

# HOUSING & REGENERATION SCRUTINY SUB COMMITTEE

Monday, 13 July 2020 at 5.30 p.m.

Online 'Virtual' Meeting - <https://towerhamlets.public-i.tv/core/portal/home>

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**Members:**

**Chair:** Councillor Dipa Das

**Vice-Chair:** Vacant

Councillor Shah Ameen, Councillor Ayas Miah, Councillor Helal Uddin and Councillor Andrew Wood

**Substitutes:**

Councillor Shad Chowdhury, Councillor Mohammed Pappu and Councillor Leema Qureshi

**Co-opted Members:**

Anne Ambrose

Tenant Representative

Moshin Hamim

Leaseholder Representative

**Contact for further enquiries:**

The Committee Services Officer

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**PAGE  
NUMBER(S)**

## **APOLOGIES FOR ABSENCE**

### **1. DECLARATIONS OF INTERESTS**

**5 - 6**

Members are reminded to consider the categories of interest in the Code of Conduct for Members to determine whether they have an interest in any agenda item and any action they should take. For further details, please see the attached note from the Monitoring Officer.

Members are reminded to declare the nature of the interest and the agenda item it relates to. Please note that ultimately it's the Members' responsibility to declare any interests and to update their register of interest form as required by the Code.

If in doubt as to the nature of your interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services

### **2. MINUTES OF THE PREVIOUS MEETING(S)**

**7 - 10**

### **3. REPORTS FOR CONSIDERATION - OSC COVID-19**

The Sub-Committee will be asked to consider in regard to Covid-19:

- An assessment of how the Council has handled the response;
- An assessment of recovery phase; and
- What key challenges remain and how to improve future Pandemic Plan.

#### **3.1 Presentation and Discussion - Housing and Regeneration - Moving Forward on Covid-19**

**11 - 22**

### **4. ANY OTHER BUSINESS**



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# Agenda Item 1

## **DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER**

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

### **(i) Disclosable Pecuniary Interests (DPI)**

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

**DPI Dispensations and Sensitive Interests.** In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

### **(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)**

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

### **(iii) Declarations of Interests not included in the Register of Members' Interest.**

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

### **Guidance on Predetermination and Bias**

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

### **Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting**

In such circumstances the member may not vote on any reports and motions with respect to the matter.

**Further Advice** contact: Asmat Hussain, Corporate Director, Governance and Monitoring Officer,  
Tel: 0207 364 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	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. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	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— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
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	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any 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 area of the relevant authority; and (b) either—  (i) the total nominal value of the securities exceeds £25,000 or one hundredth 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 one hundredth of the total issued share capital of that class.



### **3. REPORTS FOR CONSIDERATION**

#### **3.1 H&R Action Log-21-1-20**

##### **RESOLVED:**

To note the actions log.

#### **3.2 HOUSING SUPPLY AND DEMAND**

The committee received the report and presentation of Karen Swift (Divisional Director of Housing & Regeneration).

In response to the report the following discussion took place:

- Officers agreed to provide the committee with the number of under occupiers. They estimated the figure would be around 400-500 but would confirm the figures post meeting.
- There was a discussion on buy back and how many were being purchased from private and social landlords. It was noted that some buy backs were from Poplar Harca. Officers agreed to provide further details on buy backs.
- There was a discussion that shared ownership was unfeasible for most working people. Officers said they were working with developers early on to negotiate an intermediate rent offer. Members urged officers to continue their efforts for more affordable rents.
- There was a discussion on London boroughs setting up social letting's agencies. Capital Letters was a London wide attempt to change the housing dynamics in London. 28 million was sourced in LHGH funding. Thirteen London boroughs signed up to the initiative and had secured around 160 private let properties in the last year. 38 million in funding has also been sourced by capital letters to encourage collaborative working between boroughs.
- It was noted that the billingsgate market site was leased to the City but there were plans for CBI to procure the space in 60 years' time. Members said this was a potential site to deliver thousands of new homes and asked if the council could intervene in future development of the site. Officers said it may be out of their remit, but they would investigate.
- Members agreed that the bidding process was inefficient, and it was agreed that a spotlight scrutiny session on bidding should be included in the committee's forward plan.
- Members wanted to know how much housing has come from the council's own effort and how much of it was from S.106 money. Officers said they could provide the figures.
- Members wanted to know how many homes were expected to be built by 2023 and a list of providers expected to build the developments. Members also wanted a definition of what 'affordable' meant. Officers

summarised that rent was a complex issue due to the three different tiers of rents. There was the GLA target rate and the Tower Hamlets Living Rent which was sometimes slightly higher. They said rates varied to enable a range of incomes to bid.

