 scheme, or future equivalent; and that proposals for new non-residential development of 500 square metres gross floor space or more, including mixed-use development, achieve an 'Excellent' rating under the BREEAM New Construction (Non-Domestic Buildings) 2018 scheme, or future equivalent. We will seek that development proposals for major non-residential refurbishment, including mixed-use development, achieve a certified 'Excellent' rating under the BREEAM Non-Domestic Refurbishment scheme, or future equivalent.	2020/21	Housing Regeneration and Public Realm - Planning	Lewisham Council consulted on a new local plan in April 2021 and a revised version was submitted to Mayor and Cabinet in September 2022 as part of the approval process. Responding to the Climate Emergency is one of 9 strategic objectives in the new Local Plan.	Ongoing
2.5.2	Monitor and report on the transition to a carbon neutral borough through implementation of the new Local Plan through the Authority Monitoring Report process to regularly assess performance against our strategic planning objectives.	2020/21	Housing Regeneration and Public Realm - Planning	The Authority Monitoring Plan continues to be an ongoing action and has included information relating to delivery of the Council's ambition for Lewisham to be net zero carbon.	Ongoing
2.5.3	Ensure that developments which cannot meet onsite carbon targets comply with policy through payment into Lewisham's carbon offset fund. The Fund will be used to drive local innovation and investment in ways that meet our objective to ensure our Climate Emergency responds to the needs of vulnerable residents. Annex B sets out further details of the approach we propose.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	Engagement with developers has continued with the aim of seeking to maximise the level of onsite delivery to meet planning policy but where this cannot be achieved the use of the Lewisham Carbon Offset Fund. Lewisham's Carbon Offset Fund has supported energy efficiency works with low income households in the borough, school retrofit works and design works for heat networks.	Ongoing
2.6.1	Work with Veolia to implement the joint memorandum of understanding agreed with the Council to deliver opportunities to utilise unused heat from the SELCHP facility to supply local homes.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	In 2020 Veolia were awarded £5.5 million Government funding to deliver a core network from South East London Combined Heat and Power facility to 3,500 homes in Convoys Wharf in Deptford. Construction of the network has been delayed by the commercial negotiations between Veolia/SELCHP and the developer. Construction is now expected to start in 2023.	Ongoing
2.6.2	Work with Lewisham Homes to evaluate the potential for connecting properties to a network supplied with heat from SELCHP.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	In May 2022 Lewisham Council completed detailed technical economic assessments of heat networks in three locations Catford, Lewisham Town Centre and north Lewisham based on the findings of a borough-wide energy masterplan published in 2020. The study in North Lewisham has found a viable connection is possible to the Veolia-led connection planned between SELCHP and Convoys Wharf. This connection could serve Eddystone and Daubney Towers where infrastructure works are already needed to replace gas connections to the towers as well as other potential public sector buildings in the location. These works would involve the removal of 300+ gas boilers and save 400tCO2 per year. Officers have secured an additional £150k funding from the GLA's Local Energy Accelerator Fund to deliver the detailed project development required.	Ongoing
2.6.3	Carry out a borough-wide energy masterplanning study to assess opportunities for clusters of heat demand and identify the potential low carbon solutions to meeting that demand. This masterplan will inform planning guidance, development of the Council's new build housing programme and refurbishment plans for the Council's existing housing. The masterplan will be completed in 2020.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	In 2020 the Council published the outcome of energy masterplanning work https://lewisham.gov.uk/-/media/files/imported/accessible-lewisham-energy-masterplan.ashx?la=en that shows the potential role heat networks could play in Catford, Lewisham and the north of the borough. A further £67k funding was secured from the Government's Heat Network Delivery Unit to undertake techno economic studies of those three areas which were completed in May 2022. The outputs from this work are now part of the evidence base in relation to planned and future developments in those areas and supporting information to access further grant funding to upgrade social housing in North Lewisham.	Achieved
2.6.4	Use new development management policies from the Local Plan and the borough-wide masterplanning to direct new connections and support viability of new heat networks.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Council consulted on a new local plan in April 2021 and a revised version was submitted to Mayor and Cabinet in September 2022 as part of the approval process. Responding to the Climate Emergency is one of 9 strategic objectives in the new Local Plan. Policies (SD4) in relation to Energy Infrastructure state that development proposals in areas where heat networks exist or have been identified as likely by energy masterplanning should connect to that network or be designed to be ready to connect. All major developments within priority areas should be designed with communal low temperature heating systems to enable such connections.	Achieved
DECARBONISED TRANSPORT					
3.1.1	Work with TfL to review the scope to realign existing regional transport targets to 2041 with the 2030 ambition to respond to the Climate Emergency. Evaluate the implications of any realignment in terms of funding, existing and planned programmes and the development of the next version of Lewisham's Local Implementation Plan.	Short term	Housing Regeneration and Public Realm - Strategic Transport	Officers continue to work with TfL to review scope and realign the targets; this will include active travel and sustainable transport. Lewisham's Local Implementation Plan prioritises support for active travel and sustainable forms of transport. It should be recognised however that it is unrealistic that TfL will change pan-London targets to suit Lewisham	Ongoing
3.2.1	Complete the Deptford Parks Liveable Neighbourhoods programme supporting healthier streets, improved air quality and support for walking and cycling. The works include a new pedestrian and cycle route along Surrey Canal Road, improvements to existing walking/cycling routes, road closures and play area outside a school and improved crossing points. The scheme is due to complete in 2021.	Short term	Housing Regeneration and Public Realm - Strategic Transport	This scheme was funded by TfL Liveable Neighbourhoods funding, a funding stream paused at the start of the pandemic and not subsequently reinstated. A small amount of funding was made available in 20/21, which was used to deliver improvements to Woodpecker Rd, the Rolt Street pedestrian and cycle zone and make the temporary closure of Scawen Rd and Prince Street permanent. LIP funding has remained below pre-pandemic levels and re-prioritisation will be required - officers continue to work with TfL to secure the funding to complete the scheme.	Ongoing
3.2.2	Implement a Healthy Neighbourhoods programme to reduce traffic congestion, improve air quality and encourage sustainable modes of travel. Proposals are informed by discussions with residents and key stakeholders living within the neighbourhood area. Areas prioritised by the current programme include Lewisham and Lee Green, East Sydenham, Telegraph Hill, and Bellingham. The intention is to implement a rolling programme across every area of the borough by 2030.	Short term	Housing Regeneration and Public Realm - Strategic Transport	Following a decision by Mayor & Cabinet in January 2022 the permanent traffic orders have been approved and work on the complementary measures is progressing, with further monitoring planned in April 2023. In December 2022 Mayor and Cabinet approved proposals for a Sustainable Transport and Parking Improvements Programme which will review controlled parking zones and parking with a view to take an area-based approach to controlling parking alongside improvements to promote walking and cycling including footway widening, trees and planting, bike hangers as well as electric vehicle charging and car clubs. Mayor and Cabinet also approved proposals to amend the Council's 2014 Parking Policy to streamline the process of implementing controlled parking zones.	Ongoing

3.2.3	Engage more schools in the STARS accreditation process by developing a School Travel Plan, with a target of 50% of primary schools participating by 2021. A range of initiatives led by the school will be developed to encourage walking and cycling to school. Implement a programme of School Streets and Play Streets outside schools, whereby the road is closed to traffic at school pick up and drop off. Offer schools support to arrange Play Street events throughout the year.	2020/21	Housing Regeneration and Public Realm - Strategic Transport	Lewisham has one of the greatest number of school streets in London with 48 school streets covering 39 schools, an increase of one school street for an additional school which will be in place by December 22. These School Streets have roads closed to traffic at school drop off and pick up times, including physical measures to discourage car use during school drop off and pick up times reducing congestion and improving air quality and road safety around the school site. Schemes have been developed for a further nine schools pending funding. The remaining school sites without restrictions are those that are more practically challenging to deliver and likely to be more costly and potentially more sensitive. For these School Zone approaches are being considered. Following a decision by M&C in January 2022 the permanent traffic orders in Lewisham's Low Traffic Neighbourhood have been approved and work on the complementary measures is progressing. Further monitoring to be undertaken in April 2023. The School Streets programme will help to increase the number of schools with a School Travel Plans. School participation in the STARS programme was affected by Covid_19, and a reduction in funding and capacity.	Ongoing
3.2.4	Deliver a programme of local transport improvements to provide a better walking environment along Lewisham High Street.	Short term	Housing Regeneration and Public Realm - Strategic Transport	Lewisham High Street is a TFL road, with Lewisham having limited influence. However, officers continue to work with TFL to develop funding opportunities to improve the walking environment	Ongoing
3.2.5	Implement a programme of local transport improvements to support and encourage cycling in the borough, including more Cycleways, cycle hangars, cycle parking, dockless bike hire scheme and the introduction of contraflow lanes to one-way routes. Consult locally on reallocating road/parking space to achieve these outcomes where there are opportunities to do so.	Short term	Housing Regeneration and Public Realm - Strategic Transport	Cycleway 4 opened in September 2022. A number of temporary modal filters were introduced across the borough to prioritise cycling during the pandemic. Subject to the outcome of consultation these may be made permanent. There is a temporary TFL scheme on the A21 which, as part of the London Street space Programme, provided cycle facilities between Catford and Lewisham on the A21. It was introduced under a TTO and in January 2022 was transitioned to an ETO. The Council continues to roll out cycle hangars across the borough, with plans for an e-bike trial across the borough in 2023.	Ongoing
3.2.6	Develop proposals for Healthy Street corridors to secure additional funding to implement: The Lewisham Spine/A21 Healthy Streets corridor working collaboratively with TFL to support better connections between the south and north of the borough. The proposals also include a major public realm improvement scheme at Deptford's Church Street. Work in partnership with TFL to transform the A2/New Cross Road, including improvements to the pedestrian and cycling environment, without detriment to bus journey times, and rebalance the dominance of vehicles. Improvements to public realm in the Ringway Corridor to provide better active travel and public transport links through reallocation of road space between Southend Lane and Whitefoot Lane.	Long term	Housing Regeneration and Public Realm - Strategic Transport	This work is still pending confirmation of funding and report on the feasibility of the Deptford Church Street cycle route.	Ongoing
3.2.7	Reflect the Council's transport and public realm aspirations in the emerging masterplan for Catford, including the realignment of the South Circular (A205), and better pedestrian and cycling routes and facilities.	Short term	Housing Regeneration and Public Realm - Inclusive Regeneration	The Catford Town Centre Framework was adopted in July 2021 and forms part of the evidence base for the council's Regulation 19 Local Plan.	Achieved
3.2.8	Deliver a programme of measures to reduce road danger including traffic calming measures to support compliance with the 20 mph speed limit across the borough and other measures to reduce the dominance, speed and number of the most dangerous vehicles on the borough's roads.	Short term	Housing Regeneration and Public Realm - Strategic Transport	The Council remains committed to supporting the Vision Zero principles and are actively working on 20mph speed compliance monitoring and implementation of small schemes to address the areas of noncompliance, working in tandem with the Police and Road Safety Partnership. Speeding remains a criminal offence and consequently is enforced by the Police	Ongoing
3.2.9	Extend the programme to promote healthier lifestyles and active travel options in the borough, including cycle training for adults and children, cycle loan scheme, travel planning for schools, activities with communities to encourage walking and cycling and address real or perceived barriers to the take-up of active travel in the borough.	Short term	Housing Regeneration and Public Realm - Strategic Transport	Funding to deliver cycle training for both schools and adults was withdrawn by TFL from June to October 2022. TFL have now confirmed a limited amount of funding to allow some School Courses and adult training to restart in October 2022. Numbers will be significantly lower than pre pandemic data. Try Before you Bike has been introduced to Lewisham offering a variety of bikes on loan, this includes E bikes, Cargo Bikes, Children's bikes and Adapted bikes as well as standard adult bikes	Ongoing
3.2.10	Explore opportunities and seek funding to improve cycling provision on other distributor routes (approx. £500k-1m per corridor depending on length and types of measures required)	Medium term	Housing Regeneration and Public Realm - Strategic Transport	The Transport and Highways team is reviewing the borough's cycling strategy, which will seek to support commitments to promote cycling as a preferred mode of travel for shorter journeys and development of a network of cycle routes connecting our town centres and other places of interest. The strategy will help better support bids for future funding.	Ongoing
3.3.1	Progress aspirations in the Council's Vision for Rail including : Providing sufficient capacity between the borough and east London employment areas; Increase rail access to and from Lewisham's growth areas; Improve rail connectivity and services, especially east-west links in the south of the borough; Enhance the quality of stations and provide step-free access at all stations in the borough; Improve the connectivity between stations and their local area.	Long term	Housing Regeneration and Public Realm - Strategic Transport	Lewisham does not run these services and can at best try to influence them. The Council will continue to work with partners, stakeholders, Tfl and train operators to deliver the Vision for Rail. Key to this vision is the extension of the Bakerloo Line. This is subject to external funding, TFL approval and rail operators involvement - given the current financial situation large projects like these where strategy, funding and implementation lay outside the sphere of LBL's influence may not be delivered.	Ongoing
3.3.2	Work with partners locally, regionally and nationally to secure the investment needed to implement the Bakerloo Line Extension into Lewisham. Achieving this will be of huge strategic importance to achieving decarbonised transport in the borough.	Long term	Housing Regeneration and Public Realm - Strategic Transport	Tfl have put this on hold pending funding - the Council continues to lobby for this scheme to be prioritised.	Ongoing
3.3.3	Work with partners to secure the other infrastructure investment fundamental to achieving the outcomes of the Mayor's Transport Strategy and the Council's ambition to be carbon neutral by 2030 as set out in the 'Council's Rail Vision' including Lewisham Station & Strategic Interchange, Brockley Interchange, New Bermondsey Station, and the creation of step free and accessible public transport across the network.	Long term	Housing Regeneration and Public Realm - Strategic Transport	The Council continues to work collaboratively with partners to pursue Lewisham's objectives - funding for any improvements in rail is extremely challenging in the current financial climate.	Ongoing
3.3.4	Work with TFL to secure improvements to the reach and frequency of the bus network alongside improvements to bus journey times.	Long term	Housing Regeneration and Public Realm - Strategic Transport	TFL's bus passenger numbers are about 70% of pre-covid levels which is affecting income, the Council continues to work collaboratively with TFL to pursue Lewisham's objectives.	Ongoing
3.4.1	Work with partners to achieve an ambition of at least one electric vehicle charging point within a 500m walk of every resident, to support the extension of the ULEZ by 2021.	Short term	Housing Regeneration and Public Realm - Strategic Transport	There are currently 153 electric vehicle charging points across the borough. The Council is refreshing its strategic approach to electric vehicles and will continue to seek additional funding to continue to increase availability of chargers to residents. Plans to increase controlled parking approved at Mayor and Cabinet in December will be expected to create additional opportunities for charging points.	Ongoing
3.4.2	Work with TFL to bring more low emission buses into Lewisham, enabling the target for all new single deck buses to be zero emission	2020/21	Housing Regeneration and Public Realm - Strategic Transport	Awaiting TFL's response with their progression - officers are seeking updates on their plans; which is dependent on TFL funding.	Ongoing

3.4.3	Implement the Council's 2020 Parking Policy Update, including an emissions-based charging scheme for residents, business and staff permit holders, and an increase in the Pay and Display tariff.	Short term	Housing Regeneration and Public Realm - Strategic Transport	Completed.	Achieved
3.4.4	Review the Council's Controlled Parking Zone (CPZ) policy to support alignment of strategic decisions on parking with delivery of the Healthier Neighbourhoods Programme.	Short term	Housing Regeneration and Public Realm - Strategic Transport	In December 2022 Mayor and Cabinet approved proposals for a Sustainable Transport and Parking Improvements Programme which will review controlled parking zones and parking with a view to take an area-based approach to controlling parking alongside improvements to promote walking and cycling including footway widening, trees and planting, bike hangers as well as electric vehicle charging and car clubs. Mayor and Cabinet also approved proposals to amend the Council's 2014 Parking Policy to streamline the process of implementing controlled parking zones.	Ongoing
3.4.5	Develop more radical approaches to workplace parking levies supported by travel planning, with LBL leading by example as well as retail/leisure centre parking levy. Review potential for all money raised to be reinvested into transport improvements.	Short term	Housing Regeneration and Public Realm - Strategic Transport	This has not progressed and is not feasible in the current climate. Instead the council is rolling out a programme of new controlled parking zones and reviewing existing CPZs to affect travel behaviour (see 3.4.4).	Not achieved
3.4.6	Support a modal shift away from individual car ownership through the creation of a new floating car club permit for operators which seeks to expand provision and availability of car club vehicles across the borough.	Short term	Housing Regeneration and Public Realm - Strategic Transport	Officers continue to work with car club operators across the borough to increase the number of residents using car clubs instead of private vehicles.	Ongoing
3.4.7	Commence implementation of powers to enforce against idling vehicles. This will be supported by ongoing campaign work on this issue, including working closely with schools, which will be a priority area for enforcement.	2020/21	Housing Regeneration and Public Realm - Environmental Health	The Council is installing anti-idling signage near local schools across the borough with 75 schools scheduled to be covered by the end of 2022 and local campaigns encouraging drivers to comply. In 2019 the Council introduced an £80 fine for engine idling. The Council's 2022-27 Air Quality Action Plan was approved by cabinet in July 2022 and also includes measures to deal with vehicle idling including a School Air Quality Action Plan. Officers are working with local head teachers and parents to reduce air pollution around schools with workshops on air quality and idling planned working with Air Quality Champions. These volunteers are promoting the key message of anti-idling and helping run anti-idling events at schools.	Achieved
GREEN ADAPTIVE LEWISHAM					
4.1.1	Use an evidenced-based approach to increasing tree stocks, tree canopy and linear metres of hedgerow. Explore 'self-funding' models proposed by local community organisations. We will work with local community organisations to develop the concept of a new Lewisham Climate Emergency Tree initiative. We will carry out a scoping exercise in partnership with the Healthier Neighbourhoods programme to identify new potential locations for trees and to identify the right kind of tree for the right location seeking to increase street tree canopy cover in areas with a deficiency of street trees. We will advise developers on the right kind of trees for new developments to maximise the ecological and adaptive benefits.	2020/21	Community Services - Parks Sports and Leisure	Between June 2021 and June 2022: Parks trees: 790 whips planted; 174 standard trees planted 294 standard street trees planted in partnership with Street Trees for Living. This partnership means the Council's street trees have an excellent survival rate of 98%, significantly higher than the industry standard of 70%. This autumn/winter the Council plans to plant circa 550 trees. Hedgerow: 57 linear metres @ Brookmill, Ladywell, Horniman Triangle and River Pool Linear Park A project identifying vacant tree pits where new street trees can be planted is ongoing.	Ongoing
4.1.2	Review Lewisham's Flood Risk Management Strategy to promote sustainable drainage solutions including new flood storage areas in green spaces, flood risk mitigation interventions at areas at high risk and development of tree pits and other storage solutions for surface water flooding.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	Mayor and Cabinet approved a new Flood Risk Management Strategy for the borough in September 2022. Longstanding plans to increase flood storage at Beckenham Place Park will make a significant difference to river and surface water flood risk across the length of the borough and the Beckenham Place Park flood alleviation scheme now has planning permission and has secured £1.2m of funding from the Environment Agency to deliver flood mitigation works. The scheme will project over 800 properties from fluvial flooding.	Achieved
4.1.3	Develop highways-based Sustainable Urban Drainage solutions to reduce the risk of surface water flooding reduce pressures on highways drainage.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	Mayor and Cabinet approved a new Flood Risk Management Strategy for the borough in September 2022. The Strategy set out a strategic vision for flood risk management which includes slowing down and using water as a valuable resource. Sustainable drainage projects are a key part of the strategy's approach to achieving this Recent schemes delivered in public realm include: Baring Road SuDS Tree Pits - 406m2, Holbeach Road Rain Gardens - 264m2. Total area of hardstanding disconnected = 670m2 SuDS schemes programmed in and partially funded: Coulgate Street Pocket Park, Old Bromley Road Blue Green Link, Raffern Primary, Dalmain Primary, John Stainer Primary, Deptford Park Primary - totalling hardstanding areas of 7900m2	Ongoing
4.1.4	Refuse requests for installation of crossovers on the footway to accommodate parking on new front driveways unless there is evidence that planning consent is obtained and the driveway is permeable and/or drainage discharges to a soft landscaped area.	2020/21	Housing Regeneration and Public Realm - Planning	Mayor and Cabinet approved a new Flood Risk Management Strategy for the borough in September 2022. Action 4.02 in the Flood Strategy commits to providing guidance for homeowners to help them de-pave front gardens as well as on creating sustainable drainage features. Officers will use the Council's website as part of this work. Further outreach work with residents to encourage action on flood risk is also happening as part of the Borough of Culture 'In Living Memory' programme drawing on the borough's experiences of the 1968 floods.	Ongoing
4.1.5	Where appropriate and safe to do so, reduce the amount of waste transported to recycling centres by managing waste in the park it was generated in e.g. use dead leaves as mulch on shrub beds.	2020/21	Community Services - Parks Sports and Leisure	The use of a shredder and shredded material as part of the horticultural shrub process is scheduled to be trialled. 186 tonnes was removed from June 21- March 22 10 tonnes composted	Ongoing
4.1.6	Work with local user groups to support the implementation of projects designed to benefit locally appropriate biodiversity and engagement.	2020/21	Community Services - Parks Sports and Leisure	The Lewisham Biodiversity Partnership (including the Nature Conservation Team) ran 614 events engaging 3,759 people in 2021-22. Members of the partnership installed 2 bat boxes, 33 bird boxes, 11 loggeries and conducted 214 surveys (e.g. bird, butterfly, plant)	Ongoing
4.1.7	Develop an integrated approach to green infrastructure across the public realm across our work on parks, highways, regeneration, housing and through our planning function.	Short term	Community Services - Parks Sports and Leisure	The Council's new Parks and Open Spaces Strategy agreed was agreed by Mayor and Cabinet in June 2020. The new draft Local Plan incorporates robust policies on Green Infrastructure recognising its contribution to tackling climate change. The Council seeks to take a collaborative cross service approach to promoting and investing in green infrastructure bringing together Planning, Highways and the Green Scene/Parks teams to develop and fund neighbourhood projects such as the greening fund and additional street tree planting through Street Trees for Living.	Ongoing
4.1.8	Review and develop the Council's response to prolonged period of high temperatures to inform and support the Council's emergency response process. This will include 'cool' refuges in public buildings, identifying at risk groups and implications for relevant service teams.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Council contributed to a London-wide mapping exercise to identify suitable locations for public refuge during prolonged hot weather and have also participated in the London wide Climate Vulnerability Mapping work. The Council's Resilience Team has provided training and support for staff on hot weather impacts to improve forward planning and business continuity during extreme temperatures. This work was tested fully in Summer 2022.	Ongoing
4.1.9	Adopt a new Local Plan that will seek to ensure that all development proposals identify and retain existing habitats and features of biodiversity value. Use the new Local Plan to drive positive gains for biodiversity, particularly in areas that are deficient in public access to nature conservation.	2020/21	Housing Regeneration and Public Realm - Planning	Lewisham Council consulted on a new local plan in April 2021 and a revised version was submitted to Mayor and Cabinet in September 2022 as part of the approval process. Responding to the Climate Emergency is one of 9 strategic objectives in the new Local Plan which incorporates robust policies on Green Infrastructure and biodiversity.	Ongoing

4.2.1	Introduce the Clean Air Neighbourhoods where communities can cooperate in measures that will reduce carbon with the aim of being an approved 'Clean Air Neighbourhood', allowing them to influence future development and businesses into their area.	Short term	Housing Regeneration and Public Realm - Environmental Health	Lewisham has one of the greatest number of school streets in London with 48 school streets covering 39 schools, an increase of one school street for an additional school which will be in place by December 22. These School Streets have roads closed to traffic at school drop off and pick up times, including physical measures to discourage car use during school drop off and pick up times reducing congestion and improving air quality and road safety around the school site. Schemes have been developed for a further nine schools pending funding. The remaining school sites without restrictions are those that are more practically challenging to deliver and likely to be more costly and potentially more sensitive. For these School Zone approaches are being considered. Following a decision by M&C in January 2022 the permanent traffic orders in Lewisham's Low Traffic Neighbourhood have been approved and work on the complementary measures is progressing. Further monitoring to be undertaken in April 2023.	Ongoing
4.2.2	Develop joint public engagement on air quality and climate change to raise awareness and create additional impetus for action.	2020/21	Chief Executive's Directorate - Communications	The Council has promoted a wide range of initiatives that deliver air quality and carbon reduction benefits including cycling, anti-idling and on green infrastructure. Lewisham's programme as London Borough of Culture in 2022 has also included high profile commissions engaging with the issues of climate change, air quality and the links between environmental and social justice. This has included 'Breathe 22', Climate Home, Lewisham Speaks, Hope 4 Justice, The Gretchen Question and a number of small locally based initiatives funded through the Borough of Culture small grants programme. Air Quality work has been promoted with schools via the schools portal and Schools Climate Network. Lewisham is increasing and updating our current monitoring sites across the borough, there are 5 real time air quality monitoring sites and in addition monitoring of NO2 is undertaken by 141 diffusion tubes, at strategic locations including those in the most sensitive areas. In addition 11 Breathe London sensors are being developed/progressed as part of the Bell Green Air Quality Project.	Ongoing
4.2.3	Consider future alternative permitting arrangements for ice cream vans for example only permitting electric ice cream vans from trading on Lewisham land but also investigate more radical solutions such as avoiding vehicles altogether creating opportunities for local mobile vendors using carts instead of a vehicle.	2020/21	Community Services - Parks Sports and Leisure	Current concessions – are at Deptford/Blackheath/Hilly Fields/Mayow implementation of this action has been delayed due to the uncertainty about the future of the current grounds maintenance contract and issue around return on investment. All ice cream concessions in parks are not permitted to idle. Quotes have been received for electric installation and the prices are dependent on location but range £500 -1,500 + VAT.	Ongoing
4.3.1	Investigate the possibility of opening a re-use shop within the borough. A full project plan will be created with an aim to divert waste from incineration or recycling and encourage the reuse of items as directed by the waste hierarchy.	Short term	Housing Regeneration and Public Realm - Street and Environmental Services	Investigations to seek suitable premises or alternatives such as virtual re-use shop are ongoing.	Ongoing
4.3.2	Identify and develop proposals to make Lewisham's Reduction and Recycling Strategy a fully carbon neutral strategy on waste.	Short term	Housing Regeneration and Public Realm - Street and Environmental Services	Lewisham's Waste Strategy contributes to achieving the ambition for the borough to be net zero carbon through waste reduction, reuse and recycling using the waste hierarchy as the principle driver. Education and engagement is key to help people re think the use of resources. A Waste Strategy Communications Plan will help raise awareness and engagement across the borough on actions to reduce consumption and waste. Lewisham already achieves zero waste to landfill and has achieved annual reductions in waste per household each year. The Strategy includes new planned initiatives on textiles, plastics and food, three of the most carbon intense and environmentally damaging materials. Food waste collections have been trialled in 2022 in 2 primary schools with roll out to all Lewisham Schools planned before the end of the financial year. Testing of food waste in flats is currently happening and following this trial will be extended in 23/24.	Ongoing
INSPIRING LEARNING AND LOBBYING					
5.1.1	Implement an integrated communications plan, reviewed and updated on a rolling basis. The Lewisham Climate Emergency Working Group and staff forum will support this work by identifying gaps and opportunities for developing further initiatives.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	A Climate Emergency Communications Plan was produced in October 2021 and updated in June 2022. The Council has established a resident contact group and promoted the Council's work and wider issues to residents through regular mailings as well as through Lewisham Life, the Council website and social media channels. An internal working group 'Inspiring Learning Lobbying' has met quarterly to bring together different service areas involved in communications and engagement activities in different ways. This includes: Communications, the Climate Resilience Team, Libraries, Young Mayor's Team, Community Development and CYP. Targets within the Communications Plan include <ul style="list-style-type: none"> +10% clicks on climate webpage, +10% increase in visits to Try Before You Bike webpage +10% increase in sign-ups to our Climate Emergency Action Plan newsletter 	Ongoing
5.1.2	Identify and implement opportunities to engage, inspire and learn from groups reflecting the diversity of our borough in terms of age, ethnicity and socio-economic background.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham's London Borough of Culture Year 2022 has had a strong focus on diversity and climate with a wide range of commissions and events celebrating diversity across the borough and using this as a lens to explore wider issues around climate change. Over 200,000 people attended Borough of Culture events in Lewisham, in a survey 83% agreed with the statement "it is important for Lewisham and its people to respond to the climate crisis". In 2022 the Council launched a "Talking My Language" campaign specific aimed at engaging with residents and communities with knowledge of other languages.	Achieved
5.1.3	Publish a practical guide to action on carbon reduction for residents.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	A Residents' Guide to action on the climate crisis was published in 2021 and updated in 2022. https://lewisham.gov.uk/myservices/environment/resident-guide A guide to retrofit was published in December 2022. https://lewisham.gov.uk/myservices/environment/climate-emergency/improving-the-energy-efficiency-of-your-home	Achieved
5.1.4	Develop the proposals within Lewisham's Borough of Culture programme to create new innovative ways to engage with residents on climate change through culture and collective action. Our plan is that 2021 becomes a year of concerted action on carbon reduction across Lewisham.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	Lewisham Speaks was the result of a 6-month artists' residency within the Climate Resilience Team at Lewisham Council in 2022 which also included a borough-wide programme of engagement with residents and community organisations in each of Lewisham's 19 wards. The result of this immersive activity was a show that in Summer 2022 was performed twice in each ward, given a Council-specific performance and was part of Lewisham's People's Day 2022. Lewisham Speaks engaged with over 5,000 residents and, alongside the show itself created a map with content from people interacting with performances and a manifesto based on the views of people from across the borough. The materials from the show are now available to Lewisham Schools to perform and a video has been created highlighting the process, reactions from residents and the performance itself. This video will be included with the Council's new Climate Literacy Training for staff launching early in 2023.	Achieved
5.1.5	Work with Lewisham's Young Mayor to support and grow existing action by young people in the borough on climate change. Work to ensure the views of young people are integrated within the Council's approach to action on climate change.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	The Young Mayor's Team has participated in the Borough of Culture Climate Home commission. The Climate Resilience and Young Mayor's team have worked closely on Lewisham's Schools Network, and the Climate Resilience team also presented at a Young Mayor's session in June 2022. The Young Mayor's team participated in a recent Lewisham Pupils Climate Network event in July 2022.	Achieved
5.1.6	Undertake a survey to inform the Council's understanding of residents' attitudes to climate change, priorities for action and further develop the Council's lobbying of Government and others.	2020/21	Housing Regeneration and Public Realm - Inclusive Regeneration	The Council's Resident Survey in Autumn 2021 asked respondents to identify the organisation with most responsibility for climate change. Most people (77%) gave the view that everyone shares responsibility for tackling climate change. The next highest was central government (16%). Other responses included: Local Government (2%), Private Sector (2%), Individuals (2%) and the London Mayor (1%). Although not a formal survey the Lewisham Speaks Artist of Change programme collected a huge amount of anecdotal evidence from across the borough on residents' attitudes and priorities on climate change.	Achieved
5.2.1	Complete grant agreements under the Lewisham Community Energy Fund and publicise delivery showcasing good practice and finding opportunities to share learning.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	£100k of grant agreements were completed in 2021. Delivered projects include a holistic assessment of how to make St Winnifred's School carbon neutral, LED lighting, solar and other projects on community buildings and schools.	Achieved

