

HOUSING SCRUTINY SUB-COMMITTEE

Tuesday, 20 November 2018 at 6.30 p.m.

C3 - Town Hall Mulberry Place

This meeting is open to the public to attend.

Members:

Chair: Councillor Dipa Das

Vice-Chair: Councillor Dan Tomlinson

Councillor Shah Ameen, Councillor Shad Chowdhury, Councillor Muhammad Harun and Councillor Andrew Wood

Substitutes:

Councillor Sabina Akhtar, Councillor Mohammed Ahbab Hossain, Councillor Helal Uddin and Councillor Peter Golds

Co-opted Members:

Anne Ambrose

Moshin Hamim

Tenant Representative

Leaseholder Representative

[The quorum for this body is 3 voting Members]

Contact for further enquiries:

The Committee Services Officer

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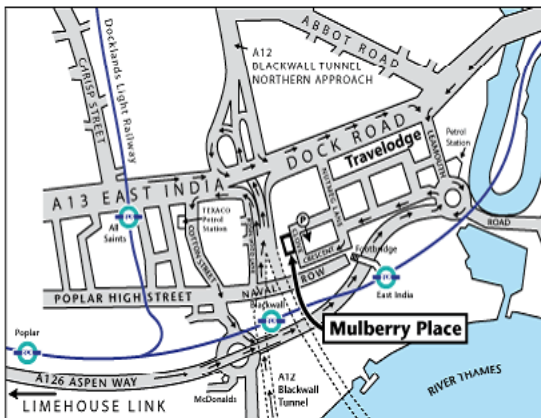
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WELCOME, INTRODUCTIONS & APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS 5 - 8

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

2. MINUTES OF THE PREVIOUS MEETING(S) 9 - 16

To approve the minutes of the meeting held on 26 September 2018.

3. ACTION LOG & WORK PROGRAMME

REPORTS FOR CONSIDERATION:

4. UNDER OCCUPATION SCRUTINY REVIEW (TRACKING RECOMMENDATIONS)

To follow.

5. SOCIAL HOUSING FRAUD - ILLEGAL SUB-LETTING

To follow.

6. FIRE SAFETY AND BUILDING REGULATIONS

To follow.

PRESENTATION:

7. STRATEGIC PERFORMANCE MONITORING

To follow.

FOR INFORMATION:

8. SOCIAL HOUSING PERFORMANCE REPORT Q2

To follow.

9. ANY OTHER BUSINESS

Next Meeting of the Sub- Committee

The next meeting of the Housing Scrutiny Sub-Committee will be held on Tuesday, 29 January 2019 at 6.30 p.m.

REASONS FOR URGENCY: (With regard to the 'to follow' items).

The Council's response to the Government's consultations on the Social Housing Green Paper and Rents for Social Housing had to take priority to ensure a robust response was drafted and sent to the Mayor and Lead Members for sign off. Therefore the reports for this HSSC were delayed; the reports listed above will be published in advance of the meeting but not within five clear days. Pursuant to Rule 6.1 of the Access to Information Procedure Rules, the Chair needs to be satisfied that by reasons of special circumstances the items should be considered as a matter of urgency. The Chair has agreed to consider the delayed reports and for the meeting to be held.

As the items have been agreed by the committee as part of their work programme it is paramount that the committee receives these reports, even if published late. The committee is expecting 4 reports, one of which is a standing item (social landlord performance) and one a presentation. Therefore to ensure the committee delivers on its scrutiny priorities and commitments, it needs to receive the reports for the meeting by the 20th November 2018. There is no room on the work programme to defer these items, and this would inevitably mean that the meeting would need to be cancelled due to a lack items for discussion.

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:

Asmat Hussain, Corporate Director Governance & Monitoring Officer Tel 020 7364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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 one hundredth of the total issued share capital of that class.</p>

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HOUSING SCRUTINY SUB-COMMITTEE,
26/09/2018

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE HOUSING SCRUTINY SUB-COMMITTEE

HELD AT 6.30 P.M. ON WEDNESDAY, 26 SEPTEMBER 2018

MP701 - TOWN HALL MULBERRY PLACE

Members Present:

Councillor Dipa Das (Chair)
Councillor Dan Tomlinson
Councillor Muhammad Harun

Co-opted Members Present:

Anne Ambrose
Moshin Hamim

Tenant Representative
Leaseholder Representative

Apologies

Councillor Shad Chowdhury
Councillor Shah Ameen
Councillor Andrew Wood

Officers Present:

Abidah Kamali
Beverly Greenidge
Hilary Kelly
Mark Baigent

Rafiqul Hoque

Rosy Wilkie
Rushena Miah

Business Improvement Officer - Housing
Head of Neighbourhoods Tower Hamlets Homes
Head of Repairs Tower Hamlets Homes
Interim Divisional Director, Housing and
Regeneration
Lettings Services Manager, Housing Options
Service, Development & Renewal
Corporate SPP Officer
Committee Services Officer

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of pecuniary interests.

2. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the meeting held on the 3 July 2018 were approved as an accurate record and signed by the Chair.

RESOLVED:

1. To approve the minutes of the meeting held on 3 July 2018.

3. ACTIONS LOG

There were no actions discussed from the previous meeting.

4. REPORTS FOR CONSIDERATION:

4.1 SOCIAL HOUSING GREEN PAPER

The Committee received a presentation from Mark Baigent, Interim Divisional Director of Housing, on the Social Housing Green Paper.

Questions from Members:

- **Is there any way for the Council to collate the individual responses to the consultation from other registered providers and provide a summary for the committee?**
- **How will registered providers engage with residents on the Green Paper?**

Tower Hamlets Housing Forum (THHF) regularly speaks at this committee and is the link to the wider registered providers. THHF had their AGM earlier in the day and the Green Paper was discussed at the meeting. It is the responsibility of each registered provider (RP) to engage with their residents; this is not something the Council can enforce RPs to do. The value of the council collating consultation from wider providers was questioned considering THHF's role.

- **What is the Council doing to build more social rented homes?**
- **Councillors were asked about their views on the designated person element to the complaints process.**
- **BME groups are overrepresented on the social housing register, what engagement work is being done to keep them updated, especially those with language barriers?**

The Mayor has pledged to build one thousand new homes over the next four years and a thousand in the pipeline beyond that. The Council are delivering social rents and living rents through both the Housing Revenue Account (HRA) and Special Purpose Vehicle. The Council is bidding for funds from the GLA and if successful more will be delivered through the HRA.

With regard to housing redress, Members said it was clear how to contact the ombudsman on the website. Residents were encouraged to apply to the ombudsman without having to wait the eight weeks for the Council's Designated Officer to respond. The Members Support Team at the Council was said to be helpful in providing advice on the issue.

The Council had not organised a specific event on the Green Paper but it had engaged with resident groups and officers had attended community events to raise awareness about it. The Council provides interpreters and translated documents for those who do not understand English. It was noted that the staffing at Tower Hamlets Homes was reflective of the diversity of the borough.

- **Can we get an update on the right to buy?**
- **With regard to the affordable homes, will they be of the same standard as the other tenures? We have seen cases where the interior quality tends to be of a lower standard for affordable homes.**

Right to buy was introduced as a voluntary scheme for housing associations. It is being piloted in the West Midlands, however officers advised that it was unlikely that the scheme would be brought to Tower Hamlets. The government have dropped the idea that councils should pay for right to buy with void properties.

Interiors were a planning decision. The Council has a ten year blind policy on finishing which means the type of tenure would not be identifiable from the outside of the property.

- **Funding for new homes linked to league tables, any comment on this?**

Officers were not convinced that comparing league tables was the best way to decide who gets to build a scheme. They said it was best to assess the RP on their ability to deliver something that provides most benefit to the community. It was also pointed out that in some cases smaller RPs may have high satisfaction rates but may lack the financial stability to bid for very large schemes.

- **How is the Council managing fire safety for housing association stock such as the New Festival Quarter in Lansbury? It appears to have 24 hour security guards in place. Why?**

The New Festival Quarter is privately owned, although part of it has been leased by an RP. Private developers are responsible for their own fire safety and the majority of them are claiming insurance to cover fire safety. Whilst the insurance claims are being resolved the site will be guarded by security.

Where the RP owns the building there is a £400 million government grant they could access to cover fire safety.

RESOLVED:

1. To note the presentation.

4.2 EMPTY & SECOND HOMES

The Committee received a presentation from Mark Baigent, Interim Divisional Director of Housing, on empty and second homes in the private sector.

Questions from members:

- **How do you count empty homes and are you sure you are not missing any out?**

Council tax records are the primary means of gathering the data.

- **How common are compulsory purchase orders?**

These were uncommon at the Council. The Council is required to invest a substantial amount of capital to buy and refurbish the property and would need to sell it in order to make some return. Given the generally high value nature of these properties they do not lend themselves to social rent. However the Council ensures short to medium term benefit is derived before sale. For example, a CPO is being considered at the Cabinet meeting this evening that would be used as a refuge for the next four or five years before being sold.

- **Are CPOs worth the time and effort invested in them given how few are proposed?**

Officers said yes, they are worth doing in the public's interest, especially for the residents who live near neglected sites.