- A member of the public made a statement to the Chair that the housing bidding process was unfair to single people as the number of single people had increased but homes were not planned for single occupiers. Concerns were raised that the situation was leading to more young single people being forced into the private sector and homelessness was a risk if they experienced job insecurity. An article on the topic was circulated to Members.
- A representative from Wellington Estate Tenants and Residents Association made a statement in opposition to the development of the Canal Club Site due to a loss of play, amenity and community gardening space and a further increase in the building density of the area. A statement was tabled. Members noted the statement.

**ACTIONS:**

Officers to provide:

1. A breakdown of the Housing Association supply slide by section 106 and Housing Association led development.
2. The number of under-occupiers on the Housing Register.
3. The split in acquisitions between ex council RTB and purchases of other housing provider stock.

**RESOLVED:**

To note the presentations and actions.

**3.3 FINDINGS OF THE HIGH-DENSITY LIVING SURVEY**

In response to the presentation Members wanted to find out if planners had taken into consideration school place planning and child yield. Officers said research had been conducted and they would share this with the committee.

**ACTION:** Michael Ritchie to share research on school place planning and child yield in planning and development in the borough.

**RESOLVED:**

To note the presentation.

**3.4 HOUSING AND REGENERATION SCRUTINY WORK PROGRAMME 2020-2021**

The committee briefly discussed topics to add to the next municipal year's work plan. The following suggestions were made:

- A scrutiny review session in the work programme on the housing bidding process.
- Damages to new builds post-handover and the common housing register.
- Efficiency of common allocation.
- Site visits and mystery shopping.
- Housing Options looking at issues.
- Explore mixed ownership on estates and potential equalities impacts.

**RESOLVED:**

To note work programme suggestions.

**4. ANY OTHER BUSINESS**

Members raised a concern from their constituents that Tower Hamlets Homes were conducting mental health assessments alongside fire safety assessments which tenants were unhappy about. Karen Swift said she would contact THH to explore the issue and feed back to the committee.

The committee RESOLVED to take the following action:

**ACTION:** for Karen Swift to Contact THH for an explanation on how fire safety assessments were being conducted.

**5. UNDER OCCUPATION SCRUTINY REVIEW - TRACKING  
RECOMMENDATIONS**

**RESOLVED:**

To note the document.

The meeting ended at 20:05

Chair, Councillor Dipa Das  
Housing & Regeneration Scrutiny Sub Committee

## Responding to rough sleeping during the corona virus – Everyone In

‘Everyone In ‘ measures commence in mid-March – directive from government: all rough sleepers and those at risk of rough sleeping must be accommodated to facilitate social distancing/ self-isolation, regardless of priority need, local connection, or recourse to public funds.

Over 200 individuals either **rough sleeping** on the streets or at **imminent risk of rough sleeping** have been found emergency accommodation by the Council. Most are from Tower Hamlets. Over 40 have no recourse to public funds.

Rough sleeping in the borough has reduced dramatically during the lockdown.

Entrenched rough sleepers have been accommodated in commercial hotels.

Ad hocs bookings in the portfolio of emergency B&B accommodation was increased to provide accommodation to those judged to be at risk of rough sleeping or who claim to be rough sleeping.

A large supply of hotel accommodation was also procured for rough sleepers by the GLA at the start of the pandemic. There are 350 rough sleepers in GLA hotels in Tower Hamlets.

Individuals have been accommodated under Housing Act 1996 s.188(1) duty and Housing Act 1996 s.205(3) statutory powers, and Localism Act 2011.

A Homelessness Bronze Group oversees and manages the Council’s response to homelessness and rough sleeping. The Bronze Group reports into Silver Health and Care Operational Group.

## Responding to rough sleeping during the corona virus – Health and Welfare

The Council commissioned 24/7 on-site support and floating support at the commercial hotels as most rough sleepers brought in directly off the streets have complex needs.

The value of these arrangements is shown by the relatively low number of evictions and abandonments from the hotels and the low rough sleeping numbers during the 3 months of the lockdown.

Public Health have led on implementing an operational plan to minimise the risk of an outbreak and spread of infection. To date there have been no reported outbreaks in any of the hotels used by the Council or in the Council's commissioned hostel sector.