5.2.2	Work with community partners to develop further funding opportunities to support local community energy projects.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	The May 2022 Lewisham Labour Manifesto included a commitment to 'Work with community energy groups to help people insulate their homes with targeted grants aimed to reduce energy usage and bills'. Plans for a further round of Lewisham's Community Energy Fund are being developed to support delivery of this.	Ongoing
5.3.1	Establish a Lewisham Climate Commitment supported by local partner organisations to agree a common purpose, promote joint working and improve transparency on carbon emissions across key organisations in the borough.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	In June 2021 a new Climate Subgroup of the Lewisham Deal was set up involving the Council, Goldsmiths University of London, Lewisham Hospital, Phoenix Community Housing, Lewisham College and Lewisham Homes. The group has agreed Terms of Reference aimed at promoting joint working across these key organisations in the borough with a focus on supporting jobs and skills in retrofit, transparency in carbon reporting and opportunities for joint working on engagement and communications. The Lewisham Deal Subgroup has now been integrated into new structures being set up for the Local Strategic Partnership.	Ongoing
5.3.2	Work with London Councils, the GLA and other London boroughs to develop and present a coherent case for change at national level to deliver the investment, legislation, fiscal incentives and leadership needed to respond to the climate crisis.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	The lobbying points within Lewisham's Climate Emergency Action Plan were provided to London Councils and informed a set of London lobbying points that have been used in the build up to COP26 and other policy work. The London Council's London Environment Directors Network is coordinating cross borough working and Lewisham has participated in a number of thematic groups identifying pan London good practice and solutions to delivering on Climate Emergency ambitions. The Council's Cabinet Lead attends London Councils' TEC, LGA and UK100 events to share knowledge and lobby central government for increases in funding and the levers needed by local government to tackle the climate crisis.	Ongoing
5.3.3	Work with local education and skills providers and with local businesses to develop the supply chain for building retrofit and carbon reduction technologies. Support local people to gaining the accredited skills needed to gain employment and ensure Lewisham's economy benefits from growth in the carbon reduction sector. Integrate energy, carbon and climate activity into Lewisham's Inclusion and Growth Strategy.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	The tri-borough LSBU Green Skills Hub, in which Lewisham Council is a strategic partner, was launched in May 2022 bringing together a network of local colleges including Lewisham College, and a network of local employers in green sectors, to work together to develop the local green skills offer. Lewisham Council along with neighbouring Southwark and Lambeth, have appointed a shared strategy officer post focusing on retrofit skills development, and since November 2021, the officer has worked with the tri-borough Councils collectively and individually, between the skills, local economy, sustainability, and assets/housing teams, and with the recently launched tri-borough LSBU Green Skills Hub. The work has built up a shared understanding of the green skills needs and projections, and has resulted in a series of project proposals to develop local retrofit and low carbon heat and energy skills, grow the local economy in these sectors, create opportunities for residents, and ensure the Boroughs can meet their Climate Action Plan targets in these areas. Successes from the Tri Borough work include: <ul style="list-style-type: none"> •2.75M DfE Strategic Development Fund funding until March 2023 (outcomes to 2025) for facilities, capacity building and curriculum development in Low carbon heat and energy, and retrofit sectors across Central London Sub-region •500K ESF-funded 'Retrofit Revolution Project' at LSBU for 250 unemployed South London residents Current projects include contractor Support with PAS 2030 and Trustmark registration, green skills showcase resources for schools and career advisors, retrofit-focused shared apprenticeship scheme, a Retrofit insulation Centre of Excellence, and a set of bespoke retrofit and low carbon energy Social Value Asks for inclusion across decarbonization contracts.	Ongoing
5.3.4	Work in partnership with neighbouring boroughs on flooding, and green linkages to address sub regional environmental issues.	Short term	Housing Regeneration and Public Realm - Climate Resilience Team	As Lead Local Flood Authority Lewisham works closely with neighbouring boroughs, the Environment Agency, Thames Water and London Councils on sub regional flooding and environmental issues.	Ongoing
5.3.5	Create a public sector network in the borough to share good practice and support on carbon reduction.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	In June 2021 a new Climate Subgroup of the Lewisham Deal was set up involving the Council, Goldsmiths University of London, Lewisham Hospital, Phoenix Community Housing, Lewisham College and Lewisham Homes. The group has agreed Terms of Reference aimed at promoting joint working across these key organisations in the borough with a focus on supporting jobs and skills in retrofit, transparency in carbon reporting and opportunities for joint working on engagement and communications. The Lewisham Deal Subgroup will integrate into new structures being set up for the Local Strategic Partnership.	Achieved
5.3.6	Publish a practical guide to action on carbon reduction for local businesses.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	A business guide to action on climate change has been drafted. It is currently going through a design process and is expected to be published by the end of 2022.	Ongoing
5.4.1	Create a lessons-learned log from day one of delivering the Action Plan to capture new ideas, contacts, improvements and changes that are needed to try and keep Lewisham engaged and active at the forefront of action on the Climate Emergency.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	This has been done.	Achieved
5.4.2	Commit to an annual public review of our Climate Emergency work to be held on or near the anniversary of the original declaration of a Climate Emergency (27 February 2019)	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	Updates on Lewisham's Climate Emergency Action Plan have been reviewed by Mayor and Cabinet each March since publication. Climate Emergency has also been an agenda item at the Sustainable Development Select Committee, and in November 2021 an in-depth session by Overview and Scrutiny Committee. The Housing Retrofit Task & Finish scrutiny group was established in 2021 and reported its recommendations in March 2022.	Achieved
5.5.1	Lewisham's Mayor to write to London Councils and the GLA to set out the Council's full set of lobbying points and seek wider support.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	The lobbying points within Lewisham's Climate Emergency Action Plan were provided to London Councils and informed a set of London lobbying points that have been used in the build up to COP26 and other policy work.	Achieved
5.5.2	Officers to support a pan-London approach to lobbying through London Councils, the Association of Local Energy Officers in London and through other fora.	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	The London Council's London Environment Directors Network is coordinating cross borough working and Lewisham has participated in a number of thematic groups identifying pan London good practice and solutions to delivering on Climate Emergency ambitions. In 2022 this included lobbying for additional powers on 20mph, for the Government to adopt WHO AQ targets, for additional support on energy bills for community sector organisations, for additional requirements on energy efficiency for home-owners refurbishing part of a property. The Council also submitted a response to the Government's call for evidence on the Net Zero Carbon review in October 2022 calling, among others things for more clarity on the role of local authorities in delivering net zero and a need for realism and long term thinking about how current grant funding regimes work.	Ongoing
5.5.3	Seek to agree a joint statement with local MPs, Climate Action Lewisham, Extinction Rebellion and other local lobbying environmental groups to the UK Prime Minister setting out our call for action and seeking to influence 26th UN Climate Change Conference of the Parties (COP26).	2020/21	Housing Regeneration and Public Realm - Climate Resilience Team	The lobbying points within Lewisham's Climate Emergency Action Plan were provided to London Councils and informed a set of London lobbying points that have been used in the build up to COP26 and other policy work.	Achieved



Housing Select Committee

Report title: Update on Supported Exempt Accommodation

Date: 5th January 2023

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Fenella Beckman (Director of Housing Services), Kenneth Gregory (Director of Adults Integrated Commissioning), Maxine Gordon (Director of Resident and Business Services), Emma Talbot (Director of Planning)

Outline and recommendations

The purpose of this report is to provide members with an overview of the current position of the council in responding to the issue Supported Exempt Accommodation.

As background to this item, we are attaching a new report and recommendations to government from the Levelling Up, Housing and Communities Committee (LUHC) in Appendix A.

1. Summary

1.1 This paper provides an overview of the current activity of the council in responding to Supported Exempt Accommodation.

2. Recommendations

- Note the findings of the Levelling Up, Housing and Communities report and recommendations to government on Exempt Accommodation;
- Note the current activity of the council in managing Supported Exempt Accommodation in the borough.

3. Policy context

3.1 The Supported Exempt Accommodation programme supports the aims and objectives the councils Corporate Strategy:

- Quality Housing - to provide as many people as possible with safe, comfortable accommodation that they can be proud of and happy living in, and holding landlords to account.

3.2 The contents of this report support the achievement of the following Housing Strategy 2020-26 objectives:

- Preventing Homelessness and meeting housing need

4. Background and context

4.1 Exempt accommodation is a category of supported housing that is exempt from locally set caps on housing benefit. Supported housing encompasses a wide range of housing that combines housing with support for people with different needs, such as older people, people with disabilities, and people with complex needs. Exempt accommodation is exempt from housing benefit regulations that limit local housing allowance levels. This means Housing Benefit, which is paid by the Department for Work and Pensions and is administered by the local council, may cover the full amount of rent charged by providers.

4.2 The reason for this exemption is that these housing costs more to run than general needs tenancies, for example having higher costs for administration, insurance, and repairs and maintenance, as well as the cost of providing the support. Qualifying providers can therefore receive housing benefit payments often far in excess of Local Housing Allowance Rates or social sector 'general needs' rents.

4.3 Exempt accommodation in England can be provided by a non-metropolitan county council, unitary council, housing association, registered charity or voluntary organisation. To qualify for exempt status, providers must show that they have not-for-profit status and that they are providing care, support, or supervision. Providers can be commissioned by a council, or in some cases by the NHS or another statutory body, and there are also non-commissioned providers. Some providers are registered with the Regulator of Social Housing, though this is not mandatory except for local authorities. Some providers own their properties, while others lease them from landlords or companies.

4.4 Exempt supported accommodation is generally transitional in nature and occupied by a wide cross section of vulnerable citizens; many with multiple or complex care and support needs. Many people who live in exempt accommodation have experienced or are currently

dealing with challenges that mean they have few alternative housing options. Residents include refugees, care leavers, people with disabilities and those who have formerly been homeless, had alcohol and drug addictions, been recently released from prison, or been a victim of crime such as domestic abuse or modern slavery. There are significant variations in the amount and standard of care provided within the exempt sector.

4.5 Referrals into these schemes can come from a range of places. Some people are referred into exempt accommodation by NHS services or from prisons and this does not always follow a set standard process. Alternatively, residents can self-refer, often by responding to advertisements online. As a result, different providers and referring agencies vary in their assessment of the prospective resident's needs. This is in contrast to accommodation funded by the local authority where referrals follow a set standard process and criteria.

4.6 The 'exempt system' is currently under regulated and in recent years there have been growing concerns from regulators, providers and councils. There have been concerns about the quality of provision, including bad quality accommodation and a lack of support; the growth in exempt accommodation in certain areas and its impact on local communities; a lack of regulation; the governance of providers; and the exploitation of the system by unscrupulous landlords to profit from their operations.

4.7 Registered Providers providing Supported Exempt Accommodation are exempt from mandatory, selective or additional licensing and Houses of Multiple Occupation (HMO) management regulations (though non-registered providers are not) and the type of support provided, unless commissioned, has no minimum standards set or monitoring systems required. Furthermore, Exempt accommodation where 6 people or less are living together with an element of care provided is classified as a single household in planning terms. This means that planning legislation does not recognise that there is a difference between a family home and exempt accommodation, and that Article 4 Directions do not apply and cannot be used to control this use. This means that for providers that are not commissioned directly by the council, local authorities have few regulatory powers or resources. This is in contrast to services commissioned directly by local authorities.

5. National Policy Context / Parliamentary action to date

5.1 In October 2020, the Government published *Supported housing: national statement of expectations* setting out a vision for the planning, commissioning and delivery of supported housing. Between September 2020 and October 2021, the Government conducted pilots across five councils to test enforcement measures to improve quality and value for money in supported housing, and published its evaluation report in April 2022.

5.2 In December 2021 the Levelling Up, Housing and Communities Committee (LUHC) opened an inquiry to obtain more information about exempt accommodation. The findings of the Committee's inquiry can be found on in the attached report in Appendix A.

5.3 In June 2022 Bob Blackman MP introduced the Supported Housing (Regulatory Oversight) Bill on 15 June 2022. The bill and its explanatory notes were published on 14 November 2022 (Appendix B). The bill would:

- require local authorities in England to review supported housing in their areas and develop strategies;
- provide for the creation of a national expert advisory panel to advise on matters related to supported housing;
- give the Secretary of State power to introduce national support standards;

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- give local authorities power to create local licensing schemes for exempt accommodation; and
- give the Secretary of State an option to introduce a new planning Use-Class for exempt accommodation.

5.4 In July 2022, the Government published the prospectus for its £20 million Supported Housing Improvement Programme, which invites councils to bid for funding to directly target local quality issues in Supported Exempt Accommodation in their area.

6. Exempt Accommodation in Lewisham

6.1 Lewisham has a large amount of Supported Exempt Accommodation. Last year the council received 2,042 active claims for exempt accommodation. This is divided into three sets of supported housing:

	Type of accommodation	Number (at September 2022)
1	Funded by Lewisham Council	525
2	Recognised by Lewisham Council and funded by Housing Benefit	495
3	Funded by Housing Benefit without consulting the Council	1,022

Schemes funded by Lewisham Council

6.2 The council currently commission 525 units of supported housing schemes, amongst other services. As the provision is commissioned by the council, Lewisham council is responsible for monitoring delivery and ensuring these schemes meet contractual requirements.

6.3 There is a need for supported Housing beyond the capacity of our commissioned provision. Of the 525 placements funded by the council, there is currently a waiting list of 82 people.

Schemes recognised by Lewisham Council and funded by Housing Benefit

6.4 These schemes seek to provide similar services to those commissioned by the council, however funded not through council commissioning but through rental income, generally through high levels of Housing Benefit charges and personal service charges to individuals. The Council has no contractual levers to manage these providers, however we are responsible for determining whether or not these providers meet the qualifying criteria to be considered as an 'exempt' provider.

6.5 There is a need for supported Housing beyond the capacity of our commissioned provision, so the integrated commissioning team do work with some of the larger providers and partners such as the mental health trust. Where these providers want to improve quality we provide advice and guidance on best practice and quality and assurance approaches. However, without further funding or powers from central government, the council does not have the resource to assess or enforce compliance against this.

Schemes funded by Housing Benefit without consulting the Council

6.6 There are also many other providers approaching our Housing Benefit colleagues, which currently has no quality control beyond Housing Benefit. This sector is increasing and

since 2021 there have been 9 new organisations making exempt housing benefit applications.

- 6.7 Over the last two years we have completed two audits of providers within the borough to assess the standard of accommodation and support provided. Both audits showed poor quality accommodation, buildings and facilities which would be unacceptable for a commissioned service. Beyond determining whether or not these providers meet the qualifying criteria to be considered as an 'exempt' provider, the Council has no contractual levers to manage these providers.

7. Proposed next steps

- 7.1 For providers that are not commissioned directly by the council, the council has few regulatory powers or resources. In July 2022, the Government published the prospectus for its £20 million Supported Housing Improvement Programme, which invites councils to bid for funding to directly target local quality issues in Supported Exempt Accommodation in their area. Lewisham submitted a bid for £846,000 to deliver a multi-disciplinary project team aimed at delivering improved joint responses. This included funding for 4 members of staff from the following services:
- **Housing Benefit** – The Housing Benefit process claims for supported exempt status. This officer would provide intelligence to the wider project team about current and new Supported Exempt Accommodation Claims, and ensuring standards are in line with benefit regulations.
 - **Housing Enforcement** – The housing enforcement team are responsible for taking action against substandard housing and utilising legal enforcement for improvements where possible. This officer would be responsible for auditing the property standards, inspecting properties flagged by the group and identify where actions can be taken against substandard housing.
 - **Supported Housing Commissioning** – The integrated commissioning team contract manage supported housing funded by the council and hold existing relationships with providers in Lewisham and. This officer would be responsible for auditing the standards of support and service delivery, and identify recommendations and actions for improvements.
 - **Adult Social Care Commissioning** – The ASC commissioning team hold specialist knowledge of providers of supported exempt accommodation for adults with Learning Disabilities. This officer would be responsible for auditing the standards of accommodation and services provided for this cohort.
- 7.2 The structure of this proposal aimed to deliver improved joint responses and develop standardised processes for reviewing standards across the sector. This funding has not been awarded to the council. Officers will explore whether elements of this approach can be incorporated into existing functions, however without additional resource or powers from central government, the council will not have the full resource it needs to monitor standards until further funding opportunities arise.
- 7.3 Officers will continue to closely monitor the passing of the Supported Housing (Regulatory Oversight) Bill 2022-23 any other regulatory or legislative changes that may impact the council's powers. This will allow the council to adapt and respond to any issues that arise so that they can be addressed promptly.
- 7.4 Officers will return to the committee to provide an update on current activities.

8. Financial implications

- 8.1 This report provides members with an overview of the current position of the council in responding to the issue Supported Exempt Accommodation and to note the findings of the Levelling Up, Housing and Communities report and recommendations to government on Exempt Accommodation. As such there are no direct financial implications.
- 8.2 Further financial implications will be provided once council officers have further developed a joint action plan setting out activities and deliverables that the council needs to meet, to audit and regulate providers who have submitted claims for exempt status in Lewisham.

9. Legal implications

- 9.1 This is a report for noting. There are no direct legal implications.

10. Equalities implications

- 10.1 A draft Equalities Analysis Assessment has been completed and is included at Appendix 3.

11. Climate change and environmental implications

- 11.1 There are no anticipated climate change and environmental implications.

12. Crime and disorder implications

- 12.1 There are no anticipated crime and disorder implications.

13. Health and wellbeing implications

- 13.1 Accommodation procured must meet appropriate levels of suitability. Checks will be carried out to ensure that properties are of a decent quality and landlords hold all relevant licenses where applicable.

14. Appendices

- 14.1 Appendix 1: House of Commons, Levelling Up, Housing and Communities Committee: Exempt Accommodation, Third Report of Session 2022–23
- 14.2 Appendix 2: Supported Housing (Regulatory Oversight) Bill

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House of Commons
Levelling Up, Housing and
Communities Committee

Exempt Accommodation

Third Report of Session 2022–23

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 19 October 2022*

Levelling Up, Housing and Communities Committee

The Levelling Up, Housing and Communities Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Levelling Up, Housing and Communities.

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The current staff of the Committee are Gary Calder (Media and Communications Manager), Eleanor Ferguson (Committee Specialist), John-Paul Flaherty (Clerk), Eldon Gallagher (Committee Operations Officer), Georgia Harris (Policy Researcher, Sandwich Student), Edward Hicks (Committee Specialist), Whitley Lane (Committee Operations Manager), Rebecca Lees (Second Clerk), and Paul Owen (Committee Specialist).

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Summary

This Committee and its predecessors have held dozens of inquiries into a wide range of issues over the years which have highlighted important and urgent issues. Therefore, it was surprising to have undertaken a piece of work that has shocked and alarmed us as much as this inquiry has. In short, we would describe the system of exempt accommodation as a complete mess. There are many good providers, but in the worst instances the system involves the exploitation of vulnerable people who should be receiving support, while unscrupulous providers make excessive profits by capitalising on loopholes. This gold-rush is all paid for by taxpayers through housing benefit.

Exempt accommodation—that is, accommodation exempt from locally set caps on housing benefit—is an important component of supported housing. Where exempt accommodation works well, residents are provided with suitable accommodation and support to which they may not have otherwise had access. Recently, however, notwithstanding positive developments in government policy in this area, increasing concern has been raised about the quality of provision of such accommodation, its very significant growth in some areas with an attendant impact upon local communities, its lack of regulation and governance of providers, and the exploitation of the system by people seeking to make profit from it—all of which led us to undertake the inquiry on which this Report is based.

Quality of exempt accommodation

It is clear from our inquiry that some residents' experiences of exempt accommodation are beyond disgraceful, and that some people's situations actually deteriorate as a result of the shocking conditions in which they live. Where the very worst experiences are occurring, this points to a complete breakdown of the system which calls for immediate action from Government. Areas with high concentrations of exempt accommodation can also attract anti-social behaviour, crime—including the involvement of organised criminal gangs—rubbish, and vermin, while neighbours and communities can be affected negatively as well as residents. These impacts risk undermining local support for supported housing.

Two years after the Government published its National Statement of Expectations on the quality of the housing element of exempt accommodation, there are still landlords providing unacceptably poor housing. We welcome the Government's exploration with councils of referral pathways and its commitment to improving the definition of "care, support, or supervision" and setting minimum standards, but it is imperative that these standards are not optional.

National Standards

During our inquiry we received compelling evidence that there need to be national standards for referrals, support, and accommodation and that local authorities are best placed to enforce them. We are particularly concerned about the fact that the "care, support, or supervision" element is unregulated except in the specific and limited circumstances where it falls within the Care Quality Commission's remit.

We therefore call on the Government, within twelve months of the publication of this Report, to publish national standards, with powers for local authorities to enforce them, in these following areas:

- the referral process;
- care, support, or supervision;
- the quality of housing; and
- information the provider must give to the resident.

The Government should provide new burdens funding to local authorities to ensure that they can carry out these duties to the best of their ability, recognising that improving the overall standard of exempt accommodation and making it more consistent is likely to save resources in the long term.

Domestic abuse

We also found that organisations with no expertise are able to target survivors of domestic abuse and their children and provide neither specialist support nor an appropriate or safe environment. We recommend that, where a prospective resident of exempt accommodation is a survivor of domestic abuse, there must be a requirement that housing benefit is only paid to providers that have recognised expertise and meet the standards in Part 4 of the Domestic Abuse Act 2021. This must be implemented alongside increased supply of relevant specialist services.

Regulation and oversight

The exempt accommodation sector comprises different types of providers, and as such it requires the involvement of multiple regulators. However, some providers do not fall under the remit of any regulator, and no regulator has complete oversight of the different elements of exempt accommodation. As a result, we have found that the patchwork regulation of exempt accommodation has too many holes.

Better oversight of exempt accommodation is urgently required now to get a grip on the dire issues that have been described to us. As such we recommend that a National Oversight Committee be urgently established to address the oversight issues relating to exempt accommodation. This should comprise the existing regulators, who are experts in their own areas. If they worked more closely together in a more structured way, we believe they may be able to improve oversight of exempt accommodation. Among its functions we expect that it would coordinate awareness of emerging issues, inform the development of policy in this area and develop proposals for reform of the regulatory system.

Data inadequacy

The dearth of data on exempt accommodation shows how successive Governments have been caught sleeping. Due to this scarcity of data on exempt accommodation,

our inquiry was, for example, unable to establish how widespread the very worst experiences are either among residents or among local communities nor how many exempt accommodation claimants and providers there are.

While we welcome some recent steps the Government has taken in the area of data, these will not by themselves provide the quality and amount of data required to enable effective policy development. We therefore call on the Government, within twelve months of publication of this Report, to organise the collection, collation and publication of annual statistics at a local authority level under a number of key headings, including the number of exempt accommodation claimants, the number of exempt accommodation providers and the amount of money paid by both the Department for Work and Pensions and the local authority in exempt accommodation housing benefit.

Funding

Millions of pounds are being poured into exempt housing benefit with no guarantee that vulnerable residents will get the support they need. In some cases, vulnerable residents who are likely to have low incomes have to pay for support out of their own pockets.

We call on the Government to conduct a review of exempt housing benefit claims to determine how much is being spent and on what. Rent should be capped at a reasonable level that meets the higher costs of managing exempt accommodation. Funding for support should be provided separately.

We also heard that the current system offers a licence to print money to those who wish to exploit the system. We have seen examples of this particularly in relation to the lease-based model. We believe that eligibility for funding for exempt accommodation must be based on an open-book, transparent breakdown of the accommodation and the support costs incurred to the provider. The Government should also consider how to give councils greater control over rents for exempt accommodation to ensure value for money.

It is quite possible that the Government does not need to spend more money on exempt accommodation but rather needs to spend it more wisely.

Planning

Evidence to our inquiry made clear that there is a limit to what local strategies for exempt accommodation can achieve without planning reforms. Councils need the ability to manage supply in line with locally assessed need. We recommend that the measures announced by the Government in March 2022 to allow local authorities better to manage their local supported housing market include planning reforms that would enable those authorities to implement local strategies for exempt accommodation based on an assessment of need.

We also recommend that the Government end the existing exemptions that registered providers have from HMO licensing and the Article 4 directive and that the loophole relating to non-registered providers with properties containing six or fewer residents also be addressed so that they are brought within the planning regime.

Models of exempt accommodation

Throughout our inquiry we sought to establish whether an appropriate balance was being struck across the different models of exempt accommodation and whether they affected the quality of provision. While it was possible to find good and bad providers, regardless of whether they were registered or commissioned or neither, it was clear that the multitude of models of exempt accommodation produces a complex landscape with no guarantee of quality. Therefore, we recommend that action be taken to address this complex landscape, by making it compulsory for all providers to be registered. There needs to be a mechanism to ensure that there is better quality provision and that standards are maintained. Good providers will have nothing to fear from registration, while the bad providers can have their registration removed. We heard some concerns that the cost and additional reporting requirements of being registered may impact on smaller providers, but registering should not be unnecessarily onerous or expensive, and if it is that should change. Therefore, we call upon the Regulator of Social Housing to take action to make it easier for smaller providers of exempt accommodation to register with them.

The lease-based model, which raised most concerns among those contributing to our inquiry, has its place in exempt accommodation, by enabling access to properties for decent providers who would otherwise not be able to purchase properties outright. However, it can be exploited by those whose primary objective is to make huge profits at the expense of the taxpayer. We ask the Government to set out how it will clamp down on those exploiting the lease-based model for profit and prohibit lease-based profit-making schemes from being set up.

Introduction

What is exempt accommodation?

1. Exempt accommodation is a category of supported housing that is exempt from locally set caps on housing benefit. Supported housing encompasses a wide range of housing that combines housing with support for people with different needs, such as older people, people with disabilities, and people with complex needs. Exempt accommodation takes its name from the fact that it is exempt from housing benefit regulations that limit local housing allowance levels. The reason for this exemption is that this housing costs more to run than general needs tenancies, for example having higher costs for administration, insurance, and repairs and maintenance.¹ Rent is set by the provider and paid for by the resident's housing benefit.

Who lives in exempt accommodation?

2. Many people who live in exempt accommodation have experienced or are currently dealing with challenges that mean they have few alternative housing options. Residents include refugees, care leavers, people with disabilities and those who have formerly been homeless, had alcohol and drug addictions, been recently released from prison, or been a victim of crime such as domestic abuse or modern slavery.² Data is not collected on how many people live in exempt accommodation, but figures obtained through a Freedom of Information request by the homelessness charity Crisis suggest that in 2021 there were 156,868 households living in exempt accommodation.³

Who provides exempt accommodation?

3. Exempt accommodation in England can be provided by a non-metropolitan county council, unitary council, housing association, registered charity or voluntary organisation. To qualify for exempt status, providers must show that they have not-for-profit status and that they are providing care, support, or supervision. Providers can be commissioned by a council, or in some cases by the NHS or another statutory body, and there are also non-commissioned providers. Some providers are registered with the Regulator of Social Housing, though this is not mandatory except for local authorities. Some providers own their properties, while others lease them from landlords or companies.

How is exempt accommodation funded?

4. While housing costs are covered, subject to the claimant's personal circumstances, by the uncapped level of housing benefit, housing benefit cannot be used to fund the cost of

1 See e.g. Yenea Housing Ltd ([EXA 056](#))

2 Commonweal Housing ([EXA 036](#)); Dr. Patrick Murphy (Clinical Psychologist at NHS) ([EXA 053](#)); Yenea Housing Ltd ([EXA 056](#)); Birmingham City Council, [Exempt Accommodation: A report from Overview & Scrutiny](#), 7 December 2021

3 Crisis ([EXA 043](#))

care, support, or supervision.⁴ Providers fund the care they provide through charitable or commissioned funding, providers' surpluses, or by charging the resident a service charge, unless the resident is eligible for a state-funded care package.⁵

What is the role of local government in exempt accommodation?

5. Aside from commissioning exempt accommodation (though not all exempt accommodation is commissioned), the role of the council is to process, and, where necessary, challenge housing benefit claims, and to recover the costs of exempt accommodation payments to providers from the Department for Work and Pensions (DWP). They may also inspect exempt accommodation, but in terms of their statutory duties this only extends to health and safety enforcement.⁶

What are the positives and negatives of exempt accommodation?