- **What happens to the money from CPOs?**

It is treated as an internal loan that any department can access. Council officers can make a case for where the money should be spent.

RESOLVED:

1. To note the presentation.

5. VOIDS (THH & THHF)

The Committee received a presentation from Sandra Fawcett, Chair of Tower Hamlets Housing Forum, and Beverley Greenidge, Head of Neighbourhoods Tower Hamlets Homes, on voids.

Questions from Members:

- **What checks do you do to ensure repairs are of good quality?**
- **How do you decide on who gets adaptations?**

The speakers said there were policies in place and properties were inspected to check they were of a lettable standard. With regard to adaptations, the Housing Options team were responsible for making an assessment on a case by case basis. Repairs are post inspected four to six weeks after they are made which provides a further opportunity for the resident to comment.

RESOLVED:

1. To note the presentations.

6. COMMON HOUSING REGISTER & ALLOCATIONS POLICY

The Committee received a presentation from Rafiqul Hoque, Head of Housing Options, on the Common Housing Register including how medical need is assessed and how the Register's three bands work.

Questions from Members:

- **How are people with mental health issues assessed? Is there a chance of them falling into band 3?**

The housing team will assess the application with a health advisor. The health advisor will likely ask for additional evidence such as a GP letter on their condition. Mental and physical conditions are considered in the same way. Cases may also be referred to outsourced specialists such as psychologists separate to the Council.

- **There are 2000 people who have been on band 3 for two or more years. How often are the applications reviewed?**
- **Is there a case for splitting the register between a priority band and the 8000 people at band 3?**

The Committee were informed that there was a quota of 5% for band 3 applicants being let a property, this equated to around 200 units. The case for splitting the register was not an officer decision, though it was noted that other councils do not keep band 3s on the priority register. The decision to take band 3's off the register would be a Council decision.

- **2000 people on band 3 waiting 12 years is a long time, why is there no traction for these people?**

The assessments were made on a needs basis. The applications in band 3 were unlikely to be prioritised because they have been assessed as low need.

- **When was the housing allocation policy last reviewed, perhaps we could look at this in more detail as a committee?**

The policy was last reviewed in 2016 and the Housing Scrutiny Committee provided comment during the review.

The Head of Housing Options explained that an applicant may bid for a property one bedroom larger or one bedroom smaller than their need.

- **What support is available to vulnerable people in bidding for homes?**

Officers explained that all providers had lettings staff that were responsible for helping vulnerable people bid for properties. The Council has processes in place to enable people to bid.

RESOLVED:

1. To note the presentation.

7. 2018/19 WORK PROGRAMME

Members commented that based on the experience of today's meeting the agendas were too full. They agreed that the number of spotlights should be reduced so they could discuss topics in greater depth and give due consideration to impact and outcomes. Agenda items for the November 2018 meeting were agreed and the Preventing Homelessness Update deferred from the January agenda. Time was requested on the November agenda to review and agree April's agenda.

Members were not in agreement that the scrutiny review topic should be the impact green spaces can have on improving air quality. The Common Housing Register was suggested as an alternative; although it was pointed out that the CHR had been reviewed by this committee in 2016. Members requested information on the significance of green spaces as a scrutiny topic and agreed to decide on the scrutiny review topic over email.

RESOLVED:

1. The November agenda has only two spotlight items: Sub-Letting and Fire Safety, the second of which is an update that has two parts to it.
2. The January agenda will be: Budget scrutiny and spotlights on Service Charges for Leaseholders and Universal Credit and Rent Arrears. The Preventing Homelessness Update has been deferred.
3. To have fewer spotlight sessions in order to review topics in greater depth.

ACTION: Members to be emailed information on the significance of green spaces as the scrutiny review topic. SPP Officer to action.

ACTION: SPP Officer to check when the Allocations Policy was last considered by the Housing Scrutiny Committee and share its findings with the committee.

8. PERFORMANCE MONITORING

Quarter 1 corporate performance information was not yet available to share with the committee so the only report received was on Registered Provider performance for quarter 1. Although it was recognised that providing the monitoring information was on a voluntary basis, Members wished to understand why some members of the THHF did not provide monitoring information.

RESOLVED:

1. To note the monitoring report.

ACTION: for SPP Officer to establish the reasons why some members of the THHF do not provide performance data and advise the committee accordingly.

9. ANY OTHER BUSINESS

RESOLVED:

1. For Members of the Committee to meet for a pre-meet at 6.10pm on the evening of Committee Meetings.

The meeting ended at 8.38 p.m.

Chair, Councillor Dipa Das
Housing Scrutiny Sub-Committee

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