6. Where exempt accommodation works well, residents are provided with suitable accommodation and support to which they may not have otherwise had access. In recent years, however, there have been growing concerns from regulators, providers and councils. There have been concerns about the quality of provision, including bad quality accommodation and a lack of support; the growth in exempt accommodation in certain areas and its impact on local communities; a lack of regulation; the governance of providers; and the exploitation of the system by unscrupulous landlords to profit from their operations at the expense of their residents and the taxpayer.⁷

What has the Government done so far?

7. As there were no definitive guidelines on the accommodation element of supporting housing, the then Ministry of Housing, Communities and Local Government and DWP published a National Statement of Expectations in October 2020.⁸ The guidance covers only the accommodation and not the support elements of supported housing. It does not have statutory force. Between September 2020 and October 2021, the Government conducted pilots across five councils to test enforcement measures to improve quality and value for money in supported housing, backed by £5.4 million of funding, and published its evaluation report in April 2022.⁹ On 17 March 2022 the then Minister for Rough Sleeping and Housing announced the Government's intention to introduce:

4 *Supported exempt accommodation (England)*, [Commons Briefing Paper CBP-9362](#), House of Commons Library, 30 June 2022

5 Crisis, [Tackling problems with non-commissioned exempt housing](#), October 2021

6 Birmingham City Council, [Exempt Accommodation: A report from Overview and Scrutiny](#), 7 December 2021

7 Regulator of Social Housing, [Lease-based providers of specialised supported housing](#), April 2019; Spring Housing Association, [Exempt from Responsibility? Ending Social Injustice in Exempt Accommodation Research and Feasibility Report for Commonweal Housing](#), September 2019; The Kerslake Commission on Homelessness and Rough Sleeping, [A new way of working: ending rough sleeping together](#), September 2021; Crisis, [Crisis Policy Briefing: Tackling problems with non-commissioned exempt housing](#), October 2021; Prospect Housing, [Safe, Successful, Sustainable: A shared vision for better homes, support and opportunities](#), October 2021; Birmingham City Council, [Exempt Accommodation: A report from Overview and Scrutiny](#), 7 December 2021

8 DLUHC and DWP, [Supported housing national statement of expectations](#), 20 October 2020

9 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022

- Minimum standards for the support provided to residents;
- New powers for local authorities in England to better manage their local supported housing market and ensure that rogue landlords cannot exploit the system; and
- Changes to housing benefit regulations to seek to define care, support and supervision.¹⁰

In June 2022 the Government brought forward its Social Housing (Regulation) Bill, through which it intends to create a new consumer regulatory regime, refine the existing economic regulatory regime, and strengthen the Regulator of Social Housing’s powers to enforce these regimes.¹¹ Finally, in July 2022, the Government published the prospectus for its £20 million Supported Housing Improvement Programme, which invites councils to bid for funding “to directly target local quality and value for money issues in their area”.¹² This was published alongside guidance with best practice that emerged from the pilots.¹³

Our inquiry

8. Notwithstanding the Government’s steps to improve exempt accommodation, significant concerns had been raised with us and so we opened an inquiry in December 2021. Our inquiry sought to obtain more data about exempt accommodation, since there is little publicly available information, as well as to explore the quality, regulation, value for money and geographical differences of exempt accommodation. We received 120 written submissions and held three oral evidence sessions with regulators, local authorities, providers, charities, and representatives of the Government: Eddie Hughes MP, then Minister for Rough Sleeping and Housing, Department for Levelling Up, Housing and Communities (DLUHC); Cathy Page, Deputy Director for Supported Housing, Domestic Abuse and Home Adaptations (Disabled Facilities Grant), DLUHC; David Rutley MP, then Minister for Welfare Delivery, DWP; and James Wolfe, Director, Disability and Housing Support, DWP.

9. We also travelled to Birmingham to visit areas with a high concentration of exempt accommodation and to hear directly from residents of exempt accommodation and neighbourhood and community groups affected by the considerable expansion of exempt accommodation in parts of that city. A summary of our visit can be found in the Annex of this report. We want to thank everybody who submitted written evidence, gave oral evidence, spoke to us during our visit to Birmingham, or otherwise contributed to the inquiry. We are also grateful for the support and advice throughout this inquiry from our specialist advisors, Christine Whitehead, Emeritus Professor of Housing Economics, London School of Economics and Political Science; Kelvin MacDonald, Senior Fellow, Department of Land Economy, University of Cambridge; and Aileen Murphie, Honorary Professor, Durham University Business School.

10 HC Deb, 17 March 2022, [col 50WS](#) [Commons written ministerial statement]

11 [Social Housing \(Regulation\) Bill](#) [Lords], [Bill 54 (2022–23)]

12 DLUHC, [Supported Housing Improvement Programme prospectus](#), 2 July 2022

13 DLUHC, [Local authority interventions to improve quality in supported housing](#), 2 July 2022

1 The lived experience of residents and communities

Experiences of residents

10. The measure of whether exempt accommodation policy is working should be that it is delivering for the people it is supposed to support. We received numerous testimonies in evidence and met residents in Birmingham to hear their stories first hand. On the positive end of the scale, we heard from residents of one provider that, where exempt accommodation works well, it plays “a vitally important role” in their lives, making them feel “safe and supported” and “free from chaos and the fear of violence and aggression” that may have been a feature of their lives before entering exempt accommodation.¹⁴ However, this was heavily outweighed by the shocking accounts we heard from others. As will become a recurring theme of this report, it has been difficult to assess how widespread these negative experiences are due to a lack of comprehensive information. While it may be the case that negative experiences will be more readily provided to inquiries than positive ones, the issues that stakeholders outlined were numerous and significant, and backed by widespread calls for change.

11. We wish to begin with the direct testimony of a resident, read by Matt Downie, Chief Executive, Crisis, because it encapsulates so many of the experiences shared with us:

It was a large place managed by what could possibly be called gangsters, who would scare tenants at various times for various reasons, often for no reason. They were sometimes drunk and they were untrained for their roles. They were abusive, intimidating and preyed on the vulnerable. They would collect money with intimidating tactics, only letting people out on certain evenings, i.e., the days the tenants had received payments. There was theft, fighting, bullying, prostitution. There was a support worker who was young and would like to have helped but didn't have support from other colleagues and [had] very little knowledge of his role. I was attacked by another tenant for getting a job. Other tenants were abused physically and mentally, but nothing was done. There were three baths and two showers for between 60 and 70 people.¹⁵

12. The very worst experiences we heard were of residents living among, and being made, the victims of the most terrible crimes, sometimes at the hands of staff. Stories included residents being raped and sexually harassed by their landlords under threat of eviction.¹⁶ We heard of staff assaulting residents and asking them for sexual acts in return for money, food, or better accommodation.¹⁷ We were told of residents forced to undertake work on the property, such as tiling a bathroom, for nothing or for a pittance.¹⁸ Staff and landlords were accused of threatening residents, selling drugs to residents and being complicit in

14 N Welling, T McKenzie and Others (Residents at Yenea Housing) ([EXA 066](#))

15 [Q133](#)

16 West Midlands Police ([EXA 010](#)); Rozanne Ferber ([EXA 099](#))

17 West Midlands Police ([EXA 010](#)); National Housing and Domestic Abuse Policy and Practice Group ([EXA 105](#)); Expert Link ([EXA 073](#)); Moseley Regeneration Group ([EXA 081](#))

18 Moseley Regeneration Group ([EXA 081](#)); Antrobus Road Residents' Action Group (ARRAG) ([EXA 100](#))

anti-social behaviour.¹⁹ Residents have also been victims of crimes committed by fellow residents, such as sexual assault and burglaries.²⁰ It has also been recently reported that “organised crime groups are taking millions of pounds of taxpayers’ money [and] have been cashing in on the recent boom in exempt accommodation”.²¹ West Midlands Police’s written evidence described how organised crime groups typically invest in real estate as a front to launder money.²² The impact of experiences such as these is that some people, who are already vulnerable when they enter exempt accommodation on the promise that they will receive support, become more traumatised than before.²³ For other residents, the cost of their exempt accommodation has been their very lives, some people dying of drug overdoses and others even being murdered by fellow residents.²⁴

Referral process

13. The problems can start with the way people are referred to exempt accommodation, which follows no standard process. Some people are referred into exempt accommodation by local authorities or from prisons. Alternatively, residents can self-refer, often by responding to advertisements online, principally on Gumtree and Facebook.²⁵ These advertisements were criticised for luring in vulnerable people with promises of not having to pay rent upfront and for “unmet promises around support”.²⁶ We were also informed that many providers lack their own websites or information packs, so knowledge of the availability of accommodation is spread by word of mouth, telephone calls and emails.²⁷

14. Different providers and referring agencies vary in their assessment of the prospective resident’s needs, with some not offering a proper evaluation of the support that they should receive.²⁸ Consequently new residents can be placed in inappropriate housing with an unsuitable mix of residents.²⁹ For example, we heard about female survivors of domestic abuse being placed in mixed-sex accommodation or with former perpetrators of violent crime.³⁰ We also heard that “those in recovery from a drug problem can find themselves living with people in active addiction”.³¹ The referral process can also result in people

19 Expert Link ([EXA 073](#)); Anonymous ([EXA 051](#)); [Q134](#) (Matt Downie, Crisis)

20 West Midlands Police ([EXA 010](#)); Expert Link ([EXA 073](#))

21 “UK crime gangs rake in millions through supported housing, say police”, The Guardian, 16 October 2022

22 West Midlands Police ([EXA 010](#))

23 Expert Link ([EXA 073](#)); [Q43](#)

24 Birmingham City Council Conservative ([EXA 063](#)); National Housing and Domestic Abuse Policy and Practice Group ([EXA 105](#))

25 Yenea Housing Ltd ([EXA 056](#))

26 BCP Council ([EXA 019](#)); Association of Police and Crime Commissioners ([EXA 107](#)); Preet Kaur Gill (Member of Parliament for Birmingham, Edgbaston at House of Commons) ([EXA 108](#)); [Q67](#) (Sharon Thompson, West Midlands Combined Authority); [Q127](#), [Q138](#) (Matt Downie, Crisis)

27 Commonweal Housing ([EXA 036](#)); Birmingham City Council ([EXA 114](#))

28 Dr Chris O’Leary (Senior Lecturer at Policy Evaluation and Research Unit, Manchester Metropolitan University) ([EXA 001](#)); Spring Housing Association ([EXA 047](#))

29 BCP Council ([EXA 019](#)); Commonweal Housing ([EXA 036](#)); Preet Kaur Gill (Member of Parliament for Birmingham, Edgbaston) ([EXA108](#)); [Q47](#) (Guy Chaundy, Senior Manager Housing Strategy, City Housing, Birmingham Council)

30 Commonweal Housing ([EXA 036](#)); Moseley Regeneration Group ([EXA 081](#)); Rozanne Ferber ([EXA 099](#)); Preet Kaur Gill (Member of Parliament for Birmingham, Edgbaston) ([EXA 108](#)); London’s Deputy Mayor for Policing and Crime ([EXA 118](#)); [Q46](#) (Sharon Thompson, West Midlands Combined Authority); [Q136](#) (Farah Nazeer, Chief Executive, Women’s Aid)

31 Association of Police and Crime Commissioners ([EXA 107](#))

moving hundreds of miles to live in exempt accommodation. In Birmingham only 42% of current provision was meeting identified local need.³² Many criticised the process of relocating people, not least for isolating residents from their friends and families.³³

Care, support, and supervision

15. Once a person has moved into exempt accommodation, the amount and the quality of the “care, support, or supervision” that they receive varies greatly. We heard some examples of good practice from witnesses: St Petrocs, a charity based in Cornwall, offers a full needs assessment, housing support officers on the premises every day, regular support plan assessments, an in-house counselling service, and an employment and training programme.³⁴ At the other end of the scale, some residents receive no support whatsoever.³⁵ Some did not receive support for six months; others had an hourly meeting cut short whenever the support worker was delayed in their journey to them; others merely received a weekly phone call.³⁶ We heard from residents in Birmingham that their support amounted to a worker shouting up the stairs to check on them and immediately leaving. The former Minister for Rough Sleeping and Housing shared his own example of “people who have provided a loaf of bread and some jam and left that on the table and they feel that that is enough provision”.³⁷ The effect of inadequate support is that people who are in transitional arrangements that are supposed to help them to move on with their lives and progress to independent living can instead become trapped and institutionalised.³⁸

16. One reason for support sometimes being inadequate is a lack of expertise on the part of providers, both when it comes to managing exempt accommodation and also in providing specialist services.³⁹ Another is the lack of expertise of the support workers themselves. We heard they can often lack training, are inexperienced and unqualified to help people with varying needs, are poorly paid, and can become burned out when trying to help “high needs” individuals who really need other accommodation.⁴⁰ An example of support provided by residents groups in Birmingham was “a 17-year-old girl handing out a food-bank voucher once a week”.⁴¹ Consequently there can be a high turnover of staff—one resident in Birmingham had 10 support workers in a year. We also heard that there was “no recognition or proper status given to professionals working in the sector”.⁴²

17. We received a great deal of evidence about the inadequate definition of “care, support, or supervision” in housing benefit regulations and the lack of oversight of support provided in exempt accommodation, which we will consider in the next chapter.

32 Birmingham City Council ([EXA 114](#))

33 Joy Allen (Police and Crime Commissioner at Durham Police and Crime Commissioner) ([EXA 011](#)); BCP Council ([EXA 019](#)); Bristol Road Neighbourhood Watch ([EXA 022](#)); Succour Haven CIC ([EXA 026](#)); Commonweal Housing ([EXA 036](#)); Birmingham City Council Conservative Group ([EXA 063](#)); Prospect Housing Limited ([EXA 086](#)); City of Bradford Metropolitan District Council ([EXA 088](#)); Association of Police and Crime Commissioners ([EXA107](#))

34 [Q102](#) (Henry Meacock)

35 Expert Link ([EXA 073](#)); Prospect Housing Limited ([EXA 086](#)); National Housing and Domestic Abuse Policy and Practice Group ([EXA105](#))

36 Anonymous ([EXA 023](#)); Commonweal Housing ([EXA 036](#)); Nottingham City Council, Nottingham City Homes ([EXA 093](#))

37 [Q198](#)

38 [Qq135–6](#)

39 Preston City Council ([EXA 034](#)); Changing Lives ([EXA 040](#)); [Q136](#) (Farah Nazeer, Women’s Aid)

40 Commonweal Housing ([EXA0036](#)); HMO Action Group ([EXA 076](#))

41 [Birmingham Exempt Accommodation forum presentation on Exempt Accommodation](#)

42 Entrain Space ([EXA 087](#))

Many also suggested that a reason for support being inadequate is that some providers are motivated by making a profit rather than by supporting people, which we will consider in chapter 3.

Quality of housing

18. The quality of housing on offer can be incredibly poor. Numerous contributors described properties as cramped, dirty, damp and potentially unsafe in a fire.⁴³ A resident in Birmingham told us they were offered a room covered in bodily fluids; a neighbourhood group described walls covered in faeces.⁴⁴ The Birmingham based Moseley Regeneration Group described a lot of the housing as “appalling, with lack of keys, damp, problems with gas and electricity supplies, no access to cooking facilities, or facilities for washing clothes”.⁴⁵ Hull City Council found 3.5 significant hazards per property in the places it inspected between April 2019 and January 2022, with 62% of inspected properties failing to meet the decent homes standard.⁴⁶ We also received descriptions of large buildings with forty or more residents, and “pod units, with very small rooms around shared facilities”, that were an inappropriate setting for delivering care or support to people with support needs.⁴⁷

Vulnerability to eviction

Disincentives to work

19. We were told in written evidence and by residents in Birmingham that residents face barriers in seeking either to gain employment, or to work longer hours.⁴⁸ Changing Lives, a charity delivering exempt accommodation and community-based homelessness services, explained that once residents gain employment, they can lose access to some of their enhanced housing benefit. They are then liable for the high rents set by providers and are vulnerable to eviction if they cannot pay the rent. The conundrum is that they “cannot afford a private rental until they have a job. However, they cannot get a job until they move into a property with more affordable rents”.⁴⁹ Residents in Birmingham explained

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- 43 GreenSquareAccord Limited ([EXA 005](#)); Local Government and Social Care Ombudsman ([EXA 006](#)); West Midlands Police ([EXA 010](#)); Grand Union Housing Group ([EXA 017](#)); Handsworth Helping Hands ([EXA 018](#)); Preston City Council ([EXA 034](#)); Commonweal Housing ([EXA 036](#)); Office of the West Midlands Police and Crime Commissioner ([EXA 061](#)); Shabana Mahmood MP ([EXA 064](#)); HMO Action Group ([EXA 076](#)); City Of Bradford Metropolitan District Council ([EXA 088](#)); National Fire Chiefs Council ([EXA 091](#)); Brandwood Together (Residents Association) ([EXA 098](#)); West Midlands Fire Service ([EXA 106](#)); Preet Kaur Gill MP ([EXA 108](#)); South Kesteven District Council ([EXA 109](#)); West Devon Borough Council ([EXA 110](#)); Chartered Institute of Housing ([EXA 123](#)); [Q51](#) (Helen Clipsom, Outreach and Private Rented Options Service Manager, Bradford Council)
- 44 [Birmingham Exempt Accommodation forum presentation on Exempt Accommodation](#)
- 45 Moseley Regeneration Group ([EXA 081](#)). See also Hilldale Housing Association ([EXA 083](#)); Prospect Housing Limited ([EXA 086](#))
- 46 Hull City Council ([EXA 117](#)). See also [Q48](#) (Cllr. Neil Jory, Leader of West Devon District Council, West Devon Council)
- 47 Changing Lives ([EXA 040](#)); Women’s Aid Federation of England ([EXA 046](#)); [Q51](#) (Helen Clipsom, Bradford Council), City Of Bradford Metropolitan District Council ([EXA 088](#))
- 48 Anonymous ([EXA 003](#)); BCP Council ([EXA 019](#)); Centre for the New Midlands ([EXA 032](#)); Spring Housing Association ([EXA 047](#)); YMCA St Paul’s Group ([EXA 060](#)); Birmingham Social Housing Partnership (BSHP) ([EXA 067](#)); Entrain Space ([EXA 087](#)); City Of Bradford Metropolitan District Council ([EXA 088](#)); Manchester City Council ([EXA 089](#)); Rozanne Ferber ([EXA 099](#)); Barnardo’s ([EXA 102](#))
- 49 Changing Lives ([EXA 040](#))

that it was unfeasible to save for a rental deposit before benefits were withdrawn and that some residents ended up working illegally, being paid cash in hand, while simultaneously claiming benefits.

20. The then Minister for Welfare Delivery was impervious to the suggestion that housing benefit regulations can trap people in unemployment and in transitional housing arrangements. He argued that “[t]he way that the housing benefit is structured is that you will always be better off in work than not working at all”.⁵⁰ When we presented examples of residents being made vulnerable to eviction, he said:

We are trying to say that there is a range of different opportunities for people to have accommodation and once people get into work they will get into a more positive cycle in their lives and they can progress in employment and be able to afford the rent that they need as well.⁵¹

21. Suggestions we received for removing the barriers to employment faced by residents included: “delaying the point at which tenants in exempt accommodation become liable for paying rent when they gain paid employment, to allow a buffer period in which they can secure alternative accommodation after rather than before starting work”; and “[r]esidents in exempt accommodation should be [temporarily] supported to pay the exempt rent charge when they enter employment, so that they are not penalised by taking on work”.⁵² Prospect Housing, a former provider that chose to close and published a report so that others could learn from its experiences, suggested that local authorities should make extra discretionary housing benefit payments to allow residents to find paid employment.⁵³

Licence arrangements, complaints, and lack of information for residents

22. Another feature that can make residents vulnerable to eviction arises when providers give residents a licence agreement rather than a tenancy. According to Commonweal Housing, a housing charity, licence arrangements are the dominant agreement type among non-commissioned exempt accommodation.⁵⁴ They give residents permission to occupy the property without the full status and rights of a tenant. This means they can be evicted at short notice, and if they leave voluntarily “are then likely to be seen as intentionally homeless by their council”.⁵⁵ While the Government’s Social Housing (Regulation) Bill would give stronger protections to social housing residents who have licence arrangements, these protections would not extend to licensees in privately rented exempt accommodation.⁵⁶ Prospect Housing’s report recommended that, to give residents more secure tenure, providers should consider granting assured shorthold tenancies instead of licence agreements.⁵⁷

50 [Q152](#)

51 [Q153](#)

52 Changing Lives ([EXA 040](#)); YMCA St Paul’s Group ([EXA 060](#))

53 Prospect Housing, [Safe, Successful, Sustainable: A shared vision for better homes, support and opportunities](#), October 2021, p 23

54 Commonweal Housing, [Exempt from responsibility? Ending Social Injustice in Exempt Accommodation Research and Feasibility Report for Commonweal Housing](#), September 2019, p 17

55 [Q134](#) (Matt Downie)

56 [Q218](#) (Eddie Hughes MP)

57 Prospect Housing, [Safe, Successful, Sustainable: A shared vision for better homes, support and opportunities](#), October 2021, p 23

23. The report by Commonweal Housing found that “the inherent precarity” of licence agreements prevented residents from asserting their rights for fear of retaliation or eviction.⁵⁸ Grand Union Housing Group expressed a general concern that fear of eviction prevents residents from providing feedback on the quality of their provision, while others suggested that residents are not given sufficient information or support to understand their rights or seek redress.⁵⁹ Both the Domestic Abuse Commissioner for England and Wales and Bristol Road Neighbourhood Watch suggested that a complaints system should sit within local authorities.⁶⁰

Domestic abuse survivors

24. We received specific concerns about exempt accommodation provision for survivors of domestic abuse and their children.⁶¹ That is not to say that excellent specialist provision is not available. However, there was real concern about the growth of non-specialist providers who target survivors yet lack proper expertise or experience. Accommodation in these examples is often too large, with examples of 40 or 60 residents, or is in unsafe areas. These providers offer little to no wraparound support or safeguarding procedures and fail to meet the definition of relevant safe accommodation in Part 4 of the Domestic Abuse Act 2021. Some survivors had experienced violence, harassment, and controlling behaviour by staff and other residents. Some are inappropriately housed with an unsuitable mix of residents, in mixed-sex provision, or alongside perpetrators, or can be easily found by perpetrators. Since these unscrupulous providers operate on a “business model” funded by housing benefit, they have no incentive to help survivors and their children move on. Farah Nazeer, Chief Executive, Women’s Aid Federation of England, illustrated just how high the stakes are:

We are talking about very vulnerable people. Particularly in the context of domestic abuse, it takes a woman on average seven years before she is willing, able and ready to branch out and leave that relationship. It takes a lot of courage. If we get it wrong at that one point, when they have experienced that kind of accommodation, we have lost them. They will quite often go back. Women will feel forced to go back to the perpetrator, because that feels like a safer option than what is being provided.⁶²

25. Farah Nazeer explained that what has enabled the emergence of these “murky” providers is an undersupply of commissioned services.⁶³ Although, as the former Minister for Rough Sleeping and Housing pointed out, the Domestic Abuse Act 2021 places a duty on tier one authorities to map service provision,⁶⁴ Farah Nazeer argued that engagement with this duty by councils is a “postcode lottery”.⁶⁵ The Domestic Abuse Commissioner for England and Wales argued that “the commissioning structure often discourages specialist

58 Commonweal Housing, [Exempt from responsibility? Ending Social Injustice in Exempt Accommodation Research and Feasibility Report for Commonweal Housing](#), September 2019, p 33

59 Grand Union Housing Group ([EXA 017](#)); Sandwell Metropolitan Borough Council ([EXA 035](#)); Office of the West Midlands Police and Crime Commissioner ([EXA 061](#))

60 Domestic Abuse Commissioner for England and Wales ([EXA 120](#)); Bristol Road Neighbourhood Watch ([EXA 022](#))

61 Sources for this paragraph are: Domestic Abuse Commissioner for England and Wales ([EXA 120](#)); Women’s Aid Federation of England ([EXA 046](#)); National Housing and Domestic Abuse Policy and Practice Group ([EXA 105](#)), and the oral evidence provided by Farah Nazeer, particularly in [Q136](#).

62 [Q138](#)

63 [Q136](#); [Q138](#)

64 [Q145](#)

65 [Q140](#)

... services from applying” where there is “a lack of a crucial mass of service users within a defined geographical area”.⁶⁶ In this context, Women’s Aid Federation of England saw the Government’s pilots as a missed opportunity to “focus explicitly on domestic abuse in order to develop an evidence-based and survivor-led model for exempt accommodation”.⁶⁷

The scale of bad experiences

26. Matt Downie, Chief Executive, Crisis, told us that “we simply do not know the scale” of the very worst experiences due to a lack of national data.⁶⁸ However, he said that “people routinely describe the horrors” of their living situations to Crisis staff, and that “we can be certain that thousands, and maybe tens of thousands, of people across the country are living under appalling and shocking living standards”.⁶⁹ We will explore the theme of data more closely in chapter 3.

Experiences of neighbours

27. We heard of some good practice employed by providers to engage residents: for example, Concept Housing told us about their resident and community engagement team.⁷⁰ But we also heard many accounts of anti-social and criminal behaviour taking place near exempt accommodation. Much, but by no means all, of this evidence came from community groups in and around Birmingham, where there is a great deal of awareness and activism on the part of local groups.⁷¹ Contributors to our inquiry described littering, rubbish piling up and pouring over the streets,⁷² encouraging the spread of vermin and cockroaches.⁷³ More than one submission mentioned residents begging.⁷⁴ There were also reports of noise from parties, fights, and quarrels.⁷⁵ We were also told about drug taking, littering, public urination, and in one area, prostitution.⁷⁶ These problems were exacerbated when exempt properties were clustered together in the same area.⁷⁷ West Midlands Police wrote that they received 18 calls in one month from just one road with a high concentration of exempt accommodation.⁷⁸ Neighbours could see that the support being given to residents was inadequate and sometimes stepped in themselves to help, but stressed that this should not be a substitute for proper support.⁷⁹

28. Neighbourhood groups were also concerned about a loss of family housing that they associated with exempt accommodation, as Victorian era properties can be easily

66 Domestic Abuse Commissioner for England and Wales ([EXA 120](#))

67 Women’s Aid Federation of England ([EXA 046](#))

68 [Q133](#)

69 [Q123](#); [Q134](#)

70 [Q113](#)

71 [Birmingham Exempt Accommodation forum presentation on Exempt Accommodation](#)

72 Anonymous ([EXA 023](#)); Mr Devinder Kumar ([EXA 027](#)); Anonymous ([EXA 051](#)); HMO Action Group ([EXA 076](#)); City Of Bradford Metropolitan District Council ([EXA 088](#)); [Birmingham Exempt Accommodation forum presentation on Exempt Accommodation](#)

73 HMO Action Group ([EXA 076](#)); [Birmingham Exempt Accommodation forum presentation on Exempt Accommodation](#)

74 Anonymous ([EXA 023](#)); Mr Devinder Kumar ([EXA 027](#)); Preston City Council ([EXA 034](#))

75 Anonymous ([EXA 023](#)); Preston City Council ([EXA 034](#)); Anonymous ([EXA 051](#)); [Birmingham Exempt Accommodation forum presentation on Exempt Accommodation](#)

76 Preston City Council ([EXA 034](#)); Soho Road East Neighbourhood Watch ([EXA 038](#)); [Birmingham Exempt Accommodation forum presentation on Exempt Accommodation](#)

77 Preston City Council ([EXA 034](#))

78 West Midlands Police ([EXA 010](#))

79 [Birmingham Exempt Accommodation forum presentation on Exempt Accommodation](#)

converted to multiple occupation.⁸⁰ Centre for the New Midlands, a think tank, claimed that since 2014 over 5,000 homes have been converted from family homes to exempt accommodation in the Midlands alone.⁸¹ We were also told that student housing in parts of Birmingham and Bradford was being converted.⁸² During our visit, community and neighbourhood groups emphasised that the growth of exempt accommodation in an area could set off a spiral, as anti-social behaviour and the impact on their environment encouraged people to leave but discouraged families from moving in. The only purchasers were landlords prepared to convert the homes into exempt accommodation.

29. These issues resulted in the loss of pride in, and sense of, community. The changes reduced the number of long-term residents, who felt driven out of the area, replaced by transient residents, “many of whom hardly know where they’re living”.⁸³ Neighbours feared reprisals by the owners of the properties if they complained.⁸⁴ Groups from Birmingham argued that these changes also harmed local shops, through a mixture of anti-social behaviour, theft, and residents lacking the income to purchase their goods.⁸⁵ It also placed a strain on local schools through an increase in the number of pupils attending for a short time while living in exempt accommodation and on other public services such as GP surgeries.⁸⁶

30. The impact that high concentrations of exempt accommodation can have on a community is illustrated by the Handsworth Helping Hands group:

Neighbours become overburdened with appeals for help from the vulnerable in their midst—requests for food, cigarettes, money, the use of their phones. They get tired of calling ambulances for people collapsed on the pavement, seeing drugs traded openly in the street, are vexed by pilfering of anything left in their front gardens, having their car doors tried, seeing police cars parked in their street, being kept awake by loud music late at night, or annoyed by it on summer afternoons. They despair at seeing bulky objects dumped in streets, at having to pick up rubbish spilling onto the pavement from over-filled bins, at bins being left unemptied by Fleet and Waste when recycling and household waste have been mixed. They become suspicious of strangers and worry about the safety of their children going to and from school or playing in the streets.⁸⁷

Conclusion

31. An unknown but significant number of residents’ experiences of exempt accommodation are beyond disgraceful. Taxpayers’ money is being spent on uncapped housing benefit on the understanding that residents, who are usually vulnerable, receive some care, support, or supervision—yet it is clear that some people’s situations

80 Handsworth Helping Hands ([EXA 018](#)); Local Government Association ([EXA 020](#)); Centre for the New Midlands ([EXA 032](#)); Birmingham City Council Conservative Group ([EXA 063](#)); Birmingham Social Housing Partnership ([EXA 067](#))

81 Centre for the New Midlands ([EXA 032](#))

82 Community Partnership for Selly Oak ([EXA 050](#)); City Of Bradford Metropolitan District Council ([EXA 088](#))

83 Handsworth Helping Hands ([EXA 018](#)); Soho Road East Neighbourhood Watch ([EXA 038](#)); Anonymous ([EXA 051](#))

84 Anonymous ([EXA 023](#))

85 [Birmingham Exempt Accommodation forum presentation on Exempt Accommodation](#)

86 Anonymous ([EXA 023](#)); HMO Action Group ([EXA 076](#))

87 Handsworth Helping Hands ([EXA 018](#))

actually deteriorate as a result of the shocking conditions in which they live. We heard of squalid environments, vermin, drug-taking, crime and abuse. We heard of people with a history of substance misuse being housed with drug dealers, and of survivors of domestic abuse being housed with perpetrators of such abuse. The support on offer is sometimes little more than a loaf of bread left on a table or a support worker shouting at the bottom of the stairs to check on residents.

32. Since areas with high concentrations of exempt accommodation can attract anti-social behaviour, crime, rubbish, and vermin, neighbours and communities are affected negatively as well as residents. These impacts risk undermining local support for supported housing.

33. It is egregious that organisations with no expertise are able to target survivors of domestic abuse and their children and provide neither specialist support nor an appropriate or safe environment. *Where a prospective resident of exempt accommodation is a survivor of domestic abuse, there must be a requirement that housing benefit is only paid to providers that have recognised expertise and meet the standards in Part 4 of the Domestic Abuse Act 2021. This must be implemented alongside increased supply of specialist services: the Government's Supported Housing Improvement Programme offers an opportunity to develop an evidence-based, survivor-led model of exempt accommodation for survivors of domestic abuse and their children.*

34. Due to the scarcity of data on exempt accommodation, our inquiry was unable to establish how widespread the very worst experiences are either among residents or among local communities. Where the very worst experiences are occurring, this points to a complete breakdown of the system which calls for immediate action from Government. Implementing our recommendations in this report will go some way to improving the quality of provision for residents and managing the impact on communities.

2 Improving and overseeing the quality of provision

35. The previous chapter illustrates the very worst experiences that were brought to our attention. In this chapter we bring together suggestions for improving the quality of exempt accommodation, from the referral process to the support provided to the quality of the housing. This includes exploring options for how there can be better oversight of exempt accommodation.

Improving the referral process

36. In the previous chapter we saw how some people, responding to adverts for exempt accommodation on sites such as Gumtree and Facebook, were offered no assessment of their support needs, and were then relocated great distances or housed alongside an inappropriate mix of residents. In order to remedy this, stakeholders suggested standardising or strengthening the protocols around the referral process.⁸⁸ In particular, the Local Government Association (LGA) suggested that councils should control the referral process—which was also a recommendation of Prospect’s report.⁸⁹

37. When we asked councils what kind of assurance they carry out when processing a housing benefit claim for exempt accommodation, Councillor Neil Jory, Leader of West Devon Borough Council, explained: “we do check the paperwork, but it is paperwork that comes in rather than a physical check”.⁹⁰ As part of the Government’s pilots, some councils assessed care and support “at the first point a claim is submitted”.⁹¹ The best practice guidance that followed the evaluation of the pilots recommended that councils review referral processes at scheme level, assessing how individual providers accept and decline referrals into their schemes.⁹² Cathy Page told us that DLUHC is “looking at the ways in which we can encourage and work with local authorities on referral pathways”, but accepted that there is currently no obligation on landlords to co-operate with that.⁹³ The former Minister for Rough Sleeping and Housing added that, in the case of referrals from prison, the Government has been putting housing officers in prisons to identify appropriate accommodation for prison leavers.⁹⁴

88 Yena Housing Ltd ([EXA 056](#)); Preet Kaur Gill MP ([EXA 108](#)); Sandwell Metropolitan Borough Council ([EXA 035](#)); [Q47](#)

89 Local Government Association ([EXA 020](#)) (also Blackpool Council ([EXA 077](#))); Prospect Housing, [Safe, Successful, Sustainable: A shared vision for better homes, support and opportunities](#), October 2021, p 17

90 [Q49](#)

91 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, p 26

92 DLUHC, [Local authority interventions to improve quality in supported housing](#), July 2022, paras 89–93

93 [Qq148–149](#)

94 [Q150](#)

Improving care, support, or supervision

Definition

38. A key driver of support being insufficient or completely absent, we repeatedly heard, is the inadequate definition of “care, support, or supervision”.⁹⁵ It is not defined in housing benefit regulations, and has been defined in case law as “more than minimal”.⁹⁶ This lack of definition was found to have limited the impact of the Government’s pilots.⁹⁷ Contributors told us that the definition is too ambiguous, leading to different interpretations and inconsistent provision.⁹⁸ We received widespread calls for the definition to be reviewed,⁹⁹ strengthened,¹⁰⁰ made statutory, and be accompanied by a referral and risk assessment process.¹⁰¹ We heard that the criteria which the Government should consider when improving the definition included ensuring that care, support, and supervision meet the needs of the resident, and providing enough flexibility to avoid a strict “one-size-fits-all” approach, since there is a wide range of people who live in exempt accommodation and their needs will differ and be specific to their situation.¹⁰² Prospect Housing’s report recommended that minimum standards of care should include supporting the resident to progress to independence and employment.¹⁰³

39. The Government’s announcement on 17 March contained a pledge to change housing benefit regulations to include a definition of care, support, and supervision, and to introduce minimum standards for support. We heard from Ministers and officials that the Government is engaging with stakeholders to determine both those standards and the definition.¹⁰⁴

Oversight

40. Another problem with current levels of care, support, and supervision was a lack of oversight over this element. While councils monitor support provided by the services which they commission, “there is no means to do that” for non-commissioned services.¹⁰⁵ The Care Quality Commission only has oversight where an organisation provides personal care as defined in the Care Act 2014 as Debbie Ivanova, Deputy Chief Inspector for People with a Learning Disability and Autistic People, Care Quality Commission, explained:

95 St Basils ([EXA 008](#)); Centre for the New Midlands ([EXA 032](#)); Spring Housing Association ([EXA 047](#)); Birmingham Social Housing Partnership ([EXA 067](#)); L’Arche ([EXA 071](#)); Nottingham City Council, Nottingham City Homes ([EXA 093](#)); National Housing and Domestic Abuse Policy and Practice Group ([EXA 105](#))

96 [UK Social Security and Child Support Commissioners’ Decisions](#) [2007] CH_3811_2006 (7 March 2007); [Bristol City Council v AW](#) [2009] UKUT 109 (AAC) (15 June 2009)

97 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, p 8

98 [Q58](#)

99 West Midlands Police ([EXA 0100](#)); Local Government Association ([EXA 020](#)); Centre for the New Midlands ([EXA 032](#)); Commonweal Housing ([EXA 036](#)); Centrepont ([EXA 070](#)); Signposts (Luton), Luton Homeless Partnership ([EXA 094](#)), [Q118](#) (Henry Meacock, Chief Executive, St Petrocs), (David Fensome, Concept Housing)

100 Centre for the New Midlands ([EXA 032](#)); Sandwell Metropolitan Borough Council ([EXA 035](#)); National Care Forum ([EXA 068](#)); L’Arche ([EXA 071](#)); West Devon Borough Council ([EXA 110](#)); Joint Mayoral Response ([EXA 112](#)); London’s Deputy Mayor for Policing and Crime ([EXA 118](#)); [Q58](#) (Cllr Sharon Thompson)

101 Preet Kaur Gill MP ([EXA 108](#)); Leeds City Council ([EXA 113](#))

102 Sandwell Metropolitan Borough Council ([EXA 035](#)); Yena Housing Ltd ([EXA 056](#)); Manchester City Council ([EXA 089](#)); Birmingham City Council ([EXA 114](#)); [Q69](#)

103 Prospect Housing, [Safe, Successful, Sustainable: A shared vision for better homes, support and opportunities](#), October 2021, p 41

104 [Q188](#); [Q194](#); [Q213](#)

105 [Q52](#)

We have no powers to regulate any support provided by landlords as part of people’s tenancy. I understand the nature of the support we are talking about here is very broad, including things like helping with benefits, budgeting and maintaining tenancies. None of that comes under the definition of “personal care”, which is what CQC regulates.¹⁰⁶

Expanding the Care Quality Commission’s remit, Debbie Ivanova explained, would require a formal request from Government and registration fees.¹⁰⁷

41. Local authorities conducted care and support reviews as part of the Government’s pilots. These involved “a multi-disciplinary team to run questionnaires or interviews among residents and/or support staff, a tour of the premises and requests for copies of support files, plans or other evidence”.¹⁰⁸ This activity was found to have “a positive impact on the quality, standard and appropriateness of support, which has in turn led to the improvement of resident outcomes”.¹⁰⁹ Crucially, councils reported that it was the funding provided by the pilots that allowed them to increase their workforce and produce this outcome.¹¹⁰

Improving accommodation standards

42. Unlike the standards for care, support, or supervision, the Government has already defined minimum standards for the housing element of exempt accommodation in its National Statement of Expectations published in October 2020. Despite this, our witnesses called for clearer standards for the housing element of exempt accommodation.¹¹¹ Stakeholders also said it was a problem that these standards have no statutory force.¹¹²

43. There is greater regulation of the housing element of exempt accommodation than the support element, but our evidence revealed this to be patchy and with too many loopholes. Registered providers of social housing are subject to the oversight of the Regulator of Social Housing, meaning that private landlords and non-registered providers are not subject to the same oversight; the Domestic Abuse Commissioner for England and Wales explained that many specialist providers do not register because it takes “significant time and resources”.¹¹³

44. Registered providers must meet certain economic standards in relation to governance, financial viability, value for money and rent.¹¹⁴ They must also meet certain consumer standards including some relating to the quality of accommodation; but currently the Regulator’s role in enforcing these is reactive (responding to issues) rather than proactive (in-depth assessments; inspections; issuing regulatory judgements).¹¹⁵ The Government

106 [Q8](#)

107 [Q41](#)

108 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, p 26

109 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, p 44

110 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, p 44

111 [Q63](#); [Q118](#)

112 E.g. Women’s Aid Federation of England ([EXA 046](#)); Medway Council ([EXA 054](#)); Derby City Council ([EXA 082](#))

113 Domestic Abuse Commissioner for England and Wales ([EXA 120](#))

114 Regulator of Social Housing, [Regulatory standards](#). The Regulator only has the power to set economic standards for local authorities in relation to rent.

115 Regulator of Social Housing, [Regulatory standards](#); [Q24](#)

is seeking to strengthen the Regulator’s powers regarding consumer standards through its Social Housing (Regulation) Bill, and Ashley Horsey, Chief Executive, Commonwealth Housing, called for these to “make specific reference to exempt accommodation”.¹¹⁶

45. Stakeholders criticised the existence of exemptions that mean even registered providers escape certain oversight of accommodation standards. Indeed, Sam Lister, Policy and Practice Officer, Chartered Institute of Housing, suggested that this was a deliberate move by some providers, who use registered provider status “as a shelter to get away from some of the regulations”.¹¹⁷ For example, registered providers are permitted to offer “non-social” housing as well as social housing, to which the consumer standards do not apply.¹¹⁸ “Non-social” housing is broadly defined as homes let at market rents, meaning that exempt accommodation can fall into this category. Ashley Horsey argued that in spite of the rent levels, all exempt accommodation delivered by registered providers should be “defined as social housing” because it is “providing a social need”.¹¹⁹ Registered providers are also exempt from the Management of Houses of Multiple Occupation (England) Regulations 2006, which we heard “can make it very difficult for a local authority to enforce housing standards” and also means that landlords, directors and providers can bypass the “fit and proper person test”.¹²⁰

46. The Government’s pilots involved local authorities conducting property inspections and enforcing accommodation standards. The evaluation found that “pilot funding had directly increased the number of inspections they were able to carry out due to the resources made available, especially in terms of staff time”.¹²¹ Participating authorities agreed that the pilots would have a “positive impact on [accommodation] quality and standards”, having identified 3,000 hazards, most of which “would not have been identified without the funding of the pilots”.¹²² When it came to enforcing standards, participating authorities preferred to begin with informal engagement activity to resolve issues such as offering advice and recommendations or informal notices, both to maintain good relationships with providers and to avoid resource-intensive legal action.¹²³

Overall oversight

47. In addition to the patchy regulation of the support and housing elements of exempt accommodation, evidence given to us was critical of the fact that there is no central regulation of exempt accommodation. Providers may be registered with multiple regulators, or none at all. We have already had cause to mention the Care Quality Commission and the Regulator of Social Housing, the latter being the dominant regulator, overseeing roughly 57% of exempt accommodation providers.¹²⁴ Providers with charitable status may be registered with the Charity Commission, which oversees their governance and meeting their charitable purpose, while providers that are Community Interest Companies may be registered with the Financial Conduct Authority and the Office of the Regulator of

116 [Social Housing \(Regulation\) Bill HL \(parliament.uk\)](#); [Q128](#)

117 [Q131](#)

118 E.g. Crisis UK ([EXA 043](#)); Spring Housing Association ([EXA 047](#)), Sanctuary ([EXA 085](#)); Bristol City Council ([EXA 115](#))

119 [Q128](#)

120 Spring Housing Association ([EXA 047](#))

121 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, p 25

122 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, p 41

123 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, pp 39–40

124 [Q14](#)

Community Interest Companies.¹²⁵ As a result of this complex regulatory environment, we were told there are “quite a number” of providers “who fall outside of any regulatory regime”.¹²⁶ Indeed, Commonweal Housing told us that some providers amended their structures and status “to better bypass regulation or minimise scrutiny, while reaping large returns”.¹²⁷

48. All these regulators oversee specific aspects of exempt accommodation. While there can be collaboration between regulators,¹²⁸ there is “no single regulator” that pulls together the different aspects.¹²⁹ Those that are registered with different regulators are regulated insofar as they are social housing providers, or insofar as they are charities, or insofar as they provide personal care, but no single body regulates providers insofar as they provide exempt accommodation. Debbie Ivanova, Care Quality Commission, described why this is not the best arrangement from the perspective of the resident:

When we inspect that service, and we are looking at the quality of the care that they receive, they very often want to talk to us about the house and what does not work in the house and the things that are not right for them there ... the more complex it is the less likely it is to have good outcomes for people in services.¹³⁰

49. Some contributors felt that oversight for all exempt accommodation should fall to an existing regulator,¹³¹ or that existing regulators should be strengthened.¹³² Because of the different remits of the regulators, our witnesses felt exempt accommodation was not “something that can easily be put under one regulator”.¹³³ Others felt that a new dedicated regulator should be created.¹³⁴ When we put our concerns about gaps in regulations to Ministers and officials, Cathy Page said that the Government is “working to map the regulatory framework and where the gaps are”.¹³⁵ She recognised that “[t]he definition of care, support and supervision appears to be a gap” and that the Government was exploring how to “layer the different regulatory regimes so that the gaps can be closed”.¹³⁶ She added that “a national oversight body” was one option being considered.¹³⁷

125 Local Government Association ([EXA 020](#)); [Q2](#), [Q4](#), [Q15](#), [Q33](#)

126 [Q38](#)

127 Commonweal Housing ([EXA 036](#)); Crisis UK ([EXA 043](#))

128 [Q24](#)

129 Oculus Real Estate ([EXA 095](#))

130 [Q37](#)

131 First Priority Housing Association Limited ([EXA 062](#)); Birmingham City Council Conservative Group ([EXA 063](#)); The Salvation Army ([EXA 074](#)); Manchester City Council ([EXA 089](#))

132 St Basils ([EXA 008](#)); West Midlands Combined Authority ([EXA 009](#)); West Midlands Housing Association Partnership ([EXA 012](#)); Centre for the New Midlands ([EXA 032](#)); Praevaleo Ltd ([EXA 048](#)); Joint Mayoral Response ([EXA 112](#)); Birmingham City Council ([EXA 114](#))

133 [Q37](#); cf. [Q14](#)

134 Centrepont ([EXA 070](#)); London Borough of Hackney ([EXA 096](#)); West Devon Borough Council ([EXA 110](#)); The Ashley Foundation ([EXA 119](#)). See also Blackpool Council ([EXA 077](#))

135 [Q211](#)

136 [Q211](#)

137 [Q214](#)

50. There was a great deal of support in our evidence for standards to be set nationally,¹³⁸ and for local authorities to play a stronger enforcing role with greater powers.¹³⁹ Indeed, new powers for local authorities is one of the three measures that the former Minister for Rough Sleeping and Housing announced on 17 March. The former Minister for Welfare Delivery referred to these in evidence before us,¹⁴⁰ and Cathy Page added: “we definitely need to have a look at mandatory support standards, how those support standards are enforced, if we are going to enforce them”.¹⁴¹

51. The former Minister for Rough Sleeping and Housing, however, was hesitant about introducing new legislation or regulations. He repeatedly cautioned against the risk of “unintended consequences”, which included reducing supply by driving good providers out of business and pushing out well-intentioned but underperforming providers who could improve.¹⁴² Both Ministers repeatedly stressed that other councils had managed to rebuff unscrupulous providers using the powers they already had, including through the pilots, and that the situation in Birmingham was “not true for the whole of the country”.¹⁴³ The then Minister for Rough Sleeping and Housing explained that the Government’s intention was first “to work with councils to understand what tools they can have to deploy”, and then only to change legislation to help them “if it is necessary”.¹⁴⁴

52. However, we heard that both a lack of powers and a lack of funding was what held councils back from being able to do more. David Fensome, Chief Executive, Concept Housing Association, said: “the regulation and standards should be set nationally, but local authorities should have considerably more budget and powers to monitor and enforce those regulations”.¹⁴⁵ Guy Chaundy, Senior Manager Housing Strategy, City Housing, Birmingham City Council, said:

The key thing is councils having the resources and the control to provide the oversight so that they can inspect properly. If it is well-resourced, they can work with providers under a regulatory regime to drive up standards.¹⁴⁶

Indeed, the evaluation of the pilots recommended that local authorities’ powers should be strengthened.¹⁴⁷ We have already had cause to mention that councils expressly linked their successes within the pilots to the funding that enabled them to grow their teams.¹⁴⁸ The Government has provided another £20 million through the Supported Housing Improvement Programme, but since councils will have to bid for funding, most councils will not receive any. The former Minister for Rough Sleeping and Housing explained that the intention of the fund is to say: “Let’s prove to you what works and you can determine

138 E.g. London’s Deputy Mayor ([EXA 018](#)), Stepping Stone Projects ([EXA 024](#)), Centrepoint ([EXA 070](#)), Blackpool Council ([EXA 077](#)), City of Bradford Metropolitan District Council ([EXA 088](#)), Luton Homeless Partnership ([EXA 094](#)); [Q68](#); [Q119](#)

139 E.g. Local Government Association ([EXA 020](#)); [Q41](#); [Q68](#); [Q119](#); [Q127](#), [Q139](#)

140 [Q195](#)

141 [Q213](#)

142 [Q161](#); [Q165](#); [Q174](#)

143 [Q161](#); [Q182](#); [Q183](#); [Q207](#)

144 [Q185](#)

145 [Q119](#)

146 [Q58](#)

147 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, p 8

148 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, pp 25–27, 35, 41

whether you engage it in the future”.¹⁴⁹ The prospectus particularly targets areas of the country that are “experiencing high volume or significant impacts arising from poor quality supported housing provision or unscrupulous landlords operating in their area”.¹⁵⁰

Accreditation

53. There was wide support in our evidence for there to be an accreditation scheme for exempt accommodation providers. Some envisaged a national scheme,¹⁵¹ while others favoured schemes managed by individual local authorities.¹⁵² The idea is that providers would have to meet certain criteria on housing quality and support services in order to gain accreditation. Sam Lister suggested setting up a “graded” scheme that has a minimum grade in order to qualify, and “over time you could gradually increase the level of quality for those that are not operating in bad faith but do not have the knowledge or skills to deal with things properly at the moment”.¹⁵³ The former Minister for Rough Sleeping and Housing was willing to consider the idea of an accreditation scheme, provided that it would “maximise the impact without driving out people through overburdening them”.¹⁵⁴

Conclusion

54. It was clear from our evidence that the quality of provision of exempt accommodation varies greatly and that the poor quality provision puts already vulnerable residents at serious risk. The Government fears “unintended consequences” from further regulation and points to councils that have turned things around within the funding envelope and powers available to them. Yet we received compelling evidence that there need to be national standards for referrals, support, and accommodation and that local authorities are best placed to enforce them. For all the efforts and best practice that Birmingham council has implemented, we still met residents of exempt accommodation in Birmingham living in utterly appalling circumstances, nine months after the Government’s pilots concluded. Two years after the Government published its National Statement of Expectations on the quality of the housing element of exempt accommodation, there are still landlords providing unacceptably poor housing. We welcome the Government’s exploration with councils of referral pathways and its commitment to improving the definition of “care, support or supervision” and setting minimum standards. It is imperative that these standards are not optional.

149 [Q193](#)

150 DLUHC, [Supported Housing Improvement Programme prospectus](#), July 2022

151 St Basils ([EXA 008](#)); West Midlands Combined Authority ([EXA 009](#)); West Midlands Housing Association Partnership ([EXA 012](#)); Centre for the New Midlands ([EXA 032](#)); Sandwell Metropolitan Borough Council ([EXA 035](#)); Spring Housing Association ([EXA 047](#)); Birmingham City Council Conservative Group ([EXA 063](#)); Birmingham Social Housing Partnership ([EXA 067](#)); Sheffield City Council ([EXA 103](#)); Joint Mayoral Response ([EXA 112](#)); Birmingham City Council ([EXA 114](#)); London’s Deputy Mayor for Policing and Crime ([EXA 118](#))

152 Succour Haven CIC ([EXA 026](#)); Commonweal Housing ([EXA 036](#)); Centrepoint ([EXA 070](#)); The Riverside Group Ltd ([EXA 080](#)); Luton Homeless Partnership ([EXA 094](#)); [Q127](#)

153 [Q141](#)

154 [Q212](#)

55. *Within twelve months of the publication of this report, the Government should publish national standards, and give local authorities the power and resources to enforce these standards, in the following areas:*

- *The referral process, which should include an assessment of the prospective resident’s support needs and if there are any considerations about with whom they should or should not be housed;*
- *Care, support, or supervision, which should include helping the resident progress towards independence and employment;*
- *The quality of housing; and*
- *Information the provider must give to the resident, including on their rights, particularly their right to work and right to complain.*

56. *Consideration should be given to an accreditation scheme for providers, implemented on a graded basis, so that councils can assess the quality of provision in their area and so that poorer quality providers can improve.*

57. *The Government should provide new burdens funding to local authorities to ensure that they can carry out these duties to the best of their ability, recognising that improving the overall standard of exempt accommodation and making it more consistent is likely to save resources in the long-term. The Government should also carry out an impact assessment to identify and mitigate any unintended consequences.*

58. The patchwork regulation of exempt accommodation has too many holes. We recognise that the exempt accommodation sector is complex with different types of providers, therefore requiring the involvement of multiple regulators. But some providers do not fall under the remit of any regulator, and no regulator has complete oversight of the different elements of exempt accommodation. Later in this report we recommend that all providers be registered, which would mean their oversight of economic and consumer standards was undertaken by the Regulator of Social Housing. We are particularly concerned about the fact that the “care, support, or supervision” element is unregulated except in the specific and limited circumstances where it falls within the Care Quality Commission’s remit. We welcome the Government’s commitment to exploring the regulatory regime to identify whether there are any gaps—but evidence to us expressed total unanimity as to the fact that gaps exist.

59. The different regulators have oversight for different aspects of exempt accommodation, and this means it is not simple to include oversight of exempt accommodation under a single regulator. However, the existing regulators are experts in their own areas and may be able to improve oversight of exempt accommodation if they worked more closely together in a more structured way. We therefore welcome the comment from the Department for Levelling Up, Housing and Communities (DLUHC) that a national oversight body was being considered.

60. *We recommend that a National Oversight Committee be urgently established to address the oversight issues relating to exempt accommodation. Among its functions we expect that it would coordinate awareness of emerging issues, inform the development of policy in this area and develop proposals for reform of the regulatory system. The*

composition of the committee should include the existing regulators—the Care Quality Commission, Regulator of Social Housing, Charity Commission, Financial Conduct Authority and the Office of the Regulator of Community Interest Companies—officials from DLUHC, the Local Government Association, and any other organisation it was thought would make a valuable contribution to improving oversight. One of the committee’s first tasks should be to input into the development of the national standards we have recommended.

3 Data and costs

61. A key challenge of this inquiry has been an inability to determine how widespread the worst examples of exempt accommodation are. A further consequence of this lack of information is not being able to determine whether this taxpayer funded system is delivering value for money. We received worrying evidence that taxpayer money was in fact being exploited for profit at the expense of vulnerable residents. This chapter explores how the Government can get a better grip on the numbers.

Data on exempt accommodation

62. Contributors stressed that one of the key issues with exempt accommodation is that there is no data nationally, and no systematic collection of data.¹⁵⁵ When Members of Parliament have asked, through written parliamentary questions, for even basic information on “how many housing benefit claims for people living in supported exempt accommodation in England” were made last year, or “how much the Government has spent on housing benefit for supported exempt accommodation in England in 2020–21”, the response from DWP has been: “The information requested is not readily available and to provide it would incur disproportionate cost”.¹⁵⁶

63. We did receive some heavily caveated information. The last time a review was conducted was the Supported Accommodation Review in 2016, which estimated that 233,000 people in Great Britain lived in exempt accommodation.¹⁵⁷ This was based on a survey rather than administrative data, and produced only estimates rather than definitive figures.¹⁵⁸ Through Freedom of Information requests made to DWP, Crisis estimated that the number of households (as opposed to individuals) living in exempt accommodation may have grown by 65% percent between 2016 and 2021 (95,149 households in 2016 compared with 156,868 households in 2021).¹⁵⁹ However, Crisis explained that the baseline figures may be an undercount, due to the varying pace with which councils may have implemented changes to data capture rules introduced in 2015—therefore the 65% rate of increase may be an overestimate.¹⁶⁰

64. We also received some data from individual councils covering a range of aspects such as the number of units, providers, bed spaces, and claims, as well as the amount spent on exempt accommodation and average rents.¹⁶¹ The snapshot they provided showed

155 E.g. [Q70](#); [Q123](#); Dr Chris O’Leary (Senior Lecturer at Policy Evaluation and Research Unit, Manchester Metropolitan University) ([EXA 001](#)); Crawley Borough Council ([EXA 002](#)); Joy Allen (Police and Crime Commissioner at Durham Police and Crime Commissioner) ([EXA 011](#)); Anglia Revenues Partnership ([EXA 014](#)); Nottingham Community Housing Association ([EXA 015](#)); Golden Lane Housing ([EXA 016](#)); Grand Union Housing Group ([EXA 017](#)); BCP Council ([EXA 019](#)); Local Government Association ([EXA 020](#)); Philip Shanks ([EXA 021](#)); Bristol Road Neighbourhood Watch ([EXA 022](#)); Stepping Stone Projects ([EXA024](#)); YMCA England & Wales ([EXA 029](#)); Birmingham City Council ([EXA 114](#))

156 [PQ 11707](#) [on Housing Benefit: Supported Housing], 10 June 2021; [PQ 86545](#) [on Housing Benefit], 8 December 2021

157 DWP and DCLG, [Supported Accommodation Review](#), November 2016

158 [Q168](#)

159 Crisis UK ([EXA 043](#))

160 Crisis UK ([EXA 043](#))

161 Hull City Council ([EXA 117](#)); Leeds City Council ([EXA 113](#)); Birmingham City Council ([EXA 114](#)); South Kesteven District Council ([EXA 109](#)); Charnwood Borough Council ([EXA 104](#)); Nottingham City Council and Nottingham City Homes ([EXA 093](#)); City of Bradford Metropolitan District Council ([EXA 088](#)); Derby City Council ([EXA 082](#)); Blackpool Council ([EXA 077](#)); Medway Council ([EXA 054](#)); Preston City Council ([EXA 034](#)); Sunderland City Council ([EXA 033](#)); Welwyn Hatfield Borough Council ([EXA 125](#))

significant variations between councils in terms of the proportion of registered and commissioned providers.¹⁶² These variations between councils underline the uncertainty about how widespread the worst problems are. The then Minister for Rough Sleeping and Housing estimated that there is a “significant problem in perhaps 10% to 15%” of councils, but later admitted that this was a guess.¹⁶³ The then Minister for Welfare Delivery was keen to impress upon us that the situation in Birmingham was “not true for the whole of the country”, whereas Ashley Horsey implied that it is because most of the information has come from Birmingham that there is an impression that problems are only focused there.¹⁶⁴

65. As for how much public money is spent on exempt accommodation, Prospect Housing’s report estimated the annual cost in 2020–21 to be “at least £816 million”.¹⁶⁵ The Comptroller and Auditor General suggested this figure could be much higher:

The SAR [Supported Accommodation Review in 2016] estimated that £2.15 billion was spent on ‘specified accommodation’ across Great Britain. No further breakdown was provided, but as 89% of people in specified accommodation are in exempt accommodation, it is probable that a significant proportion of this is spent on exempt accommodation.¹⁶⁶

66. We tried to obtain data directly from DWP on exempt accommodation for each year from 2015 to 2021. We were constantly told that its data was not of a sufficient quality to share it with a select committee, despite our willingness to accept data with caveats.¹⁶⁷ The issue is that there is under-reporting within local authorities in the housing benefit administrative data of whether a claim is exempt.¹⁶⁸ James Wolfe added that “because local authorities are getting better and better at recording supported accommodation, we don’t know how much of the change over time is a genuine growth in the sector and how much is local authorities reporting better on the accommodation they have”.¹⁶⁹

67. Governments have been aware for at least a decade that robust information about exempt accommodation is not held centrally. Research for DWP published in 2010 and 2016 acknowledged the lack of information, including about the number of people living in exempt accommodation.¹⁷⁰ DWP research in 2013 also found that 26% of British local authorities did not know how many people were living in exempt accommodation in their areas.¹⁷¹ It appears to be only in the last few months that the Government has taken steps to improve the picture. Firstly, in April it introduced improvements to local authorities’

162 Hull City Council ([EXA 117](#)); Birmingham City Council ([EXA 114](#)); City of Bradford Metropolitan District Council ([EXA 088](#)); Blackpool Council ([EXA 077](#)); Medway Council ([EXA 054](#)); Sunderland City Council ([EXA 033](#))

163 [Q147](#); [Q171](#)

164 [Q207](#); [Q123](#)

165 Prospect Supported Housing, *Safe, successful, sustainable: A shared vision for better homes, support and opportunities*, October 2021, p 14

166 [Letter from the Comptroller and Auditor General to the Chair dated 27 July 2022 concerning data on Exempt Accommodation](#)

167 [Letter from the Chair to the Secretary of State for Work and Pensions dated 17 May 2022 concerning data on exempt accommodation](#); [Letter from the Minister for Welfare Delivery to the Chair dated 30 June 2022 concerning exempt accommodation data](#); [Letter from the Chair to the Minister for Welfare Delivery dated 13 July 2022 concerning exempt accommodation data](#)

168 [Letter from the Comptroller and Auditor General to the Chair dated 27 July 2022 concerning data on Exempt Accommodation](#)

169 [Q170](#)

170 DWP, ‘Exempt’ and supported accommodation, 2010, p 2; DWP and DCLG, *Supported accommodation review: The scale, scope and cost of the supported housing sector*, November 2016, especially p 28.

171 Department for Work and Pensions, *Local Authority Insight - Wave 24*, July 2013, p 80

IT systems, “simplifying the data fields and ... making it mandatory so that new claims are appropriately flagged”.¹⁷² As the then Minister for Welfare Delivery highlighted, since this is for new claims, it will take some time before data quality improvements are seen for the entire exempt accommodation stock.¹⁷³ Secondly, the former Minister for Rough Sleeping and Housing commissioned a data review of the exempt accommodation sector to “understand its size, the demand and its associated costs”.¹⁷⁴ However, that will only give a snapshot in time.

68. Sam Lister pointed out that while more data from DWP is sorely needed, it will not go far enough because housing benefit data will not provide data on the “quality of the support that is being provided” or the “quality of accommodation”.¹⁷⁵ Another gap in data collection that our inquiry threw up was a near complete lack of information on how many providers are registered with which regulators. Neither the Charity Commission, nor the Care Quality Commission, nor the Regulator of Social Housing knew how many services that fell within their regulation were providers of exempt accommodation.¹⁷⁶

Profiting from exempt accommodation

69. Exempt accommodation providers are supposed to be not-for-profit, but we received overwhelming evidence of unscrupulous landlords who claim uncapped housing benefit to make a profit.¹⁷⁷ West Midlands Police offered the following illustration of how this profiteering works—and escalates:

Typically, a provider will purchase or take out a lease on an address (say for £800 rent/mortgage a month in a deprived area of the city), convert every room into a bedroom (thus losing any communal space) then rent out up to five rooms for £1,000 a month, paid for by enhanced housing benefit. The profits from this (£4,200 a month) are used to lease/rent more properties and convert them in to HMOs. Some of the providers are making half a million pounds profit each month and are buying new properties on a weekly basis.¹⁷⁸

Profits can be made through the lease model or through connections between not-for-profit and for-profit organisations or through registered providers outsourcing the care and support element to managing agents that are profit making.¹⁷⁹ Many of the contributions to our inquiry associated profit-making with inadequate levels of support, because the organisation is motivated by financial returns rather than supporting its vulnerable residents.

172 [Q168](#)

173 [Q168](#)

174 [Q195](#), [Q211](#), [Q220](#)

175 [Q125](#)

176 [Q3](#); [Q6](#); [Qq13–14](#)

177 E.g. [Q129](#); Stepping Stone Projects ([EXA 024](#)); Succour Haven CIC ([EXA 026](#)); Preston City Council ([EXA 034](#)); Sunderland City Council ([EXA 033](#)); Commonweal Housing ([EXA 036](#)); YMCA England and Wales ([EXA 029](#)); Soho Road East Neighbourhood Watch ([EXA 038](#)); Crisis UK ([EXA 043](#)); Shabana Mahmood MP ([EXA 064](#)); Praevaleo Ltd ([EXA 048](#)); Changing Lives ([EXA 040](#)); Homeless Link ([EXA 116](#)); Bristol City Council ([EXA 115](#)); Leeds City Council ([EXA 113](#)); Women’s Aid Federation of England ([EXA 046](#))

178 West Midlands Police ([EXA 010](#))

179 Sheffield City Council ([EXA 103](#)); National Housing and Domestic Abuse Policy and Practice Group ([EXA 105](#)); Birmingham City Council ([EXA 114](#))

How rent levels are set

70. Exempt accommodation is exempt from locally set caps on housing benefit because “the costs of managing shared, supported housing could be higher than the norm”, and “not for profit organisations’ supported housing services may be unviable if benefit levels were limiting using the same rules that applied to mainstream private renting”.¹⁸⁰ In written evidence, Yena Housing explained why their operating costs are higher than for other types of housing:

- significantly higher administration costs due to the turnover of residents;
- insurance for the building, employer liability, and public liability is three times higher than normal houses in multiple occupation;
- repairs, maintenance, and furniture replacement costs are double those of normal houses in multiple occupation;
- they do not take deposits;
- they run it as a business, paying administration costs and corporation tax; and
- they are at risk of housing benefits being suspended at any time.¹⁸¹

71. We heard that profits are made through charging unreasonably high rents. David Fensome argued that there were safeguards in place to prevent unreasonably high rents, saying: “[w]e would not be able to charge higher rents than other comparable organisations in the market. The local authority just would not allow it.”¹⁸² However, councils described how potential providers used Freedom of Information requests to ascertain the level of average rents in order to judge whether it will be profitable for them to enter the market and thus aim for higher rents.¹⁸³ We even heard about the existence of consultants who advise providers on how to maximise their claims for housing benefit.¹⁸⁴ Helen Clipsom, Outreach and Private Rented Options Service Manager, City of Bradford Metropolitan District Council, described the rents set by landlords as “a licence to print money”.¹⁸⁵

72. Claims for exempt housing benefit are processed by councils who can challenge the levels of rent proposed by the provider. A local authority that wishes to restrict the rents charged by exempt accommodation providers must prove that the rent is unreasonably high; that there is suitable alternative accommodation that meets the resident’s needs; that the resident can move to the alternative accommodation; and that it is reasonable for them to do so for the amount of money saved. Our evidence suggested that these criteria were too narrow and made it “a practical impossibility” to challenge rents.¹⁸⁶ Housing benefit decisions can also be challenged at an appeal tribunal.¹⁸⁷ According to the Government’s

180 Crisis, [Tackling problems with non-commissioned exempt housing](#), October 2021

181 Yena Housing ([EXA 056](#))

182 [Q84](#)

183 Bristol City Council ([EXA 115](#)); Medway Council ([EXA 054](#))

184 City of Bradford Metropolitan District Council ([EXA 088](#)); Sunderland City Council ([EXA 033](#)); BCP Council ([EXA 019](#))

185 [Q63](#)

186 Bristol City Council ([EXA 115](#)); Also e.g. Local Government Association ([EXA 020](#)); Anglia Revenues Partnership ([EXA 014](#)); Sunderland City Council ([EXA 033](#))

187 DWP, [Guidance: Housing Benefit guidance for support housing claims](#), 25 May 2022, paras 73–75, 203. See also Bristol City Council ([EXA 115](#))

own pilots, the appeal process “takes a long time and substantial resource, with feedback suggesting that appeals relating to supported housing have a relatively low chance of the decision being upheld”.¹⁸⁸ Funding from the pilots resourced councils to conduct higher levels of housing benefit scrutiny, but these councils also reported being restricted by their limited ability to challenge rent levels: “The pilots have highlighted the complexities and challenges within this system, but it has clearly not changed the system itself”.¹⁸⁹

73. While we received a range of suggestions in evidence for how parameters for rent levels could be set,¹⁹⁰ Nottingham Community Housing Association pointed out that flexibility was needed because a range of factors affect the true cost for providers, including “location, throughput, intensity of support and other services provided”.¹⁹¹ This reflected other evidence that we received that emphasised the differences in costs between areas.¹⁹² We heard that rents should reflect “the actual cost of providing that accommodation”,¹⁹³ and received support for the idea that greater transparency should be required from providers about their costs, financial viability, and links between different parties involved in provision.¹⁹⁴ Providers that we heard from were also willing to support a transparent, open-book approach.¹⁹⁵

74. When we put our concerns to the Ministers, the then Minister for Rough Sleeping and Housing thought it was “understandable” for businesses to use Freedom of Information requests to determine “whether this is a market that I would be able to enter”.¹⁹⁶ Both Ministers supported an open-book approach to rents.¹⁹⁷ On councils’ control of rents, the then Minister for Rough Sleeping and Housing said: “I think that it is for councils to determine what is the appropriate level for rent in their area as best they can and to try to control that. That is something that Government could not be prescriptive about [because of geographical differences in market rates]”.¹⁹⁸

Funding for support

75. Housing benefit cannot be used to fund the care, support, or supervision element, and this was given as a reason for the sometimes inadequate provision. In the past, local authorities could use funds from the ringfenced Supporting People Programme to pay for care, support, or supervision. In 2009 the ringfence was removed, and since 2011 there has been no specific budget line for local authorities for supporting people services.¹⁹⁹ Now, providers fund the support they offer through charitable or commissioned funding or through charging residents a service charge.

188 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, p 8

189 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, p 61

190 E.g. YMCA St Paul’s Group ([EXA 060](#)); GreenSquareAccord ([EXA 005](#)); Leeds City Council ([EXA 113](#)); West Devon Borough Council ([EXA 110](#))

191 Nottingham Community Housing Association ([EXA 015](#))

192 Centre for the New Midlands ([EXA 032](#)); Homeless Link ([EXA 116](#)); Hull City Council ([EXA 117](#))

193 Local Government Association ([EXA 020](#)); also Nottingham City Council, Nottingham City Homes ([EXA 093](#)); West Devon Borough Council ([EXA 110](#))

194 Manchester City Council ([EXA 089](#)). See also Nottingham City Council, Nottingham City Homes ([EXA 093](#)) on the links between persons.

195 Nottingham Community Housing Association ([EXA 015](#)); Grand Union Housing Group ([EXA 017](#)); YMCA St Paul’s Group ([EXA 060](#)); Oculus Real Estate ([EXA 095](#)); [Q96](#)

196 [Q185](#)

197 [Qq186–187](#)

198 [Q190](#)

199 *The Supporting People programme*, [Research Paper 12/40](#), House of Commons Library, 16 July 2012

76. The LGA criticised the service charge model for being unfair to residents who are already on low incomes.²⁰⁰ Birmingham City Council described it as “the only model in the welfare system where the cost to the citizen is not means tested”.²⁰¹ Stakeholders also pointed out that requiring people on low incomes to pay for their own support will inevitably not pay for very much support.²⁰²

77. Emmaus UK, a homelessness charity, argued that providers should be able to use housing benefit to fund support costs.²⁰³ Some are already finding ways to do so, bending the housing benefit rules by reclassifying support costs as housing-related costs in order to pay for it through housing benefit.²⁰⁴ Matt Downie, Chief Executive, Crisis, argued that “in order for people with support needs to be properly supported, the support costs need to be separate”.²⁰⁵ Several contributors argued that local authorities should receive separate funding to pay for support,²⁰⁶ including calls for ring-fenced funding similar to the Supporting People programme.²⁰⁷

78. The then Minister for Rough Sleeping and Housing resisted the idea of reinstating ringfenced funding because “it is not for Government centrally to be prescriptive”.²⁰⁸ Indeed, he pointed out that “one of the things that councils seem to frequently be complaining about, particularly with us offering various funding pots, is that we are controlling what they should be spending their money on”.²⁰⁹ The then Minister for Welfare Delivery pointed to the different sources of funding that providers can draw on, such as fundraising and “cross-subsidising funds from other profitable areas like a housing provider”, arguing that this “shows their commitment to want to make care, support and supervision an integral part of their business model”.²¹⁰

Subsidy rules for local authorities

79. Local authorities receive a 100% subsidy for the housing benefit claim if the provider of the exempt accommodation is registered with the Regulator for Social Housing. Where the provider is not registered, the local authority will receive 100% subsidy up to the level of Claim Related Rent or Local Reference Rent. A 60% subsidy is provided in the following circumstances—when:

- The claimant or a member of their family is in a protected group (either being at the qualifying age to receive state pension credit, being recognised by DWP as being unfit for work, or being responsible for a child or young person);
- There is no suitable cheaper accommodation available; or

200 Local Government Association ([EXA 020](#))

201 Birmingham City Council ([EXA 114](#))

202 [Q101](#) (David Fensome, Concept Housing). See also Yenea Housing Ltd ([EXA 056](#)); HMO Action Group ([EXA 076](#))

203 Emmaus UK ([EXA 084](#))

204 Local Government Association ([EXA 020](#)); Spring Housing Association ([EXA 047](#))

205 [Q141](#)

206 West Midlands Housing Association Partnership ([EXA 012](#)); Birmingham Social Housing Partnership ([EXA 067](#)); Green Pastures ([EXA 045](#)); Joint Mayoral Response ([EXA 112](#)); Leeds City Council ([EXA 113](#)); Birmingham City Council ([EXA 114](#))

207 Green Pastures ([EXA 045](#)); YMCA St Pauls Group ([EXA 060](#)); Blackpool Council ([EXA 077](#)); London Borough of Hackney ([EXA 096](#))

208 [Q191](#)

209 [Q191](#)

210 [Q193](#)

- It would be unreasonable to expect the claimant to move into suitable cheaper accommodation.²¹¹

80. This differentiating rate of subsidy attracted strong criticism and no support in evidence to us.²¹² Bournemouth, Christchurch and Poole Council stated: “The providers all offer similar services to meet the needs of the tenants and charge similar rents, so it is difficult to see why the Department continues to treat them differently”.²¹³ Some thought that the rules resulted in less scrutiny by local authorities of registered providers,²¹⁴ or prevented commissioned services provided by non-registered providers from being financially viable.²¹⁵ The LGA highlighted that 23 councils had lost over £1 million each through this subsidy gap, while Charnwood Council was projected to lose nearly £2 million, equivalent to over a quarter of its council tax revenue.²¹⁶

81. When we asked the former Minister for Welfare Delivery to justify this differential, he said: “This is the way that these regulations have been put in place over decades”. He added that “we can start looking at some of these other broader issues” after the priority measures as announced on 17 March had been delivered.²¹⁷

Conclusion

82. **The dearth of data on exempt accommodation shows how successive Governments have been caught sleeping. The Government does not know how much exempt accommodation there is or how many people live in exempt accommodation. The Government claims that poor providers are a minority but has no data to back this up. The Government does not know how many providers are regulated and by which regulators. We know there have been acute problems in Birmingham, for example, which the then Minister for Welfare Delivery said were not happening across the country. Without data, however, it has been very difficult to ascertain the extent of these problems across the country. We welcome the data review commissioned by the Government, but it will only provide a snapshot in time. We also welcome the steps the Department for Work and Pensions (DWP) is taking to improve data collection, but since this will apply only to new claimants it will take time for a reliable national picture to emerge.**

83. *Within twelve months of publication of this report, the Government must organise the collection, collation and publication of annual statistics at a local authority level on the following:*

- *The number of exempt accommodation claimants;*
- *The number of exempt accommodation providers;*

211 MR Associates, [Subsidy calculation when the landlord is a charity, voluntary organisation or English non-metropolitan county council](#), [What is the law on exempt accommodation subsidy?](#); Qq203–204 (David Rutley MP)

212 Anglia Revenues Partnership ([EXA 014](#)); Local Government Association ([EXA 020](#)); Sunderland City Council ([EXA 033](#)); Sandwell Metropolitan Borough Council ([EXA 035](#)); Manchester City Council ([EXA 089](#)); Sheffield City Council ([EXA 103](#)); Charnwood Borough Council ([EXA 104](#)); West Devon Borough Council ([EXA 110](#)); Leeds City Council ([EXA 113](#)); Bristol City Council ([EXA 115](#))

213 BCP Council ([EXA 019](#))

214 Zetetic Housing ([EXA 013](#)); The Salvation Army ([EXA 074](#))

215 Manchester City Council ([EXA 089](#))

216 Local Government Association ([EXA 020](#)); Charnwood Borough Council ([EXA 104](#))

217 [Qq203–204](#)

- *The number of housing units used for exempt accommodation;*
- *The number of exempt accommodation housing units per provider;*
- *The number of exempt accommodation claimants per provider;*
- *The number of exempt accommodation providers registered with different regulators, and commissioned to provide accommodation or support;*
- *The number of providers meeting and failing to meet the national standards we set out; and*
- *The amount of money paid by both the DWP and the local authority in exempt accommodation housing benefit.*

84. The Government has no idea how much taxpayer money is spent on exempt accommodation, nor what this money is spent on. It cannot know whether the current system is delivering value for money. Millions of pounds are being poured into exempt housing benefit with no guarantee that vulnerable residents will get the support they need. In some cases, vulnerable residents who are likely to have low incomes have to pay for support out of their own pockets. It is quite possible that the Government does not need to spend more on exempt accommodation but to spend more wisely.

85. *The Government should conduct a review of exempt housing benefit claims to determine how much is being spent and on what. Rent should be capped at a reasonable level that meets the higher costs of managing exempt accommodation. Funding for support should be provided separately.*

86. Providers of exempt accommodation are supposed to be not-for-profit, and there are many responsible providers, some of whom gave evidence to us. However, we also heard that the current system offers a licence to print money to those who wish to exploit it. We do not agree with the former Minister that using Freedom of Information requests to determine potential rent levels is a viable business model. Instead it gives the impression of a cartel pushing up rent levels and pocketing the excess at the expense of vulnerable residents and the taxpayer. The bar for local authorities to challenge rent levels is too high and appeals have rarely found in the council's favour. *Eligibility for funding for exempt accommodation must be based on an open-book, transparent breakdown of the accommodation and the support costs incurred to the provider. The Government should consider how to give councils greater control over rents for exempt accommodation to ensure value for money.*

87. The Government was unable to provide a satisfactory justification, let alone an explanation, as to why DWP reimburses councils for 100% of housing benefit if the provider is registered but only 60% if it is not registered, leaving the council to pick up the rest of the tab. *The same 100% subsidy should be paid by DWP whether or not the provider is registered. Later in this report we recommend that all providers be registered. While this will result in increased costs for DWP, this is likely to be offset by savings resulting from implementing our recommendations to drive out unscrupulous, profit-driven providers.*

4 Planning and licensing

88. We have already considered arguments for giving local authorities greater control over and responsibility for the quality of exempt accommodation. We also received calls to give local authorities greater control over and responsibility for the quantity of exempt accommodation. This came down to two levers: local strategies for exempt accommodation, and the planning system.

Local strategies

89. Many suggested that local authorities should assess the need for exempt accommodation provision in their area and develop strategies for meeting that need.²¹⁸ Succour Haven CIC and Commonweal Housing both suggested in evidence that having such a strategy would help councils to identify and control any issues arising from exempt accommodation.²¹⁹ Some also suggested that there is a direct link between local strategies and the quality of provision: Golden Lane Housing and the Learning Disability and Autism Housing Network both suggested that poor quality provision was sometimes due to “poor strategic planning” at a local level; while Philip Shanks, a retired social worker and co-founder of an exempt accommodation provider, suggested that standards are higher when the local authority has a good strategy in place.²²⁰

90. The councils that participated in the Government’s pilots carried out activities around both strategic planning and managing new provision. These activities included surveying and talking to providers, assessing the demand for exempt accommodation, visiting properties, and doing background research.²²¹ Participating authorities did find that they were better able to manage supply of exempt accommodation and deter or prevent poor providers from entering the market.²²² However, the pilots made clear that the councils faced the following barriers to implementing these strategies:

- A lack of control;
- The inability of councils to de-commission provision that they did not commission; and
- If the housing benefit claim meets all qualifying criteria, the council has no legal grounds on which to withhold payment, even if the provision does not align with its strategy or assessment of need or demand.²²³

218 E.g. St Basils ([EXA 008](#)); West Midlands Combined Authority ([EXA 009](#)); West Midlands Housing Association Partnership ([EXA 012](#)); Centre for the New Midlands ([EXA 032](#)), Crisis UK ([EXA 043](#)), Birmingham Social Housing Partnership ([EXA 067](#)), Sheffield City Council ([EXA 103](#)); HMO Action Group ([EXA 076](#)); [Q70](#); [Q127](#)

219 Succour Haven CIC ([EXA 026](#)); Commonweal Housing ([EXA 036](#))

220 Golden Lane Housing ([EXA 016](#)); Learning Disability and Autism Housing Network ([EXA 041](#)); Philip Shanks ([EXA 021](#))

221 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, pp 33–34

222 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, p 66

223 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, pp 68, 71 Cf. [Q58](#); Leeds City Council ([EXA 113](#))

Lack of affordable mainstream housing

91. The pilots also found that councils' strategic planning activities were affected by the amount of access to affordable mainstream housing in their area. The evaluation report of the pilots found that "not all of those being referred by Housing Options teams to supported housing had support needs in addition to their housing need; single homeless people tended to be placed in supported accommodation by default, due to a lack of affordable mainstream accommodation".²²⁴ Our evidence echoed the idea that demand for exempt accommodation was driven by a lack of affordable mainstream housing, both for residents of exempt accommodation to move on to and to prevent residents from being placed in exempt accommodation in the first place.²²⁵ As Matt Downie put it: "When exempt accommodation was brought in, in 1995–96, in England around 57,000 additional units of social rent were brought in. Last year, it was more like 6,000 or 7,000".²²⁶

Lack of powers for councils

92. Though we received evidence expressing support for local strategies, we were told, similarly to what was revealed by the Government's pilots, that councils did not have sufficient powers to make a success of implementing exempt accommodation strategies and controlling local provision.²²⁷ Manchester City Council explained to us that this is because, in cases where planning permission is not required, "there is no legal obligation for exempt accommodation providers to engage with the council".²²⁸ Preston City Council shared with us the example of a time when staff informed a new provider that the council did not require its provision, but the provider "completely ignored the strategic approach we are trying to take" and then opened three new properties.²²⁹ Spring Housing Association outlined the potential consequences of this lack of control:

This can lead to an oversupply; to providers seeking out wider and more varied referral routes and taking on 'riskier' clients in order to fill rooms. The financial imperative to 'fill void bedspaces' in accommodation that has not been rigorously assessed for area-based suitability and need can take precedence over proper risk assessments around client groups. This can also lead to other local areas 'exporting' their more problematic, or 'difficult to house' clients into areas with a perceived abundance of available spaces.²³⁰

93. On 17 March 2022, the then Minister for Rough Sleeping and Housing announced the Government's "intention to take forward a package of measures that will include ... New powers for local authorities in England to better manage their local supported housing market and ensure that rogue landlords cannot exploit the system to the detriment of vulnerable residents and at the expense of taxpayers".²³¹ Cathy Page told us

224 DLUHC, [Evaluation of the Supported Housing Oversight Pilots](#), April 2022, p 67

225 Birmingham Social Housing Partnership ([EXA 067](#)); National Housing Federation ([EXA 101](#)); Birmingham City Council ([EXA 114](#)); Crisis UK ([EXA 043](#)); London's Deputy Mayor for Policing and Crime ([EXA 018](#))

226 [Q139](#)

227 Centre for the New Midlands; Birmingham Social Housing Partnership ([EXA 067](#))

228 Manchester City Council ([EXA 089](#)); see also Sheffield City Council ([EXA 103](#))

229 Preston City Council ([EXA 034](#))

230 Spring Housing Association ([EXA 047](#))

231 HC Deb, 17 March 2022, [col 50W5](#) [Commons written ministerial statement]

that the Department was “looking to see what kind of powers we may need to give local authorities” and that they were holding discussions with local authorities, providers and other key stakeholders in relation to this.²³²

Planning and licensing

94. One of the reasons that councils lack control over the extent and spread of exempt accommodation, we were told, is because of exemptions within the planning system. Firstly, providers of exempt accommodation that are registered with the Regulator of Social Housing are exempt from HMO (House in Multiple Occupation) licensing requirements. Stakeholders suggested that extending HMO licensing to exempt accommodation would give councils more control over the spread of provision.²³³ For example, under HMO licensing, local authority environmental health teams can close down properties.²³⁴ Secondly, by being excluded from the HMO definition, registered providers are also exempt from Article 4 directions. Article 4 directions give councils, if they choose to impose them, the ability to restrict the change of use of a property under permitted development rights. Where there is a relevant Article 4 direction in place, a change of use to an HMO would require planning permission. Since registered providers of exempt accommodation are exempt from these, it is more difficult for councils to manage their growth in line with a strategy based on need.²³⁵ Thirdly, there is also a loophole for non-registered providers who would otherwise fall into the definition of HMO. While HMOs with seven or more residents automatically require planning permission, a property with six or fewer residents living together as a single household where care is provided for residents can be classed as a single household (Use Class C3) as opposed to a small HMO where the residents are unrelated and care is not provided (Use Class C4), again avoiding the need for planning permission.²³⁶ Permitted development rights allow the change of use from Class 3 to Class 4 without the need to apply for planning permission.

95. The then Minister for Rough Sleeping and Housing was reluctant to consider changes to the planning system to deal with some of the issues around exempt accommodation. He said: “I personally do not think that planning reform is the tool that is going to drive up standards”, explaining that if the overall quality of provision was raised, anti-social behaviour would reduce and “people would be less likely to notice [exempt accommodation] in their area or in their street”.²³⁷ He pointed to councils, such as Birmingham and Blackpool, that had made good use of the Article 4 direction.²³⁸ He also pointed out that councils had very different outcomes in terms of the expansion of provision, with the same planning tools available to them, giving the example that over a four-year period the number of units in Birmingham increased by 92% while in Manchester it dropped by 70–80%.²³⁹ Additionally, Denise Hatton, National Secretary and CEO, YMCA of England and

232 [Q150](#)

233 E.g. Salvation Army ([EXA 074](#)); HMO Action Group ([EXA 076](#))

234 Expert Link ([EXA 073](#))

235 Spring Housing Association ([EXA 047](#)); Birmingham City Council Conservative Group ([EXA 063](#)); Joint Mayoral Response ([EXA 112](#)); St Basils ([EXA 008](#)); Birmingham City Council ([EXA 114](#)); West Midlands Combined Authority ([EXA 009](#)); West Midlands Housing Association Partnership ([EXA 012](#)); [Q71](#)

236 Community Partnership for Selly Oak ([EXA 050](#)); HMO Action Group ([EXA 076](#)); Antrobus Road Residents' Action Group ([EXA 100](#))

237 [Q215](#)

238 [Q215](#)

239 [Q216](#); [Q175](#)

Wales, was nervous that introducing more planning regulations may enable communities to block the development of specialist accommodation that is needed in an area because “[n]obody really wants difficult, complex young people in their area”.²⁴⁰

96. We note that, in spite of the Article 4 direction in Birmingham, and in spite of the efforts made in Manchester, both councils told us that they do not have enough powers to control provision, for the reasons already given above.²⁴¹ Councillor Sharon Thompson, Chair, Homelessness Taskforce Members Advisory Group, West Midlands Combined Authority, gave compelling reasons beyond the quality of provision as to why councils need more control. First was around balancing provision with other housing need: “we have so many properties that are being flicked into exempt accommodation when our biggest need is family housing”.²⁴² Second was being able to control the density of exempt accommodation in an area: a high concentration “attracts people who want to manipulate people who are vulnerable”.²⁴³

Conclusion

97. **The former Minister was reluctant to consider changes to the planning system, arguing that some councils are having successes with the planning tools available to them, and that raising the overall quality will reduce the negative impacts on communities and in turn reduce the need to control the spread of exempt accommodation. However, our evidence pointed out that there is a limit to what local strategies for exempt accommodation can achieve without planning reforms. Councils need the ability to manage supply in line with locally assessed need. They need to be able to balance the provision of much needed family housing. They also need the ability to control the density of exempt accommodation because areas of high concentration can attract those with malicious intent to exploit vulnerable residents.**

98. **The Government, in its written ministerial statement in March and in evidence to us, said it intends to take forward measures that will include new powers for local authorities to better manage their local supported housing market. *We recommend that these measures include planning reforms that would assist councils to implement local strategies for exempt accommodation based on an assessment of need.***

99. ***Specifically, we recommend that the Government end the existing exemptions that registered providers have from HMO licensing and the Article 4 direction. Furthermore, we recommend that the loophole relating to non-registered providers with properties containing six or fewer residents also be addressed so that they are brought within the planning regime. This action would prevent there being a change of use without planning permission, which would be a much-needed tool to enable local authorities to balance the provision of exempt accommodation with other housing need and to control the density of exempt accommodation in an area.***

240 [Q115](#)

241 Manchester City Council ([EXA 089](#)); Birmingham City Council ([EXA 114](#)); [Q58](#); [Q71](#)

242 [Q71](#)

243 [Q71](#)

100. Demand for exempt accommodation is driven in part by a shortage of affordable homes. To solve the issues found in exempt accommodation the Government must solve the wider housing crisis. *We reiterate the recommendations from our 2020 report, “Building more social housing”—in particular, our call on the Government to build 90,000 social rent homes a year.*

5 Models of exempt accommodation

101. As the previous chapters have shown, one of the biggest challenges with exempt accommodation is the very many different models of providers. Through our inquiry we sought to establish whether an appropriate balance was being struck across these models and whether they affected the quality of provision. Our inquiry suggested that there was a place for both registered and non-registered providers, and for both commissioned and non-commissioned providers. However, our evidence pointed to some issues with the lease-based model, which is more often found among non-commissioned providers, that need addressing.

Registered versus non-registered providers

102. Many stakeholders said that, in the absence of data, it is not possible to demonstrate whether registered or non-registered providers offer a higher quality of provision. One school of thought was that, due to the greater regulation that comes with being registered with the Regulator of Social Housing, registered providers offer better quality provision and better value for money.²⁴⁴ Crawley Borough Council also suggested that non-registered providers charge “significantly higher rents” as their lack of access to funding forces them “to turn to private equity provision”.²⁴⁵ On the other hand, others pointed out that some non-registered providers offer an excellent service,²⁴⁶ in many cases niche or specialised services which “add diversity to the market”.²⁴⁷ On the regulation point, some said that there are still issues with quality and poor governance among some registered providers, as we saw in chapter 2.²⁴⁸ Additionally, the costs of requiring small providers to register could curtail other charitable work by charitable providers, or prevent them from setting up at all.²⁴⁹ Centrepont told us that barriers exist around becoming a registered provider, “namely the costs and additional reporting requirements, and the fact that smaller providers reliant on charitable and grant funding may struggle to meet the financial viability requirements of the Regulator of Social Housing”. They argued that while the regulation of exempt accommodation may be overseen by the Regulator of Social Housing, they did not believe that becoming a registered provider should be a necessary precondition to delivering supported accommodation.²⁵⁰

Commissioned versus non-commissioned providers

103. The arguments about commissioned versus non-commissioned provision were similar to those made about registered versus non-registered. Some felt that commissioned accommodation, because of its greater oversight by local authorities, was

244 E.g. YMCA England & Wales ([EXA 029](#)); Empower Housing Association ([EXA 031](#)); Centre for the New Midlands ([EXA 032](#)); Midland Heart ([EXA 069](#)); Hilldale Housing Association ([EXA 083](#)); Prospect Housing Limited ([EXA 086](#))

245 Crawley Borough Council ([EXA0 02](#)). See also Anglia Revenues Partnership ([EXA 014](#))

246 Zetetic Housing ([EXA 013](#)); Centrepont ([EXA 070](#)); L’Arche ([EXA 071](#)); Signposts (Luton), Luton Homeless Partnership ([EXA 094](#)); National Housing and Domestic Abuse Policy and Practice Group ([EXA 105](#)); Domestic Abuse Commissioner for England and Wales ([EXA 120](#)); [Q53](#) (Cllr Jory)

247 Philip Shanks ([EXA 021](#))

248 E.g. Prospect Housing ([EXA 086](#)); Zetetic Housing ([EXA 013](#))

249 E.g. YMCA England and Wales ([EXA 029](#)); St Petros ([EXA 025](#))

250 Centrepont ([EXA 070](#))

of superior quality.²⁵¹ Indeed, much of our evidence suggested that problems with exempt accommodation were more prevalent among non-commissioned providers.²⁵² However, as with non-registered providers, we heard that many non-commissioned providers offer an excellent, often specialised, service.²⁵³ We heard from Henry Meacock that St Petros went so far as to “move away from delivering commissioned services, because we believe we can support individuals better by being non-commissioned”.²⁵⁴ Some also felt that non-commissioned provision was cheaper and more flexible.²⁵⁵ Ashley Horsey argued that it simply “is not a realistic prospect” for all services to be commissioned,²⁵⁶ while the former Minister for Rough Sleeping and Housing pointed out that “[e]ven during the heyday of Supporting People”, where public funding was available for support services (see chapter 2), “we would not have had solely commissioned accommodation”.²⁵⁷

The lease-based model

104. One model that was singled out for concern, which is particularly prevalent among non-commissioned provision, is the lease-based model.²⁵⁸ On this model, the entity that owns the property is for-profit, and leases the property to a not-for-profit entity which delivers the management and care services, often through agencies.²⁵⁹ The not-for-profit entity may be a private company or a registered provider.²⁶⁰ We heard that this is a perfectly legitimate model: the London Borough of Hackney explained that “it enables genuine supported not-for-profit providers to access the market where due to high capital values they could not afford to buy properties outright”.²⁶¹ However, it said, alongside several other contributors, that problems arise when actors exploit this model for profit.²⁶² Because the landlord meets the criteria for uncapped housing benefit but the owner of the property sits outside those regulations, the uncapped rent can be pocketed as a “disguised profit income stream”,²⁶³ and hidden through “complex legal structures”.²⁶⁴ Sometimes the not-for-profit entity has close links to the investors and has only been set up as a “front”.²⁶⁵

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- 251 GreenSquareAccord ([EXA 005](#)); St Basils ([EXA 008](#)); Nottingham Community Housing Association ([EXA0015](#)), Philip Shanks ([EXA 021](#)); Empower Housing Association ([EXA 031](#)); Sunderland City Council ([EXA 033](#)); National Care Forum ([EXA 068](#)); Hilldale Housing Association ([EXA 083](#)); Institute of Revenues, Rating and Valuation ([EXA 090](#)); Nottingham City Council, Nottingham City Homes ([EXA 093](#)); Oculus Real Estate ([EXA 095](#)); London Borough of Hackney ([EXA 096](#)); National Housing Federation ([EXA 101](#)); Sheffield City Council ([EXA 103](#)); Leeds City Council ([EXA 113](#)); Birmingham City Council ([EXA 114](#)); Bristol City Council ([EXA 115](#)); [Q52](#); [Q53](#)
- 252 E.g. GreenSquareAccord ([EXA 005](#)); St Basils ([EXA 008](#)); BCP Council ([EXA 019](#)); Centre for the New Midlands ([EXA 032](#))
- 253 Centrepoint ([EXA 070](#)). See also Signposts (Luton), Luton Homeless Partnership ([EXA 094](#)); Commonweal Housing ([EXA 036](#)); National Housing and Domestic Abuse Policy and Practice Group ([EXA 105](#)); Domestic Abuse Commissioner for England and Wales ([EXA 120](#))
- 254 [Q111](#)
- 255 Birmingham Social Housing Partnership (BSHP) ([EXA 067](#)); Green Pastures ([EXA 045](#)); Homeless Link ([EXA 116](#))
- 256 [Q128](#)
- 257 [Q208](#)
- 258 E.g. Local Government Association ([EXA 020](#))
- 259 HMO Action Group ([EXA 076](#))
- 260 Sandwell Metropolitan Borough Council ([EXA 035](#))
- 261 London Borough of Hackney ([EXA 096](#)); cf. Local Government Association ([EXA 020](#))
- 262 E.g. London Borough of Hackney ([EXA 096](#)); Manchester City Council; West Devon Borough Council; Sandwell Metropolitan Borough Council ([EXA 035](#)); Local Government Association ([EXA 020](#)); HMO Action Group ([EXA 076](#))
- 263 Manchester City Council ([EXA 089](#))
- 264 London Borough of Hackney ([EXA 096](#))
- 265 Manchester City Council ([EXA 089](#))

105. Manchester City and West Devon Borough Councils gave examples of property market manipulation, whereby a company buys and sells properties on the same day at great profit because of the high yields they expect to gain from leasing the properties for exempt accommodation. Manchester gave this example: “a property was bought for £575,000 and sold on the same day for £1.8 million. This was then presented to us by the lessee ... as a new specified accommodation scheme with a high core rent (lease rent)”.²⁶⁶ In West Devon’s example, a portfolio of 12 properties were sold to a special purpose vehicle for £6 million and resold on the same day to an offshore investment company for £18 million.²⁶⁷ Cllr Jory explained: “That was done on the back of increasing the rents, through turning the tenants into exempt housing benefit tenants and increasing the rent on a 25-year lease in order to get that return over the period of the lease”.²⁶⁸

106. When we put our concerns about the lease-based model to the Ministers, the former Minister for Rough Sleeping and Housing agreed that the Government needs “to clamp down on the cases Where people are making an inordinate amount of profit. That is my intention through the work we are doing”.²⁶⁹ However, he once again pointed to councils using the tools they already have “to drive some of these people out of the market”.²⁷⁰

Conclusion

107. **The multitude of models of exempt accommodation produces a complex landscape with no guarantee of quality. We have heard concerns about the quality of non-commissioned exempt accommodation, but have also been provided with good examples of specialist non-commissioned providers. Likewise, in the absence of data, it has not been possible to demonstrate whether registered or non-registered providers offer a higher quality of provision. Therefore, the implementation of our recommendations on standards, oversight and costs should be implemented across all models to ensure overall quality is improved and value for money is delivered across the piece. The improved data collection that we recommend should be monitored and analysed to determine whether models of exempt accommodation should be streamlined in the future.**

108. *We also recommend that action be taken to address this complex landscape, by making it compulsory for all providers to be registered. A mechanism is required to ensure that there is better quality provision and that standards are maintained. Good providers will have nothing to fear from registration, while the bad providers can have their registration removed. We heard some concerns that the cost and additional reporting requirements of being registered may impact on smaller providers, particularly those reliant on charitable and grant funding. We do not see why this is the case, or why it should continue to be so. Registering should not be unnecessarily onerous or expensive, and if it is that should change. Therefore, we call upon the Regulator of Social Housing to take action to make it easier for smaller providers of exempt accommodation to register with them.*

266 Manchester City Council ([EXA 089](#))

267 West Devon Borough Council ([EXA 110](#)); [Q55](#)

268 [Q55](#)

269 [Q175](#)

270 [Q175](#)

109. The lease-based model has its place in exempt accommodation, by enabling access to properties for decent providers who would otherwise not be able to purchase properties outright. However, it can be exploited by those whose primary objective is to make huge profits at the expense of the taxpayer: we received examples of profits in the millions of pounds. *The Government must set out how it will clamp down on those exploiting the lease-based model for profit and prohibit lease-based profit-making schemes from being set up. This should include how it will ensure that there is full transparency over ownership structures and how income from housing benefit is being used.*

Conclusions and recommendations

The lived experience of residents and communities

1. An unknown but significant number of residents' experiences of exempt accommodation are beyond disgraceful. Taxpayers' money is being spent on uncapped housing benefit on the understanding that residents, who are usually vulnerable, receive some care, support, or supervision—yet it is clear that some people's situations actually deteriorate as a result of the shocking conditions in which they live. We heard of squalid environments, vermin, drug-taking, crime and abuse. We heard of people with a history of substance misuse being housed with drug dealers, and of survivors of domestic abuse being housed with perpetrators of such abuse. The support on offer is sometimes little more than a loaf of bread left on a table or a support worker shouting at the bottom of the stairs to check on residents. (Paragraph 31)
2. Since areas with high concentrations of exempt accommodation can attract anti-social behaviour, crime, rubbish, and vermin, neighbours and communities are affected negatively as well as residents. These impacts risk undermining local support for supported housing. (Paragraph 32)
3. It is egregious that organisations with no expertise are able to target survivors of domestic abuse and their children and provide neither specialist support nor an appropriate or safe environment. *Where a prospective resident of exempt accommodation is a survivor of domestic abuse, there must be a requirement that housing benefit is only paid to providers that have recognised expertise and meet the standards in Part 4 of the Domestic Abuse Act 2021. This must be implemented alongside increased supply of specialist services: the Government's Supported Housing Improvement Programme offers an opportunity to develop an evidence-based, survivor-led model of exempt accommodation for survivors of domestic abuse and their children.* (Paragraph 33)
4. Due to the scarcity of data on exempt accommodation, our inquiry was unable to establish how widespread the very worst experiences are either among residents or among local communities. Where the very worst experiences are occurring, this points to a complete breakdown of the system which calls for immediate action from Government. Implementing our recommendations in this report will go some way to improving the quality of provision for residents and managing the impact on communities. (Paragraph 34)

Improving and overseeing the quality of provision

5. It was clear from our evidence that the quality of provision of exempt accommodation varies greatly and that the poor quality provision puts already vulnerable residents at serious risk. The Government fears "unintended consequences" from further regulation and points to councils that have turned things around within the funding envelope and powers available to them. Yet we received compelling evidence that there need to be national standards for referrals, support, and accommodation and that local authorities are best placed to enforce them. For all the efforts and best

practice that Birmingham council has implemented, we still met residents of exempt accommodation in Birmingham living in utterly appalling circumstances, nine months after the Government's pilots concluded. Two years after the Government published its National Statement of Expectations on the quality of the housing element of exempt accommodation, there are still landlords providing unacceptably poor housing. We welcome the Government's exploration with councils of referral pathways and its commitment to improving the definition of "care, support or supervision" and setting minimum standards. It is imperative that these standards are not optional. (Paragraph 54)

6. *Within twelve months of the publication of this report, the Government should publish national standards, and give local authorities the power and resources to enforce these standards, in the following areas:*
 - *The referral process, which should include an assessment of the prospective resident's support needs and if there are any considerations about with whom they should or should not be housed;*
 - *Care, support, or supervision, which should include helping the resident progress towards independence and employment;*
 - *The quality of housing; and*
 - *Information the provider must give to the resident, including on their rights, particularly their right to work and right to complain. (Paragraph 55)*
7. *Consideration should be given to an accreditation scheme for providers, implemented on a graded basis, so that councils can assess the quality of provision in their area and so that poorer quality providers can improve. (Paragraph 56)*
8. *The Government should provide new burdens funding to local authorities to ensure that they can carry out these duties to the best of their ability, recognising that improving the overall standard of exempt accommodation and making it more consistent is likely to save resources in the long-term. The Government should also carry out an impact assessment to identify and mitigate any unintended consequences. (Paragraph 57)*
9. The patchwork regulation of exempt accommodation has too many holes. We recognise that the exempt accommodation sector is complex with different types of providers, therefore requiring the involvement of multiple regulators. But some providers do not fall under the remit of any regulator, and no regulator has complete oversight of the different elements of exempt accommodation. Later in this report we recommend that all providers be registered, which would mean their oversight of economic and consumer standards was undertaken by the Regulator of Social Housing. We are particularly concerned about the fact that the "care, support, or supervision" element is unregulated except in the specific and limited circumstances where it falls within the Care Quality Commission's remit. We welcome the Government's commitment to exploring the regulatory regime to identify whether there are any gaps—but evidence to us expressed total unanimity as to the fact that gaps exist. (Paragraph 58)

10. The different regulators have oversight for different aspects of exempt accommodation, and this means it is not simple to include oversight of exempt accommodation under a single regulator. However, the existing regulators are experts in their own areas and may be able to improve oversight of exempt accommodation if they worked more closely together in a more structured way. We therefore welcome the comment from the Department for Levelling Up, Housing and Communities (DLUHC) that a national oversight body was being considered. (Paragraph 59)
11. *We recommend that a National Oversight Committee be urgently established to address the oversight issues relating to exempt accommodation. Among its functions we expect that it would coordinate awareness of emerging issues, inform the development of policy in this area and develop proposals for reform of the regulatory system. The composition of the committee should include the existing regulators—the Care Quality Commission, Regulator of Social Housing, Charity Commission, Financial Conduct Authority and the Office of the Regulator of Community Interest Companies—officials from DLUHC, the Local Government Association, and any other organisation it was thought would make a valuable contribution to improving oversight. One of the committee’s first tasks should be to input into the development of the national standards we have recommended.* (Paragraph 60)

Data and costs

12. The dearth of data on exempt accommodation shows how successive Governments have been caught sleeping. The Government does not know how much exempt accommodation there is or how many people live in exempt accommodation. The Government claims that poor providers are a minority but has no data to back this up. The Government does not know how many providers are regulated and by which regulators. We know there have been acute problems in Birmingham, for example, which the then Minister for Welfare Delivery said were not happening across the country. Without data, however, it has been very difficult to ascertain the extent of these problems across the country. We welcome the data review commissioned by the Government, but it will only provide a snapshot in time. We also welcome the steps the Department for Work and Pensions (DWP) is taking to improve data collection, but since this will apply only to new claimants it will take time for a reliable national picture to emerge. (Paragraph 82)
13. *Within twelve months of publication of this report, the Government must organise the collection, collation and publication of annual statistics at a local authority level on the following:*
 - *The number of exempt accommodation claimants;*
 - *The number of exempt accommodation providers;*
 - *The number of housing units used for exempt accommodation;*
 - *The number of exempt accommodation housing units per provider;*
 - *The number of exempt accommodation claimants per provider;*

- *The number of exempt accommodation providers registered with different regulators, and commissioned to provide accommodation or support;*
 - *The number of providers meeting and failing to meet the national standards we set out; and*
 - *The amount of money paid by both the DWP and the local authority in exempt accommodation housing benefit. (Paragraph 83)*
14. The Government has no idea how much taxpayer money is spent on exempt accommodation, nor what this money is spent on. It cannot know whether the current system is delivering value for money. Millions of pounds are being poured into exempt housing benefit with no guarantee that vulnerable residents will get the support they need. In some cases, vulnerable residents who are likely to have low incomes have to pay for support out of their own pockets. It is quite possible that the Government does not need to spend more on exempt accommodation but to spend more wisely. (Paragraph 84)
 15. *The Government should conduct a review of exempt housing benefit claims to determine how much is being spent and on what. Rent should be capped at a reasonable level that meets the higher costs of managing exempt accommodation. Funding for support should be provided separately. (Paragraph 85)*
 16. Providers of exempt accommodation are supposed to be not-for-profit, and there are many responsible providers, some of whom gave evidence to us. However, we also heard that the current system offers a licence to print money to those who wish to exploit it. We do not agree with the former Minister that using Freedom of Information requests to determine potential rent levels is a viable business model. Instead it gives the impression of a cartel pushing up rent levels and pocketing the excess at the expense of vulnerable residents and the taxpayer. The bar for local authorities to challenge rent levels is too high and appeals have rarely found in the council's favour. *Eligibility for funding for exempt accommodation must be based on an open-book, transparent breakdown of the accommodation and the support costs incurred to the provider. The Government should consider how to give councils greater control over rents for exempt accommodation to ensure value for money. (Paragraph 86)*
 17. The Government was unable to provide a satisfactory justification, let alone an explanation, as to why DWP reimburses councils for 100% of housing benefit if the provider is registered but only 60% if it is not registered, leaving the council to pick up the rest of the tab. *The same 100% subsidy should be paid by DWP whether or not the provider is registered. Later in this report we recommend that all providers be registered. While this will result in increased costs for DWP, this is likely to be offset by savings resulting from implementing our recommendations to drive out unscrupulous, profit-driven providers. (Paragraph 87)*

Planning and licensing

18. The former Minister was reluctant to consider changes to the planning system, arguing that some councils are having successes with the planning tools available

to them, and that raising the overall quality will reduce the negative impacts on communities and in turn reduce the need to control the spread of exempt accommodation. However, our evidence pointed out that there is a limit to what local strategies for exempt accommodation can achieve without planning reforms. Councils need the ability to manage supply in line with locally assessed need. They need to be able to balance the provision of much needed family housing. They also need the ability to control the density of exempt accommodation because areas of high concentration can attract those with malicious intent to exploit vulnerable residents. (Paragraph 97)

19. The Government, in its written ministerial statement in March and in evidence to us, said it intends to take forward measures that will include new powers for local authorities to better manage their local supported housing market. *We recommend that these measures include planning reforms that would assist councils to implement local strategies for exempt accommodation based on an assessment of need.* (Paragraph 98)
20. *Specifically, we recommend that the Government end the existing exemptions that registered providers have from HMO licensing and the Article 4 direction. Furthermore, we recommend that the loophole relating to non-registered providers with properties containing six or fewer residents also be addressed so that they are brought within the planning regime. This action would prevent there being a change of use without planning permission, which would be a much-needed tool to enable local authorities to balance the provision of exempt accommodation with other housing need and to control the density of exempt accommodation in an area.* (Paragraph 99)
21. Demand for exempt accommodation is driven in part by a shortage of affordable homes. To solve the issues found in exempt accommodation the Government must solve the wider housing crisis. *We reiterate the recommendations from our 2020 report, “Building more social housing”—in particular, our call on the Government to build 90,000 social rent homes a year.* (Paragraph 100)

Models of exempt accommodation

22. The multitude of models of exempt accommodation produces a complex landscape with no guarantee of quality. We have heard concerns about the quality of non-commissioned exempt accommodation, but have also been provided with good examples of specialist non-commissioned providers. Likewise, in the absence of data, it has not been possible to demonstrate whether registered or non-registered providers offer a higher quality of provision. Therefore, the implementation of our recommendations on standards, oversight and costs should be implemented across all models to ensure overall quality is improved and value for money is delivered across the piece. The improved data collection that we recommend should be monitored and analysed to determine whether models of exempt accommodation should be streamlined in the future. (Paragraph 107)
23. *We also recommend that action be taken to address this complex landscape, by making it compulsory for all providers to be registered. A mechanism is required to ensure that there is better quality provision and that standards are maintained. Good providers will have nothing to fear from registration, while the bad providers can have their*

registration removed. We heard some concerns that the cost and additional reporting requirements of being registered may impact on smaller providers, particularly those reliant on charitable and grant funding. We do not see why this is the case, or why it should continue to be so. Registering should not be unnecessarily onerous or expensive, and if it is that should change. Therefore, we call upon the Regulator of Social Housing to take action to make it easier for smaller providers of exempt accommodation to register with them. (Paragraph 108)

24. The lease-based model has its place in exempt accommodation, by enabling access to properties for decent providers who would otherwise not be able to purchase properties outright. However, it can be exploited by those whose primary objective is to make huge profits at the expense of the taxpayer: we received examples of profits in the millions of pounds. *The Government must set out how it will clamp down on those exploiting the lease-based model for profit and prohibit lease-based profit-making schemes from being set up. This should include how it will ensure that there is full transparency over ownership structures and how income from housing benefit is being used. (Paragraph 109)*

Annex: The Committee's visit to Birmingham

The evidence we received for our inquiry made it clear that there had been a large increase in the amount of exempt accommodation in Birmingham and that this had raised many concerns. We decided to visit Birmingham in order to hear directly from residents, neighbours, councillors, and council and police officers. The visit took place on Thursday 16 June 2022 and comprised:

- An escorted walk around the Stockland Green ward;
- An engagement event with residents of exempt accommodation; and
- A presentation and discussion with representatives of the Exempt Accommodation Forum, made up of neighbourhood and community groups.²⁷¹

We would like to thank all those who helped to organise or participated in the visit. We would particularly like to thank the residents of exempt accommodation for talking to us so honestly, bravely, and knowledgeably about the challenges they have faced and how they think improvements can be made.

Walk around Stockland Green

The Stockland Green ward in Erdington, in the north of Birmingham, has 418 exempt accommodation properties, comprising 1,217 units operated by 32 providers. The ward contains roughly 6% of all exempt accommodation in Birmingham but accounts for 11% of the total recorded complaints, issues and enquiries relating to exempt accommodation. We were accompanied on our walk around Stockland Green by local councillors, council officers, representatives from the local community group Pioneer, and West Midlands Police. They made the following points:

- Rents for a room can be £230/week;
- Four providers, all registered with the Regulator of Social Housing, provide over 70% of all the exempt accommodation properties in Birmingham (Reliance Social Housing (38%), Concept Housing (16%), Ash Shahada (11%), and Sustain UK (7%));
- One of the largest providers was refusing at the time of our visit to sign up to Birmingham Council's voluntary Charter of Rights;
- There were high volumes of calls to police in the area, including reports of serious offences;
- The main problems stemmed from the worst providers being non-commissioned. When properties have been decommissioned for being unsuitable, they have been taken over by other providers who reuse them;

271 [Birmingham EA Forum on Exempt Accommodation presentation](#)

- Criminal organisations can use exempt accommodation as a front for money laundering. They can make has much money from providing exempt accommodation as from drug dealing;
- A challenge with identifying a lack of support for residents is that it requires them to come forward. If they do, there will be a review of their housing benefit claim. This puts them at risk of losing their benefits and therefore being unable to pay their rent. Residents who get a job can also risk losing their benefits;
- Support workers often lack training, deal with 45–50 residents, and are not required to have a criminal records check; and
- Residents can get trapped in exempt accommodation, with some residents with complex needs living in exempt accommodation for long periods of time, for example four years.

We were also told about the Safer Streets Project being run on Slade Road in Stockland Green, which had received funding to:

- Increase the number of streetlights and cameras;
- Help the community form organisations such as litter groups and forums; and
- Carry out security checks on residents.

Roundtable event with residents

We heard from eleven people either with experience of living in exempt accommodation or who work closely with those who live in exempt accommodation. Several common themes emerged during the discussion:

Lack of adequate support

Participants felt that the support being provided was inadequate, with one describing the situation as “an absolute farce”. The typical allocation of support of one hour a week was thought to be too low, and that low bar was often not being met. For some, support amounted only to signing a form or a telephone call. One person had not been supported to fill out an application for social housing during the last four years. Another had signed up to training courses, such as for improving personal finance skills, which never took place. The service charge that was supposed to fund one participant’s support was instead spent on “wi-fi and a cleaner”. Attendees complained that the local council had not asked them whether they were receiving the support they needed.

The quality of support workers was also felt to be poor. Participants felt that it was too easy to get a job as a support worker, and that they lacked training. Some support workers were intimidating, while others were intimidated by the work of supporting people with complex needs. The turnover of support workers was extremely high—one person had five support workers in four weeks. One support worker was reported to have quit, having met with residents for 20 minutes, on moral grounds that they had not received any training.

An attendee said that they never knew if their support worker was gone to turn up; if they did, they might stay only for 15 minutes as they had spent 45 minutes travelling to the appointment.

Lack of assessment beforehand

Concerns were raised about the adequacy of the assessment process. One person had received no assessment of their support needs, while another person's assessment had lasted just 20 minutes. Participants felt the lack of assessment was a key factor in people being inappropriately housed together, for example people recovering from drug addiction being housed with people struggling with drug addiction. We were also told that providers refused to house people together if they knew each other. The lack of prior assessment meant that a person using a wheelchair was allocated an upstairs room, in a house that was not wheelchair accessible. This had left them dependent on their housemates to get through the front door or to their room.

Participants also felt that the lack of assessment led to problems with behaviour within the property that had a negative impact on their welfare and mental health. We were told about incidences of violence, including the brandishing of machetes and individuals setting themselves on fire. Despite this, bedroom door locks either did not exist or were not changed after a change in resident or an incident. The attendees said these experiences greatly increased their anxiety levels, which for one attendee had led to weight loss and for another had exacerbated the sense of isolation that followed from the loss of connection with family members. For an attendee who had moved into exempt accommodation because they had been offered mental health support, the experience had worsened their mental health. One participant said they preferred to sleep by the canal with the rats, rather than remain in their accommodation.

Poor quality of exempt accommodation housing

The physical condition of the exempt accommodation could also be shocking. For instance, one participant was asked to move into a room "covered in bodily fluids". Others described disrepair and unhygienic conditions, with problems taking a long time to be fixed. In one case 2½ weeks were taken to clear up a sewage leak in a garden; in another 6 weeks were taken to fix a toilet seat; in a third, a door handle was replaced with a screw; and in a fourth there was no fridge freezer for five weeks. We were also told that gas and electricity bills were not being paid by providers, while the landlord retained control of the meter, meaning that residents could not pay for utilities themselves. Another property had no internet for six weeks, which made it impossible for one resident to work from home and for another to look for jobs.

Costs and contracts

One participant's rent was £244/week, with a £15 weekly service charge to cover support and £13 for electricity. Another attendee's rent was £229/week, with a £20 weekly service charge for utilities and the internet. Despite these high costs, rooms can be very small—one person's room was 2 x 5 metres. It was repeated that exempt accommodation is a "trap". Residents had to sign a 59-page contract that did not detail the landlord's obligations. One

participant described the difference between what is sold and the reality as the difference between day and night. Yet attendees felt they could not complain as this risked immediate eviction, because they had a licence contract and not a tenancy.

Problems getting a job

Participants told us that they could not work full time because they would lose their housing benefit and therefore be unable to pay their rent. At the same time, they did not have long enough to build up a deposit to rent in the private sector. Instead, they could only work for 14 hours a week. We were told that providers preferred potential residents to be receiving universal credit. Providers also demanded access to individuals' personal universal credit accounts, and when people moved in, they were required to agree that landlords could claim benefits on their behalf. Because of this, some residents worked for cash in hand while simultaneously claiming benefits.

Ways to improve things

Participants had the following recommendations:

- Proper monitoring of providers and vetting of landlords;
- Character profiling of residents to ensure a suitable mix; and
- Banning adverts on sites such as Gumtree and Facebook.

Event with neighbourhood groups

We received a presentation from the Exempt Accommodation Forum which included six case studies detailing the challenges in particular roads across Birmingham.²⁷² The forum consists of neighbourhood and community groups from across Birmingham who have concerns about the rise of exempt accommodation. Key points from the presentation and following discussion included:

Growth of exempt accommodation

Mapping the growth of exempt accommodation was only possible because forum members submitted freedom of information requests to obtain the data. Their efforts showed that 64% of Birmingham's exempt accommodation was concentrated in 20 of the city's 69 wards. The forum was particularly concerned that there had been an increase in exempt accommodation offered by non-compliant providers, and that there had been an increase in the use of smaller family houses for exempt accommodation in order to avoid planning controls.

Impact on the community

Members described major problems with fly-tipping, rubbish, cockroaches, and vermin, leading to fire and health risks. They also described how exempt accommodation was putting a strain on public services such as GP surgeries and causing the loss of local shops

272 [Birmingham Exempt Accommodation Forum presentation](#)

whose shopkeepers cannot sell their goods or afford security personnel. They added that the spread of exempt accommodation was causing existing residents to move out of the area.

There was a palpable sense of frustration from the members of the forum, summed up as a “pervading sense of hopelessness”. A participant referred to the “daily grind” of worrying about the risk to their children, abuse from some residents of exempt accommodation, rubbish spilling over into the streets, and the fear that more exempt accommodation would replace family houses. We were told that “people who have lived in the area for many years have had enough”.

Problems with support for residents

Due to a lack of support, some residents can be seen begging and others remain addicted to drugs. For some, “care, support, or supervision” is little more than a 17-year-old girl handing out foodbank vouchers once a week. One resident of exempt accommodation had had 10 support workers in 12 months. Forum members felt that service charges cannot pay for adequate support, and so the “good” providers are either commissioned or charity-funded. There is no incentive for providers to encourage people to move on, as they will lose their housing benefit if they get a job.

Experiences of residents

One part of the presentation was delivered by an outreach worker who assists residents of exempt accommodation. She said:

- Exempt accommodation properties lack private spaces for residents to meet family and support workers;
- There was a poor mixing of people—for example, housing former drug rehab attendees with drug users and promises of women-only exempt accommodation not being delivered, with victims of domestic abuse having to live with men with a history of sexual abuse;
- There were instant offers of accommodation being given without seeking information on or even the names of the residents. Licence agreements were backdated when they were provided. This also meant residents had fewer rights to bring forward complaints and to protect against eviction;
- Service charges were being paid in cash without receipts and support plans had been falsified. Landlords had benefits paid directly to them as residents lacked bank accounts, and deducted the service charge;
- Accommodation can have damp and mould; no electricity, gas or hot water, or with hot water remotely controlled; and faeces on walls. There is no accommodation for people with pets;
- Residents might be required to do work for providers for little or no pay—for example, receiving a pint of milk for tidying the bathroom. There had been

an HMRC investigation in Selly Oak, which had focused on cash-payments and illegal workers being used for construction work, but not on the exempt accommodation aspects;

- Women were asked for sex in return for promises of better accommodation;
- Currently, residents of exempt accommodation are invisible, being hidden among the community. Not all the people need the support aspect of exempt accommodation, just somewhere to live; and
- The experiences of people who go through exempt accommodation meant they could end up permanently damaged. There had been “terrible exploitation of these people—they are not supported in any sense at all, in fact their condition is worse”.

Lack of oversight

The approach to dealing with problems was described as “whack-a-mole”, since, members described, the police are under-resourced and have a high turnover. One neighbourhood group received responses from only two of the eleven providers to whom they had complained about problems with drugs, anti-social behaviour, and rubbish. Members described as scandalous the fact that providers do not need to be accredited. Members felt that a lack of transparency about who owns and runs the properties, the source of their funding, and whether they pay tax in the UK, impeded efforts to deal with problems. The forum had repeatedly requested a meeting with the Regulator of Social Housing, which had been ignored, and all the while the two largest non-compliant providers had been able to grow in size.

Ways to improve things

Suggestions included:

- Introducing a cap on the number of providers and units of exempt accommodation in a given area;
- Replacing non-commissioned exempt accommodation as soon as possible with commissioned provision, with accreditation as an interim measure;
- Stronger powers for the Regulator of Social Housing, and a dedicated team within the Regulator to focus on exempt accommodation;
- Applying the Social Housing (Regulation) Bill’s requirements to residents with licences as well as tenancies;
- More powers for local authorities over planning and licencing, including the removal of exemptions from HMO regulations;
- Classing exempt accommodation as a business so that owners are liable for business rates and waste disposal;
- Improving the definition of care, support, or supervision, and improving the skills and availability of support workers;

- Regular property inspections, focusing on “homes not rooms”;
- A high-level investigation by the HMRC and National Crime Agency into corruption and criminality;
- Increased resources for local authorities; and
- Increased provision of general-needs housing.

It was firmly underlined that this is a national problem requiring national action, and that “the money is the answer here”, since “millions of pounds of money is being misspent”, which needs to be redirected and used intelligently.

Formal minutes

The following declarations of interest were made at meetings relating to Exempt Accommodation:

28 March 2022

Clive Betts declared that he was a Vice-President of the Local Government Association (also declared on 27 April and 4 July).

Kate Hollern declared that she employed a councillor in her office (also declared on 27 April and 4 July).

Mohammad Yasin declared that he was a member of the Bedford Town Deal Board.

27 April 2022

Andrew Lewer declared that he was a Vice-President of the Local Government Association.

Mary Robinson declared that she employed a councillor in her office (also declared on 4 July).

4 July 2022

Sara Britcliffe declared that she was the Treasurer of the All-Party Parliamentary Group on Temporary Accommodation.

Ian Byrne declared that he employed a councillor in his office.

Ben Everitt declared that he employed a councillor in his office.

Darren Henry declared that employed a councillor in his office.

Wednesday 19 October 2022

Members present:

Mr Clive Betts, in the Chair

Ian Byrne

Kate Hollern

Mary Robinson

Mohammad Yasin

Draft report (*Exempt Accommodation*) proposed by the Chair, brought up and read.

Ordered, That the report be read a second time, paragraph by paragraph.

Paragraphs 1 to 109 read and agreed to.

Summary agreed to.

Annex agreed to.

Resolved, That the Report be the Third Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Adjournment

[Adjourned until Monday 24 October at 3.30pm]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Monday 28 March 2022

Paul Latham, Director of Communication and Policy, Charity Commission; **Jonathan Walters**, Deputy Chief Executive, Regulator of Social Housing; **Debbie Ivanova**, Deputy Chief Inspector, Care Quality Commission (CQC)

[Q1–43](#)

Cllr Neil Jory, Leader, West Devon Borough Council; **Helen Clipsom**, Outreach and Private Rented Options Service Manager, City Of Bradford Metropolitan District Council; **Cllr Sharon Thompson**, Chair of the Homelessness Taskforce Members Advisory Group, West Midlands Combined Authority; **Guy Chaundy**, Senior Manager Housing Strategy, City Housing, Birmingham City Council

[Q44–71](#)

Wednesday 27 April 2022

Denise Hatton, National Secretary and CEO, YMCA England & Wales; **Henry Meacock**, Chief Executive, St Petrocs; **David Fensome**, Chief Executive, Concept Housing Association

[Q72–121](#)

Matt Downie, Chief Executive, Crisis; **Ashley Horsey**, Chief Executive, Commonweal Housing; **Sam Lister**, Policy and Practice Officer, Chartered Institute of Housing; **Farah Nazeer**, Chief Executive, Women's Aid Federation of England

[Q122–141](#)

Monday 4 July 2022

Eddie Hughes MP, Minister for Rough Sleeping and Housing, Department for Levelling Up, Housing and Communities; **Cathy Page**, Deputy Director for Supported Housing, Domestic Abuse and Home Adaptations (Disabled Facilities Grant), Department for Levelling Up, Housing and Communities; **David Rutley MP**, Minister for Welfare Delivery, Department for Work and Pensions; **James Wolfe**, Director, Disability and Housing Support, Department for Work and Pensions

[Q142–223](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

EXA numbers are generated by the evidence processing system and so may not be complete.

- 1 Alden, Councillor Robert (Leader of Birmingham City Council Conservative Group, Birmingham City Council) ([EXA0063](#))
- 2 Allen, Joy (Police and Crime Commissioner, Durham Police and Crime Commissioner) ([EXA0011](#))
- 3 Anglia Revenues Partnership ([EXA0014](#))
- 4 Anonymous, ([EXA0023](#))
- 5 Anonymous, ([EXA0051](#))
- 6 Anonymous, ([EXA0003](#))
- 7 Antrobus Road Residents' Action Group (ARRAG) ([EXA0100](#))
- 8 Association of Police and Crime Commissioners ([EXA0107](#))
- 9 BCP Council ([EXA0019](#))
- 10 Barnardo's ([EXA0102](#))
- 11 Birmingham City Council ([EXA0114](#))
- 12 Birmingham Social Housing Partnership (BSHP) ([EXA0067](#))
- 13 Blackpool Council ([EXA0077](#))
- 14 Brandwood Together (Residents Association) ([EXA0098](#))
- 15 Bristol City Council ([EXA0115](#))
- 16 Campbell Tickell Ltd ([EXA0044](#))
- 17 Care Quality Commission (CQC) ([EXA0121](#))
- 18 Centre for the New Midlands ([EXA0032](#))
- 19 Centrepoint; Mary Seacole Housing Association; Falcon Support Services; New Roots; Young People and Children First; and Horizons North East ([EXA0070](#))
- 20 Changing Lives ([EXA0040](#))
- 21 Charnwood Borough Council ([EXA0104](#))
- 22 Chartered Institute of Housing ([EXA0122](#))
- 23 Chartered Institute of Housing ([EXA0123](#))
- 24 Chartered Institute of Housing ([EXA0058](#))
- 25 City Of Bradford Metropolitan District Council ([EXA0088](#))
- 26 Commonweal Housing ([EXA0036](#))
- 27 Community Partnership for Selly Oak ([EXA0050](#))
- 28 Crawley Borough Council ([EXA0002](#))
- 29 Crisis UK ([EXA0043](#))
- 30 Derby City Council ([EXA0082](#))
- 31 Domestic Abuse Commissioner for England and Wales ([EXA0120](#))

- 32 Emmaus UK ([EXA0084](#))
- 33 Empower Housing Association ([EXA0031](#))
- 34 Entrain Space ([EXA0087](#))
- 35 Expert Link ([EXA0073](#))
- 36 Ferber, Rozanne ([EXA0099](#))
- 37 First Priority Housing Association Limited ([EXA0062](#))
- 38 Gill, Preet Kaur (Member of Parliament for Birmingham, Edgbaston, House of Commons) ([EXA0108](#))
- 39 Golden Lane Housing ([EXA0016](#))
- 40 Grand Union Housing Group ([EXA0017](#))
- 41 Green Pastures ([EXA0045](#))
- 42 GreenSquareAccord Limited ([EXA0005](#))
- 43 HBV Group ([EXA0065](#))
- 44 Handsworth Helping Hands ([EXA0018](#))
- 45 Heywood, Mrs Frances (retired housing researcher, member of HMOAG Birmingham but speaking as myself) ([EXA0079](#))
- 46 Hilldale Housing Association ([EXA0083](#))
- 47 Homeless Link ([EXA0116](#))
- 48 Horizons North East ([EXA0030](#))
- 49 Hull City Council ([EXA0117](#))
- 50 Inclusion Group ([EXA0007](#))
- 51 Institute of Revenues, Rating and Valuation ([EXA0090](#))
- 52 John, Mrs Danielle (Secretary, Langleys Road - Oak Tree Lane - Bristol Road Neighbourhood Watch); and Barham, Mrs Christine (Vice Chair person, Langleys Road - Oak Tree Lane - Bristol Road Neighbourhood Watch) ([EXA0022](#))
- 53 Joint Mayoral Response ([EXA0112](#))
- 54 Kumar, Mr Devinder ([EXA0027](#))
- 55 L'Arche ([EXA0071](#))
- 56 Learning Disability and Autism Housing Network; and Golden Lane Housing ([EXA0041](#))
- 57 Leeds City Council ([EXA0113](#))
- 58 Local Government and Social Care Ombudsman (LGSCO) ([EXA0006](#))
- 59 London Borough of Hackney ([EXA0096](#))
- 60 London's Deputy Mayor for Policing and Crime ([EXA0118](#))
- 61 Lotus Sanctuary CIC ([EXA0039](#))
- 62 Mahmood MP, Shabana ([EXA0064](#))
- 63 Manchester City Council ([EXA0089](#))
- 64 Medway Council ([EXA0054](#))
- 65 Midland Heart ([EXA0069](#))
- 66 Moseley Regeneration Group ([EXA0081](#))

- 67 Murphy, Dr. Patrick (Clinical Psychologist, NHS) ([EXA0053](#))
- 68 National Care Forum ([EXA0068](#))
- 69 National Fire Chiefs Council ([EXA0091](#))
- 70 National Housing Federation ([EXA0101](#))
- 71 National Housing and Domestic Abuse Policy and Practice Group ([EXA0105](#))
- 72 Nottingham City Council; and Nottingham City Homes ([EXA0093](#))
- 73 Nottingham Community Housing Association ([EXA0015](#))
- 74 Oculus Real Estate ([EXA0095](#))
- 75 Office of the West Midlands Police and Crime Commissioner ([EXA0061](#))
- 76 O’Leary, Dr Chris (Senior Lecturer, Policy Evaluation and Research Unit, Manchester Metropolitan University) ([EXA0001](#))
- 77 Praevaleo Ltd t/a Michael Patterson ([EXA0048](#))
- 78 Preston City Council ([EXA0034](#))
- 79 Progress Housing Group Ltd ([EXA0059](#))
- 80 Prospect Housing Limited ([EXA0086](#))
- 81 Regulator of Social Housing ([EXA0078](#))
- 82 Resonance ([EXA0092](#))
- 83 Sanctuary ([EXA0085](#))
- 84 Sandwell Metropolitan Borough Council ([EXA0035](#))
- 85 Shanks, Phil (Independent board member/advisor, various) ([EXA0021](#))
- 86 Sheffield City Council ([EXA0103](#))
- 87 Signposts (Luton); and Luton Homeless Partnership ([EXA0094](#))
- 88 Soho Road East Neighbourhood Watch ([EXA0038](#))
- 89 South Kesteven District Council ([EXA0109](#))
- 90 South Yorkshire Housing Association ([EXA0042](#))
- 91 Spring Housing Association ([EXA0047](#))
- 92 St Basils ([EXA0008](#))
- 93 St Mungo’s ([EXA0111](#))
- 94 St Petros ([EXA0025](#))
- 95 Stepping Stone Projects ([EXA0024](#))
- 96 Succour Haven CIC ([EXA0026](#))
- 97 Sunderland City Council ([EXA0033](#))
- 98 The Ashley Foundation ([EXA0119](#))
- 99 The Connection at St Martins ([EXA0037](#))
- 100 The HMO Action Group; and Deer’s Leap Residents Association, Summerfield Streetwatch, Safer Neighbourhoods Partnership Group, Brandwood Together, NEAT (North Edgbaston Action Team), Langleys Road Neighbourhood Watch, Handsworth Wood Residents Association, Perry Barr Constituency Housing Action Group, North Moseley Residents, the Community Partnership for Selly Oak. ([EXA0076](#))
- 101 The Local Government Association ([EXA0020](#))

- 102 The Riverside Group Ltd ([EXA0080](#))
- 103 The Salvation Army ([EXA0074](#))
- 104 Wellings, Mr Neil (Resident, Yenea Housing); and Tembi, Miss McKenzie (Resident, Yenea Housing) ([EXA0066](#))
- 105 Westmoreland Supported Housing Limited ([EXA0075](#))
- 106 Welwyn Hatfield Council ([EXA0125](#))
- 107 West Devon Borough Council ([EXA0110](#))
- 108 West Midlands Combined Authority ([EXA0009](#))
- 109 West Midlands Combined Authority (WMCA) Faith Strategic Partnership Group ([EXA0049](#))
- 110 West Midlands Fire Service ([EXA0106](#))
- 111 West Midlands Housing Association Partnership (WMHAP); and Citizen Housing ([EXA0012](#))
- 112 West Midlands Police ([EXA0010](#))
- 113 Women's Aid Federation of England ([EXA0124](#))
- 114 Women's Aid Federation of England ([EXA0046](#))
- 115 YMCA England & Wales ([EXA0029](#))
- 116 YMCA St Paul's Group ([EXA0060](#))
- 117 Yenea Housing Ltd ([EXA0056](#))
- 118 Zetetick Housing ([EXA0013](#))

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the publications page of the Committee's website.

Session 2022–23

Number	Title	Reference
1st	The regulation of social housing	HC 18
2nd	Long-term funding of adult social care	HC 19

Session 2021–22

Number	Title	Reference
1st	The future of the planning system in England	HC 38
2nd	Local authority financial sustainability and the section 114 regime	HC 33
3rd	Permitted Development Rights	HC 32
4th	Progress on devolution in England	HC 36
5th	Local government and the path to net zero	HC 34
6th	Supporting our high streets after COVID-19	HC 37
7th	Building Safety: Remediation and Funding	HC 1063
8th	Appointment of the Chair of the Regulator of Social Housing	HC 1207

Session 2019–21

Number	Title	Reference
1st	Protecting rough sleepers and renters: Interim Report	HC 309
2nd	Cladding: progress of remediation	HC 172
3rd	Building more social housing	HC 173
4th	Appointment of the Chair of Homes England	HC 821
5th	Pre-legislative scrutiny of the Building Safety Bill	HC 466
6th	Protecting the homeless and the private rented sector: MHCLG's response to Covid-19	HC 1329
7th	Cladding Remediation—Follow-up	HC 1249

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Supported Housing (Regulatory Oversight) Bill

EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Department for Levelling Up, Housing and Communities with the consent of Bob Blackman, the Member in charge of the Bill, are published separately as Bill 19—EN.

Supported Housing (Regulatory Oversight) Bill

[AS INTRODUCED]

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A

B I L L

TO

Make provision about the regulation of supported exempt accommodation; to make provision about local authority oversight of, and enforcement powers relating to, the provision of supported exempt accommodation; and for connected purposes.

BE IT ENACTED by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Advice, strategy and standards

1 Supported Housing Advisory Panel

- (1) The Secretary of State must appoint a panel of persons, to be known as “the Supported Housing Advisory Panel”, to provide information and advice about or in connection with supported exempt accommodation to— 5
- (a) the Secretary of State,
 - (b) local housing authorities in England, and
 - (c) social services authorities in England.
- (2) The persons appointed under subsection (1) must include— 10
- (a) at least one person who appears to the Secretary of State to represent the interests of registered providers of social housing in England, 10
 - (b) at least one person who appears to the Secretary of State to represent the interests of local housing authorities in England,
 - (c) at least one person who appears to the Secretary of State to represent the interests of social services authorities in England, 15
 - (d) at least one person who appears to the Secretary of State to represent the interests of charities providing supported exempt accommodation, and
 - (e) at least one person who appears to the Secretary of State to represent the interests of residents (or potential residents) of supported exempt accommodation; 20

but the Secretary of State is not required to appoint different persons under each of paragraphs (a) to (e).

- (3) The Secretary of State must, after complying with subsection (2), and after consulting the existing members of the panel, appoint a person to chair the panel, and the person becomes a member of the panel on appointment.
- (4) The Secretary of State must comply with subsections (1) to (3) before the end of the period of one year beginning with the date on which this Act is passed. 5
- (5) The panel –
- (a) must provide information or advice on such matters within subsection (1), to such persons within that subsection, as the Secretary of State may direct, and
 - (b) subject to that, may provide such information or advice within subsection (1), to such persons within that subsection, as it considers appropriate (whether or not requested to do so). 10
- (6) A member of the panel is to hold and vacate office in accordance with the terms and conditions of the member’s appointment which –
- (a) must include provision requiring the member to declare any financial or other personal interest relevant to the functions of the panel, and 15
 - (b) may include provision under which the member is paid remuneration or allowances.
- (7) A person appointed to the panel under subsection (1) or (3) –
- (a) is to be appointed for a term of not exceeding five years, and 20
 - (b) may, upon expiry of that term, be reappointed for one further term not exceeding five years.
- (8) In this section “information and advice about or in connection with supported exempt accommodation” includes information and advice about anything which, in the view of the panel, could have a significant impact on the provision or regulation of supported exempt accommodation. 25

2 Local supported housing strategies

- (1) A local housing authority in England must –
- (a) carry out a review of the supported exempt accommodation in its district, and 30
 - (b) in the light of that review, publish a strategy, to be known as a “supported housing strategy”, for the provision of supported exempt accommodation in its district.
- (2) A local housing authority –
- (a) must comply with subsection (1) before such date as may be specified in regulations made by the Secretary of State, and 35
 - (b) subsequently, must comply with that subsection before the end of each five-year period beginning with the day on which it published its most recent supported housing strategy.
- (3) A supported housing strategy must, in particular, include – 40
- (a) the local housing authority’s assessment of –

- (i) the current availability of supported exempt accommodation in its district, and
 - (ii) the likely need for supported exempt accommodation in its district during the period of five years beginning with the date on which the strategy is published;
 - (b) such other matters as may be specified in regulations made by the Secretary of State.
- (4) The social services authority in respect of a district in England must give the local housing authority for that district (where that is a different authority) such assistance in connection with the carrying out of its duties under this section as the local housing authority may reasonably require. 10
- (5) A local housing authority in England must have regard to its supported housing strategy in the exercise of its functions.
- (6) A social services authority in England must, in the exercise of its social services functions – 15
- (a) where it is also a local housing authority, have regard to its supported housing strategy, or
 - (b) in any other case, have regard to the supported housing strategy of each local housing authority in respect of whose district it is the social services authority. 20
- (7) The Secretary of State may issue guidance –
- (a) applicable to local housing authorities or social services authorities generally, or
 - (b) applicable to specified descriptions of local housing authorities or social services authorities, 25
- in relation to the exercise of their functions under this section.
- (8) A local housing authority or a social services authority must have regard to any guidance issued under subsection (7) that is applicable to it.
- (9) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament. 30

3 National Supported Housing Standards

- (1) The Secretary of State may prepare and publish national standards for England, to be known as “National Supported Housing Standards”, in relation to any aspect of the provision of supported exempt accommodation.
- (2) National Supported Housing Standards may, in particular, set minimum standards in respect of – 35
- (a) the type or condition of premises used for the provision of supported exempt accommodation; or
 - (b) the provision of care, support or supervision at supported exempt accommodation. 40

- (3) The Secretary of State must keep National Supported Housing Standards under review and may, whenever the Secretary of State considers appropriate –
- (a) prepare and publish amended or replacement standards, or
 - (b) withdraw standards. 5
- (4) The Secretary of State may publish or withdraw a standard by such means as the Secretary of State considers appropriate for bringing the publication or withdrawal to the attention of persons likely to be affected by it.

Licensing

4 Licensing regulations 10

- (1) *The Secretary of State may by regulations make provision under which a person having control of, or managing, supported exempt accommodation –*
- (a) *that is within section 12(2), and*
 - (b) *that is located in a district that is designated for the purposes of the regulations,* 15
- must obtain and comply with a licence granted by the local housing authority for the district.*
- (2) If, at the end of the period of one year beginning with the day on which this Act is passed, the power in subsection (1) is yet to be exercised, the Secretary of State must publish, in such manner as the Secretary of State thinks fit, a report setting out the progress that has been made towards doing so. 20
- (3) *The Secretary of State may by regulations make provision under which a person having control of, or managing, supported exempt accommodation –*
- (a) *that is not within section 12(2), and*
 - (b) *that is located in a district that is designated for the purposes of the regulations,* 25
- must obtain and comply with a licence granted by the local housing authority for the district.*
- (4) Regulations under subsection (1) or (3) –
- (a) must include provision under which a local housing authority may designate its district for the purposes of the regulations, 30
 - (b) may include provision requiring a local authority to designate its district for the purposes of the regulations if conditions specified in the regulations are met, and
 - (c) may include provision under which the Secretary of State may designate, or revoke a designation of, a local housing authority’s district for the purposes of the regulations. 35
- (5) Regulations under subsection (1) or (3) must be made with a view to securing that National Supported Housing Standards (if any) are met.
- (6) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament. 40

- (7) In this Act—
- “the licensing authority” means the local housing authority for a district designated for the purposes of licensing regulations;
 - “licensing regulations” means regulations under subsection (1) or (3).

5 Further provision about licensing regulations 5

- (1) Licensing regulations may include—
- (a) provision about how a district is to be designated for the purposes of the regulations, and the duration, review and revocation of a designation;
 - (b) provision about how an application for a licence is to be made, and the circumstances in which a licence may be granted, varied or revoked; 10
 - (c) provision about conditions that may be attached to a licence;
 - (d) provision about the enforcement of the regulations and of the conditions attached to licences, including provision creating criminal offences punishable with a fine; 15
 - (e) provision about other consequences of compliance or non-compliance with the regulations or with conditions attached to licences;
 - (f) provision about exemptions from requirements that would otherwise be imposed under or by virtue of the regulations; 20
 - (g) provision requiring or permitting the licensing authority to charge fees sufficient to meet the costs of performing any of the authority's functions under or by virtue of the regulations;
 - (h) provision conferring a discretion on the licensing authority;
 - (i) provision about appeals against decisions made by the licensing authority; 25
 - (j) any other provision corresponding or similar to any provision relating to licences contained in Part 2 of the Housing Act 2004 (licensing of houses in multiple occupation) or Part 3 of that Act (licensing of other residential accommodation). 30
- (2) The provision that may be made by virtue of subsection (1)(b) includes—
- (a) provision requiring an application for a licence to be refused unless the licensing authority is satisfied that the applicant is a fit and proper person to be a person having control of, or managing, the accommodation to which the licence relates; 35
 - (b) provision requiring a licence to be revoked if the licensing authority ceases to be so satisfied.
- (3) The conditions that may be attached to a licence by virtue of subsection (1)(c) include—
- (a) conditions relating to the standard of accommodation; 40
 - (b) conditions relating to the use of accommodation;
 - (c) conditions relating to the provision of care, support or supervision;
 - (d) conditions requiring compliance with National Supported Housing Standards (whenever published).

- (4) The provision that may be made by virtue of subsection (1)(d) includes provision for an offence under the regulations to be –
- (a) a relevant housing offence for the purposes of section 249A of the Housing Act 2004 (financial penalties for certain housing offences in England); 5
 - (b) a banning order offence for the purposes of Chapters 2 and 3 of Part 2 of the Housing and Planning Act 2016 (banning orders and database of rogue landlords etc);
 - (c) an offence to which Chapter 4 of that Part of that Act (rent repayment orders) applies. 10
- (5) The provision that may be made by virtue of subsection (1)(e) includes provision –
- (a) disapplying any requirement relating to licences imposed by or under Part 2 of the Housing Act 2004 (licensing of houses in multiple occupation) or Part 3 of that Act (licensing of other residential accommodation), 15
 - (b) removing or restricting an entitlement to housing benefit, or
 - (c) limiting the rent that may be determined under section 14 of the Housing Act 1988 (determination of rent by tribunal) in respect of such accommodation. 20
- (6) Subsection (5)(b) is without prejudice to any other power to make subordinate legislation relating to housing benefit.
- (7) Licensing regulations may –
- (a) amend, repeal or revoke any enactment;
 - (b) make different provision for different purposes or different areas; 25
 - (c) make supplementary, incidental, consequential, transitional or saving provision.

6 Consultation

- (1) The Secretary of State must consult the statutory consultees –
- (a) before first exercising the power in section 4(1) to make licensing regulations, and 30
 - (b) before first exercising the power in section 4(3) to make licensing regulations.
- (2) The Secretary of State must, as part of a consultation under subsection (1) –
- (a) set out how the Secretary of State proposes to approach the matters referred to in section 5(1)(a) to (i) when making the licensing regulations, and 35
 - (b) ask the statutory consultees for their views on those proposals.
- (3) The Secretary of State must also, as part of a consultation under subsection (1), ask the statutory consultees for their views on –
- (a) whether the proposed regulations are likely to be an effective means of securing that National Supported Housing Standards are met, and 40

- (b) any additional mechanisms for securing compliance with such standards.

(4) In this section “the statutory consultees” means—

- (a) the Local Government Association,
- (b) the National Housing Federation, and
- (c) the Regulator for Social Housing.

5

7 Local housing authority functions

A local housing authority must, in the exercise of its functions under licensing regulations, have regard to—

- (a) National Supported Housing Standards (if any), and
- (b) any guidance issued by the Secretary of State for the purposes of this section.

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Planning and homelessness

8 Planning

The Secretary of State must, before the end of the period of three years beginning with the date on which the first licensing regulations under section 4(1) are made—

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- (a) review the effect of licensing regulations under section 4(1) on—
 - (i) the type and condition of premises used for the provision of accommodation within section 12(2), and
 - (ii) the provision of care, support and supervision at such accommodation, and
- (b) in the light of that review, consider whether to exercise the power in section 55(2)(f) of the Town and Country Planning Act 1990 (power to specify use-class) to specify such accommodation as a class.

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9 Homelessness

In section 191 of the Housing Act 1996 (becoming homeless intentionally), after subsection (1) insert—

“(1A) But a person does not become homeless intentionally if—

- (a) the accommodation the person ceases to occupy is supported exempt accommodation,
- (b) the person’s reason for ceasing to occupy the accommodation relates to the standard of the accommodation, or the standard of care, support or supervision provided there, and
- (c) the accommodation, or the care, support or supervision provided there, does not meet National Supported Housing Standards.

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“Supported exempt accommodation” has the meaning given by section 12 of the Supported Housing (Regulatory Oversight) Act 2022.”

Information

10 Sharing of information relating to supported exempt accommodation

- (1) The Secretary of State may by regulations make provision about the sharing of information relating to supported exempt accommodation.
- (2) Regulations under subsection (1) may make provision requiring or authorising a person within subsection (3) to provide information specified in the regulations to another person within that subsection. 5
- (3) The persons are –
- (a) a local housing authority in England;
 - (b) a registered provider of social housing in England; 10
 - (c) the Regulator of Social Housing;
 - (d) the Secretary of State.
- (4) Regulations under subsection (1) must provide that information obtained by virtue of the regulations may be used only for a purpose connected with the exercise of a function under or by virtue of this Act, or otherwise relating to supported exempt accommodation. 15
- (5) Regulations under subsection (1) may provide that information obtained by a local housing authority by virtue of the regulations may be provided to a person who supplies services to the authority for a purpose mentioned in subsection (4). 20
- (6) Regulations under subsection (1) may not impose or confer a duty or power requiring or authorising the provision or use of information where the provision or use would (taking the duty or power into account) contravene the data protection legislation.
- (7) A statutory instrument containing regulations under subsection (1) is subject to annulment in pursuance of a resolution of either House of Parliament. 25

11 Use of information obtained for certain statutory purposes

- (1) A local housing authority in England may use any information to which this section applies –
- (a) for any purpose connected with the exercise of any of the authority’s functions under or by virtue of this Act, or otherwise relating to specified exempt accommodation, or 30
 - (b) for the purpose of investigating whether any offence has been committed by virtue of this Act.
- (2) This section applies to any information which has been obtained by the authority in the exercise of functions under – 35
- (a) section 134 of the Social Security Administration Act 1992 (housing benefit), or
 - (b) Part 1 of the Local Government Finance Act 1992 (council tax).

- (3) This section does not authorise the use of information if the use would (taking the powers conferred by this section into account) contravene the data protection legislation.

Interpretation and final provisions

- 12 Meaning of “supported exempt accommodation”** 5
- (1) In this Act “supported exempt accommodation” means –
- (a) accommodation within subsection (2),
 - (b) managed properties in England,
 - (c) refuges in England, or
 - (d) local authority hostels in England. 10
- (2) The accommodation within this subsection is accommodation in England –
- (a) which is a resettlement place provided by persons to whom the Secretary of State has given assistance by way of grant pursuant to section 30 of the Jobseekers Act 1995 (grants for resettlement places), or 15
 - (b) which is provided by –
 - (i) a non-metropolitan county council in England,
 - (ii) a housing association,
 - (iii) a registered charity, or
 - (iv) a voluntary organisation, 20
 where that body, or a person acting on its behalf, also provides a person resident in the accommodation with care, support or supervision.
- (3) A “managed property” is accommodation – 25
- (a) which is provided by a relevant body,
 - (b) into which a person has been admitted in order to meet a need for care, support or supervision, and
 - (c) where that person receives care, support or supervision.
- (4) A “refuge” is accommodation which – 30
- (a) is provided by a relevant authority or a relevant body to a person because the person has left their home as a result of domestic violence, and
 - (b) consists of a building, or part of a building, which is used wholly or mainly for the non-permanent accommodation of persons who have left their homes as a result of domestic violence. 35
- (5) A “local authority hostel” is accommodation – 40
- (a) which would be a hostel within the meaning given by paragraph 29(10) of Schedule 4 to the Universal Credit Regulations 2013 (S.I. 2013/376) (renters excepted from shared accommodation) but for it being owned or managed by a relevant authority, and
 - (b) where a person resident in the accommodation receives care, support or supervision.

- (6) In this section—
- “domestic violence” has the meaning given by regulation 2(1) of the Housing Benefit Regulations 2006 (S.I. 2006/213);
 - “housing association” has the meaning given by section 1 of the Housing Associations Act 1985; 5
 - “non-metropolitan county council” has the meaning given by section 1 of the Local Government Act 1972;
 - “relevant authority” means an authority administering housing benefit;
 - “relevant body” means—
 - (a) a council for a county in England for each part of whose area there is a district council, 10
 - (b) a housing association,
 - (c) a registered charity, or
 - (d) a voluntary organisation;
 - “resettlement place” has the meaning given by section 30 of the Jobseekers Act 1995. 15

13 Other interpretation etc

- (1) In this Act—
- “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act); 20
 - “district” has the same meaning as in the Housing Act 1985 (see section 2 of that Act);
 - “the licensing authority” has the meaning given by section 4(7);
 - “licensing regulations” has the meaning given by section 4(7);
 - “local housing authority” has the same meaning as in the Housing Act 1985 (see section 1 of that Act); 25
 - “person having control” has the same meaning as in the Housing Act 2004 (see section 263 of that Act);
 - “person managing” has the same meaning as in the Housing Act 2004 (see section 263 of that Act); 30
 - “registered provider of social housing” has the meaning given by section 80(2) of the Housing and Regeneration Act 2008;
 - “social services authority” means a local authority for the purposes of the Local Authority Social Services Act 1970 (see section 1 of that Act);
 - “social services functions”, in relation to a social services authority, means the social services functions of that authority for the purposes of the Local Authority Social Services Act 1970 (see section 2 of that Act). 35
- (2) Regulations under this Act are to be made by statutory instrument.

14 Commencement, extent and short title

- (1) This Act extends to England and Wales. 40
- (2) This Act comes into force at the end of the period of two months beginning with the day on which it is passed.

- (3) The Secretary of State may by regulations make transitional or saving provision in connection with the coming into force of any provision of this Act.
- (4) The power to make regulations under subsection (3) includes power to make different provision for different purposes.
- (5) This Act may be cited as the Supported Housing (Regulatory Oversight) Act 2022.

5

Supported Housing (Regulatory Oversight) Bill

[AS INTRODUCED]

A

B I L L

TO

Make provision about the regulation of supported exempt accommodation; to make provision about local authority oversight of, and enforcement powers relating to, the provision of supported exempt accommodation; and for connected purposes.

Presented by Bob Blackman

Ordered, by The House of Commons, to be
Printed, 15th June 2022.

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Housing Select Committee

Select Committee Work Programme Report

Date: 5 January 2023

Key decision: No.

Class: Part 1

Ward(s) affected: Not applicable

Contributor: Nidhi Patil (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:

- Review the work programme attached at Appendix B.
- Consider the items for the next meeting and specify the information required.
- Review the forward plan of key decisions at Appendix E to consider whether there are any items for further scrutiny.

Timeline of decision-making

Housing Select Committee work programme 2022/23 – draft agreed on 06.06.22

Work programme 2022/23 – agreed by Business Panel on 19.07.22

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 19 July 2022.

- 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:
 - Review the work programme attached at Appendix B.
 - 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.
 - 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:

The Committee's terms of reference (Appendix A)

- 3.2. 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. The Committee has a key role in scrutinising the performance and supporting the development of the council's housing-related strategies and policies. It also has a role in engaging and reflecting the views of residents in relation to housing-related matters.

Whether any urgent issues have arisen that require scrutiny

- 3.4. If there is any urgent issue that is brought to the Committee's attention, it should consider the prioritisation process (Appendix C) and the Effective Scrutiny Guidelines (Appendix D) before deciding on its priority.

Whether a committee meeting is the most effective forum for scrutinising the issue

- 3.5. When scrutinising an issue of interest, the Committee should consider if there are any alternative methods for receiving information on the issue that would be more appropriate. For example, would a briefing or a written summary be more effective and appropriate for the issue in question?

Whether there is capacity to consider the item

- 3.6. The Committee should consider which work programme items could be removed or rescheduled to make space for the full consideration of more important issues.

Whether the item links to the priorities set out in the Corporate Strategy

- 3.7. A new corporate strategy has been developed¹ – which sets out the Council's values, priorities and focus for the next four years (2022-2026). These are categorised under the following headings:

- Cleaner and Greener
- Strong Local Economy

¹ <https://lewisham.gov.uk/mayorandcouncil/corporate-strategy>

- Quality Housing
 - Children and Young People
 - Safer Communities
 - Open Lewisham
 - Health and Wellbeing
- 3.8. The work of the Housing Select Committee will relate most closely to the ‘Quality Housing’ priority, which commits the Council to:
- delivering more social homes for Lewisham residents and providing them with safe & comfortable accommodation;
 - improving the conditions in the borough’s housing stock by working with all housing providers to encourage retro-fitting as part of our drive to be carbon-neutral by 2030;
 - developing a Lewisham Rent Repairs Charter that improves the quality and timeliness of repairs;
 - providing more support to renters through further landlord licensing, holding landlords to account and giving a voice to renters across the borough;
 - safeguarding our heritage by preserving and restoring our historic buildings and landmarks.
- 3.9. Actions related to the ‘Cleaner & Greener’ priority are also relevant to the Housing Select Committee’s work:
- tackling the climate crisis through every area of Council policy.
- 3.10. The Committee should consider how its work programme reflects these priorities. The Committee might also consider whether there are suggestions that should be put forward for consideration in the new municipal year.

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. The Committee’s climate change champions, should work with the Chair to ensure that officers are given appropriate steers in relation to the reports, to ensure they include relevant climate change considerations.
- 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 effective scrutiny of the item.

Agenda item	Information and analysis required	Review type	Corporate priority
Homelessness & Rough Sleeping Strategy		Policy development	Quality Housing
Repairs Update-Housing Providers		Performance Monitoring	Quality Housing
Resident engagement in housing development update		Performance Monitoring	Quality Housing

Lewisham Homes Repairs update		Performance Monitoring	Quality Housing
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5. Scrutiny between meetings

- 5.1. Below is a list of scrutiny activity, including briefings, information requests, visits and engagement, that has taken place outside of the committee meeting. The scrutiny activity below covers the time period between the last committee meeting on the 17th of November 2022 to the committee meeting on the 5th of January 2023.

Agenda item	Date	Outcome	Corporate priority
Information on Exempt Accommodation	1 December 2022	Information shared with members following request at the committee meeting in light of the Private Member's Bill going through Parliament seeking to regulate exempt accommodation.	Quality Housing
Location Priority Policy	1 December 2022	Policy shared with members following request at the committee meeting.	Quality Housing

6. Financial implications

- 6.1. 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.

7. Legal implications

- 7.1. 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.

8. Equalities implications

- 8.1. 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.
- 8.2. 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.

- 8.3. 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.

9. Climate change and environmental implications

- 9.1. There are no direct climate change or environmental implications arising from the implementation of the recommendations in this report. However, in February 2019 Lewisham Council declared a Climate Emergency and proposed a target to make the borough carbon neutral by 2030. An action plan to achieve this target was subsequently agreed by Mayor and Cabinet (following pre-decision scrutiny by the Sustainable Development Select Committee)². The plan incorporates all areas of the Council's work. Items on the work programme may well have climate change and environmental implications and reports considered by the Committee should acknowledge this.

10. Crime and disorder implications

- 10.1. 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.

11. Health and wellbeing implications

- 11.1. 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.

12. Report author and contact

If you have any questions about this report please contact the scrutiny manager:

Nidhi Patil, 020 8314 7620, Nidhi.Patil@lewisham.gov.uk

² See <https://lewisham.gov.uk/TacklingTheClimateEmergency> for a summary of the Council's work in this area.

Appendix A – Housing 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 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.

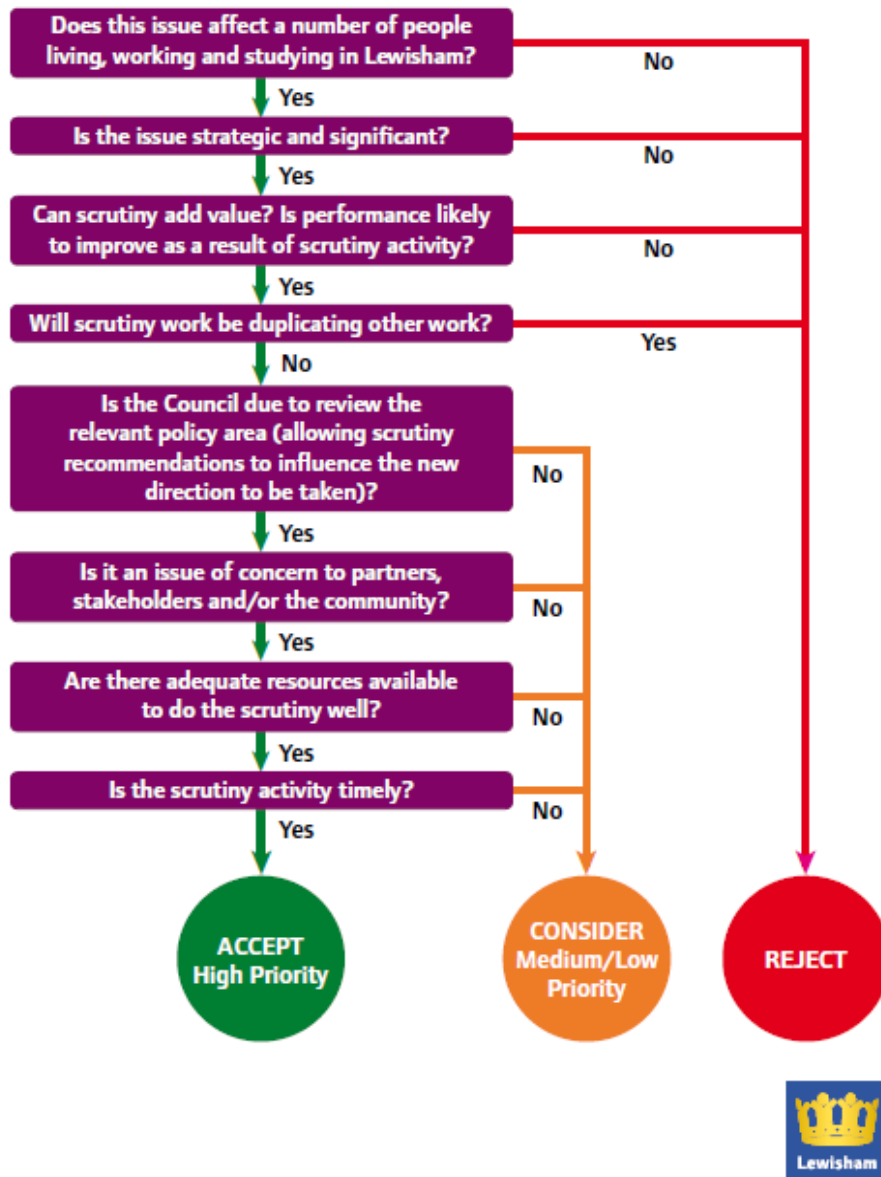
The Housing Select Committee has specific responsibilities for the following:

- 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

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



Appendix D

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).

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Housing Select Committee work plan 2022-23

Item	Type	Priority	06-Jun-22	12-Oct-22	17-Nov-22	05-Jan-23	09-Mar-23
Article 4 direction for HMOs	Standard item	CP2					
Housing Revenue Account business plan	Standard item	CP2					
Future of housing managed by Lewisham Homes	Standard item	CP2					
Lewisham Homes business plan	Standard item	CP2					
Service charge policy	Standard item	CP2					
Lewisham Homes annual report	Standard item	CP2					
Selective licensing	Standard item	CP2					
Temporary accommodation procurement strategy	Standard item	CP2					
Budget cuts proposals	Standard item	CP2					
Lewisham Homes repairs update	Standard item	CP2					
Update on housing management consultation	Standard item	CP2					
Rent and service charge increases 2023-24	Performance monitoring	CP2					
Climate Emergency Action plan update- Housing retrofit (followed by presentations from Housing associations)	Standard item	CP2					
Update on Supported Exempt accommodation	Standard item	CP2					
Homelessness & Rough Sleeping Strategy	Policy Development	CP2					
Repairs Update- Housing Providers	Performance monitoring	CP2					
Resident engagement in housing development (update)	Performance monitoring	CP2					
Lewisham Homes Repairs update	Performance monitoring	CP2					

Information reports, briefings and visits	Type	Priority					
Building for Lewisham update	Information request	CP2	Received 08.07.22				
Regenter B3 annual report and business plan	Performance monitoring	CP2					
Visit to Sydney Arms rough sleeper accommodation	Visit	CP2		05.08.22			
Temporary accomodation briefing	Briefing	CP2			03.11.22		
Meeting with scrutiny councillors in other London Boroughs regarding their experience of housing management changes	Engagement session	CP2			04.11.22		
Universal credit and temporary accomodation update	Information request	CP2			Received 17.11.22		
Lewisham Homes' September performance pack	Information request	CP2			Received 17.11.22		
Exempt accommodation	Information request	CP2				Received 22.11.22	
Location Priority Policy	Information request	CP2				Received 01.12.22	
Visit to retrofit sites in Lambeth	Visit	CP2					06.03.23

Corporate Priorities**Priority**

1	Open Lewisham	CP 1
2	Quality Housing	CP 2
3	Children and Young People	CP 3
4	A Strong Local Economy	CP 4
5	Health & Wellbeing	CP 5
6	Cleaner and greener	CP 6
7	Safer Communities	CP 7

**FORWARD PLAN OF KEY DECISIONS
INTERNAL CIRCULATION ONLY**

Forward Plan – January 2022 – April 2022

This Plan sets out the key decisions the Council expects to take in forthcoming months. All key decisions should appear in the Plan for at least 28 days before consideration by either Mayor and Cabinet or an Executive Director for delegated key decisions.

Comments on this document should be sent to Emma Aye-Kumi – committee@lewisham.gov.uk

A “key decision”* means an executive decision which is likely to:

Any decision with a total value, expenditure or savings, including any grant and/or matched funding, with a total value in excess of: -

- a) £700,000 in revenue; or
- b) £1.5m in capital; or
- c) A property transaction, disposal or acquisition, in excess of £1.5m.
- d) Any decision that, in the opinion of the Monitoring Officer, has a significant impact on the communities in two or more wards;
- e) Where the Speaker on advice from the Head of Paid Service and/or Monitoring Officer and/or Chief Finance Officer is of the view that the matter is one which ought properly to be treated as a key decision, and informs the proper officer to that effect at least 6 weeks before the decision is in the opinion of the Monitoring Officer likely to be taken.

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
19/07/22 Executive Director for Children & Young People	Contract Award Report for School Minor Works Programme 2022 (SMWP 22)	TBC	Akweley Badger Project Officer, Capital Programme Delivery and Councillor Chris Barnham	Building works at schools
15/11/22 Executive Director for Housing, Regeneration & Environment	Award of Corporate Estate Maintenance Contract Phase 2	??	Akweley Badger Project Officer, Capital Programme Delivery and Councillor Amanda De Ryk, Cabinet Member for Finance and Resources	
07/12/22 ED HRPR	Walsham – Budget Requirement		James Ringwood	
7/12/2022 ED CYP	Approval to procure: School Minor Works Programme 2023 (SMWP 23)	Expenditure >£500k	Lemuel Dickie- Johnson x42186	
07/12/22 Executive Director for Corporate Resources	Approval to procure for the provision of Fixed Asset Valuations	Contract award of £350k (c. £70k per year based on usage)	Sofia Mahmood Chief Accountant Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy	https://www.espo.org/estates-management-professional-services-2022-2700-22.html Lot 1A – Fixed Asset Valuation London
07/12/22 Executive Director for Children & Young	Contract Award Report – perinatal mental health	Total contract award of £266,000, funded solely by external Family Hubs and	Emily Newell, CYP Joint Commissioner, Emily.newell@lewisham.gov.uk	Contract Award for perinatal mental health peer support programmes, as part of – and Start for Life Programme

FORWARD PLAN – KEY DECISIONS				
Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
People Services		Start for Life Programme grant.		
11/01/23 Mayor & Cabinet	Financial Monitoring Period 7	n/a	Nick Penny, Head of Service Finance and Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy	Information item
11/01/23 Mayor & Cabinet	Council Tax Base Report 2023/24		Katherine Nidd, Head of Strategic Finance, Planning and Commercial Finance Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy	The purpose of this report is to ask that M&C recommends that Council sets the Council Tax Base, note the 2023/24 NNDR estimated income, and delegates final approval of the NNDR1 form to the Executive Director for Corporate Resources for 2023/24.
11/01/23 Mayor & Cabinet	Secure Children’s Home for London Children and Pan- London Vehicle for Commissioning	£20k per annum payable only once the provision has launched – cost subject to inflation adjustment	Donna Simeon Chris Barnham, Cabinet Member for Children’s Services and School Performance	To seek approval to become a member of a not-for-profit company, limited by guarantee, provisionally to be known as the Pan London Vehicle. To join the PLV for a five-year period from 1st April 2023 to 31st March 2028.
11/01/23 Mayor & Cabinet	Provision of parking and traffic enforcement division service	Expenditure of £4million estimated annual value of the contract	Kyki Kim-Bajko, Parking Services Manager	

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
11/01/23 Mayor and Cabinet	Permission to Award – Dementia Hub	£39,726.03 (contract extension) £1.45m. (new 3 year contract with 2 year extension option)	Natalie Sutherland Natalie.sutherland@selondonics.nhs.uk Tom Brown, ED Community Safety Paul Bell, Cabinet Member for Health & Adult Social Care	Permission to award following tender exercise which was agreed at M&C in June 2022. This is reporting on outcome ICB; £290,000 annually. 3 year value = £870,000 ICB; £39,726.03 extension 22-23
11/01/23 Mayor and Cabinet	Permission to Award – Lewisham Wellbeing Service	£76,712.32 (contract extension) £2.8m (new 3 year contract with 2 year extension option)	Natalie Sutherland Natalie.sutherland@selondonics.nhs.uk Tom Brown, ED Community Safety Paul Bell, Cabinet Member for Health & Adult Social Care	Permission to award following tender exercise which was agreed at M&C in July. This is reporting on outcome. The contract extension remains within budget. LBL; £25,570.77 ICB; £51,141.55 Contract extension 22-23 LBL; £190,400 ICB; £369,600 New contract annually 3 year value = £1,680,000
11/01/23 Mayor and Cabinet	Permission to Award – New Hope Housing Project	£2.07m (new 3 year contract with options to extend)	Natalie Sutherland Natalie.sutherland@selondonics.nhs.uk	Permission to award following tender exercise which was agreed at M&C in July. This is reporting on outcome. £414,000 annual cost 3 year value

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
			Tom Brown, ED Community Safety Paul Bell, Cabinet Member for Health & Adult Social Care	= £1,242,000 LBL; £90,456.48 ICB; £155,967 SLaM; £167,576.52 (for 1 st year only)
11/01/23 Mayor and Cabinet	On Street Advertising Contract Variation and Extension	There are no expenditure implications. The Authority will derive an extra £497,000 to current Contract end 2030	Geoff Tice Asset Network Manager, Highways and Transport and Councillor Louise Krupski, Cabinet Member for Environment and Climate Action	The Authority entered into a contract with J C Decaux for on street advertising in 2015. J C Decaux have acquired planning permission to change 15 advertising panels to a digital format at 8 sites across the Borough. A digital panel affords the Authority a higher level of income. To compensate for the J C Decaux investment for panel upgrades agreement to a five year contract extension is to be offered. The current fifteen year Contract is due to end 2030. The contract offers the opportunity to extend for this period.
11/01/23 Mayor & Cabinet	Permission to Award to The Commissioning Alliance	Lewisham's total estimated spend over the three year period is £251k which includes the joining fee and other costs. Placement costs are additional and would have to be met even if the	Chloe Vergara CLA Placement Contract Manager/Emily Newell, CYP Joint Commissioner	

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
		council was not in the framework.		
18/01/23 Council	Approval of the Lewisham Local Plan - Regulation 19 Proposed Submission document for public consultation		David Syme Head of Strategic Planning	Lewisham Local Plan -Regulation 19 Proposed Submission document Local Plan Policies Map Integrated Impact Assessment Habitats Regulations Assessment Consultation statement Duty to cooperate Statement Infrastructure Delivery Plan
18/01/23 Council	Council Tax Base Report		Katherine Nidd, Head of Strategic Finance, Planning and Commercial Finance/Kathy Freeman, ED Corporate Resources/David Austin, Director of Finance Councillor Amanda De Ryk, Cabinet Member	This report sets out the statutory calculations required in order to set the Council Tax Base and estimates the National Non-Domestic Rates (NNDR) tax base for 2023/24. The Council Tax Base and NNDR estimates are statutory obligations and are key elements in setting the General Fund revenue budget.

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
			for Finance and Strategy	
18/01/23 Council	Treasury Management Strategy Mid-Year Review		Katharine Nidd	
01/02/23 Mayor and Cabinet	Award report for NHS Health Checks provision	£300k pa	Iain McDiarmid/ Jason Browne Tom Brown, Executive Director for Communities	COVID-19 Related Extensions by Directorate Report - 2nd March 2021 Mayor & Cabinet Award of contract for NHS Health Checks – 5th June 2019 Extension Report March 2022
01/02/23 Mayor & Cabinet	Determination of Lewisham’s admission arrangements for the 2024/25 academic year		Ian Hewison Access and Inclusion Manager Education Services, Children and Young People 020 8314 9567	
01/02/23 Mayor & Cabinet	Permission to extend the current lead home care provider contracts		Tristan Brice	Permission to extend the current lead home care provider contracts for 5 months i.e. to 31 August 2023 to enable the new contracts to be mobilised
01/02/23 Mayor & Cabinet	Lewisham Autism Strategy		Polly Pascoe, Integrated Commissioning Manager and Councillor Paul Bell, Cabinet Member for Health and Adult Social Care	The aim of the report is to gain commitment from the Council to make Lewisham and Autism Friendly Borough and improve the quality of life for people with Autism and their carers. The content of the report has been informed by informed by engagement sessions with service users, carers and staff, followed by a borough-wide consultation exercise. Coproduction panels have supported the development of our action plans and we aim to

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
				maintain a coproduction response throughout the implementation of the strategy.
01/02/23 Mayor and Cabinet	Riverside Youth Club development project – Approval to award.	Grant & public donation funded. Plus £80k CYP.	Tony Solly/Adam Platt, Ikwuoma Mkparu Capital Programme Delivery & CYP	Approval to award a contract for works to site. Estimated cost is £1,250,000.
01/02/23 Mayor & Cabinet	Part 1 & 2 – Recommendation regarding the delivery of Extra Care Services by Housing 21 at Cinnamon Court Deptford and	Cost per annum (for both schemes combined): £854,900	Heather Hughes (Lead Commissioner) supported by Jennifer Quested (Joint Commissioner)	
01/02/23 Mayor & Cabinet	Right to Buyback 2		Fred Nugent - Principal Development & Land Manager, Inclusive Regeneration	This report asks for approval to purchase properties from the open market to provide quality temporary accommodation for families within Lewisham. Exec Support Officer - Anisha Faruk
01/02/23 Mayor & Cabinet	Learning Disability Framework: approval to procure supported living contract	Total values of contracts being procured in LDF3 & LDF4 Approx. £21.1 million (4 year contracts)	Tom Bird, Integrated Commissioning Manager / Heather Hughes, Joint Commissioning Lead, Complex Care	Learning Disability Framework: To seek approval for the procurement of a supported living contract to be included in the previously approved fourth phase of the procurement of Framework services (LDF4) & to agree an extension to this and other contracts to cover the period of procurement. In addition to request M&C delegate authority to the Executive Director, Community Services (in consultation with Director of Law, Governance and Elections and the relevant

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
				portfolio holder) to select the preferred contractors post tender for the award of contracts for LDF3 & LDF4.
01/02/23 Mayor & Cabinet	Microsoft Azure	tbc	Philippa Brewin (STS) philippa.brewin@shar.edtechnology.services 07867 186778	
01/02/23 Mayor & Cabinet	Network Links (circuits, broadband, PSTNs)	tbc	Philippa Brewin (STS) philippa.brewin@shar.edtechnology.services 07867 186778	
01/02/23 Mayor and Cabinet (slipped from January)	BfL Appropriation for planning purposes	TBC	James Ringwood and Councillor Brenda Dacres, Cabinet Member for Housing Development and Planning	Appropriation for planning purposes required for a number of schemes within the Building for Lewisham programme. This is subject to the relevant BfL schemes being within budget and proceeding to start on site - Appropriation for planning purposes needs to happen prior to start on site. This report has been moved to October given delay to start on sites dates.
08/02/23 Mayor and Cabinet (Budget)	2023/24 Budget Report		Katherine Nidd, Head of Strategic Finance, Planning and Commercial Finance/Kathy Freeman, ED Corporate Resources/David Austin, Director of Finance	

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
01/03/23 Council	2023/24 Budget Report		Katherine Nidd, Head of Strategic Finance, Planning and Commercial Finance/Kathy Freeman, ED Corporate Resources/David Austin, Director of Finance Councillor Amanda De Ryk, Cabinet Member for Finance and Strategy	
21/03/2023 ED CYP	Contract Award Report for School Minor Works Programme 2023 (SMWP 23)	Award of contracts greater than 200K	Lemuel Dickie Johnson x42186	
08/03/2023 Mayor & Cabinet	Approval to appoint operator for concessions contract at Beckenham Place Park lake		Peter Maynard Parks Contract Officer and Councillor Andre Bourne - Cabinet Member for Culture and Leisure	Awaited
08/03/23 Mayor and Cabinet	Selective licensing: Consultation response and proposals to introduce a new licensing scheme		Rhona Brown Head of Private Sector Housing and Home Improvement	

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
08/03/23 Mayor & Cabinet	Reduction and Recycling Strategy		Wendy Nicholas (Strategic Waste and Environment Manager) 020 8314 2194	
08/03/23 Mayor & Cabinet	Approval to re-procure the Lewisham Learning Disability Framework Agreement	Total value of contracts commissioned under the Framework approx. £17.3 million per annum (Total value approx. £69.2 million)	Tom Bird, Integrated Commissioning Manager / Heather Hughes, Joint Commissioning Lead, Complex Care	To seek approval for the reprocurement of the Lewisham Learning Disability Framework Agreement (expiring 31/08/2023)
08/03/23 Mayor & Cabinet	Lewisham Climate Emergency Action Plan		Martin O'Brien, Climate Resilience Manager	
08/03/23 Mayor & Cabinet	Temporary Accommodation Acquisition Procurement (Part 1 & 2)		Jacob Foreman, Housing Services Policy and Strategy Officer	The report seeks approval from Mayor & Cabinet for the housing service to go to procurement for temporary accommodation services
08/03/23 Mayor & Cabinet (slipped from Jan)	Approval to confirm an Article 4 Direction to withdraw permitted development rights for the change of use from dwelling house (Use class C3) to small HMO's (Use Class C4)		David Syme, Strategic Planning Manager	
08/03/23 Mayor & Cabinet	Approval to confirm an Article 4 Direction to		David Syme,	

FORWARD PLAN – KEY DECISIONS

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(slipped from Jan)	withdraw permitted development rights for the change of use from Use class E (retail, office and industrial) to Use class C3 (dwelling house) within our town centres, industrial areas and employment sites.		Strategic Planning Manager	
08/03/23 Mayor & Cabinet (slipped from Feb)	CIL Governance proposals		Julia Robins, Developer Contributions Manager	
April 2023 Mayor and Cabinet	BfL approval to enter into contract		James Ringwood and Councillor Brenda Dacres, Cabinet Member for Housing Development and Planning	
May 2023	Public Space Protection Order consultation outcome		James Lee	
May 2023 Mayor & Cabinet (slipped from February)	Building for Lewisham Budget requirements parts 1 & 2	Awaited	James Ringwood Senior Development and Land Manager and Councillor Brenda Dacres - Cabinet Member for Housing Development and Planning	Relates to Home Park and Edward Street developments

FORWARD PLAN – KEY DECISIONS

Date of Decision Decision Maker	Description of matter under consideration	Financial Implications (Capital, Revenue or none)	Responsible Officers / Portfolios	Summary of Report
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