Given the high levels of substance misuse among the rough sleepers in commercial hotels a priority has been to assess individuals and help them access substance dependence treatment.

The physical health of most rough sleepers in the commercial hotels had been assessed by a nurse. Most have been assessed as having a 'mental health' support need, and a number have been referred to mental health services.

Full board has been included in the block-booking contract with a number of hotels and a meal delivery of 3 meals per day has been provided to complex needs rough sleepers at other hotels.

Within the wider range of emergency B&B accommodation used by the Council, fridges and microwaves have been provided for people in their rooms to enable social distancing and support with self-isolation.

## Costs, Funding and Moving onto the next phase of accommodating rough sleepers

Monthly accommodation and support costs are estimated to be in the region of £200k net of housing benefit

Government has committed funding to the Council for dealing with the impacts of corona virus

- 'Rough Sleeping Contingency Fund' (17th March) £12,750
- Coronavirus (COVID-19) Funding to relieve coronavirus pressures across all services, including adult social care and services helping the most vulnerable, (19th March 2020), £10,448,682
- Funding to help with managing the new responsibilities across all services, (18th April 2020). £8,999,802

The Government has also committed capital funding for supported housing and funding for substance misuse.

There is a common objective amongst MHCLG, boroughs and the GLA that nobody accommodated should be asked to leave accommodation without an offer of somewhere to go and other appropriate support

No change in law on NRPF. Council is expected to take into account needs and circumstances and make judgements on basis of risk to life.

Officers will work closely with MHCLG on a co-produced bid for funding in the coming weeks. Funding decisions anticipated in late Summer/ early Autumn.



## Improving the Customer Journey to prevent and relieve homelessness in the light of Covid 19

- The public and staff need to be kept safe during the period of the corona virus and beyond.
- The Housing Options service has historically managed demand reactively through the crisis-oriented daily drop-in at Albert Jacobs House. Recovery of the service post COVID, provides the opportunity for a different customer experience ready to relocate to the new Town Hall.
- The service wants to achieve a higher rate of prevention and reduce temporary accommodation placements and associated costs. To do this the Housing Options service will need to intervene earlier and in a more planned and proactive way with those at risk of homelessness.
- Those seeking help should be able to understand the help on offer and access help through a range of channels, including to self-help, whether on the web or over the phone or from alternative service settings, e.g. Job Centre Plus reducing the need to visit busy offices.
- An improved telephone service with enough staff with the right skills set coupled with automated call distribution (press button options when people phone) can enable more people to get assistance over the phone (for Lettings and Homelessness enquiries) and avoid people needing to visit the office because they cannot get through on the telephone.

## Scoping out areas for change

- Content on the Council's website should be relevant and easy to navigate.
- Interactive sections on the website could filter the customers enquiry, directing customers to web resources where relevant and directing others who are homeless or threatened with homelessness to book appointments with the service online. This gives customers flexibility.
- Triaging those into the service who need casework through an online appointment booking system would enable the demand to be dealt with in a more planned way and for customers to pre-book an appointment that suits them. Prompts and alerts on what documents to bring will aid the interview process.
- Minimising unplanned office presentations and undertaking appointments either virtually or in person upstream in partner service settings will entail more efficient use of casework time and increase time that can be spent to successfully prevent and relieve homelessness.
- There will continue to be those for whom an emergency office presentations will continue to be appropriate, e.g. DV. These groups will need a safe welcoming environment at AJH with appropriate social distancing. Those with language needs will also need to be considered in any new arrangements.



# Scope of project

## In Scope

- Telephony Improvements
- Web content and self-service
- Appointments
- Online offer

## Workstreams that can be pursued concurrently

- IT Systems and data collection
- Increasing prevention and accommodation options
- B&B and TA reduction
- Service design improvements
- Casework admin and clearing backlog
- H&RSS

## Benefits and savings:

Customers will have a better experience and will be better informed from the beginning and will be better able to plan their interaction with the service.

Staff workloads will be more manageable and work will be done in more planned and methodical way.

Cashable savings are likely to be generated through the use of telephony, website and automated booking system.

# Staff Engagement

## Inform, Involve, Listen



### Steps to developing a Staff Engagement Strategy using **Inform, Involve, Listen**

1. Recognition of current state (i.e. energy, motivation) of staff
2. Create a convincing case and shared purpose  
Leaders reflect and agree on message, language and communication methods, when to communicate this message and how it will be communicated
3. Select champions for the case aligned to each workstream
4. Identify staff groups affected and the degree to which they will be affected
5. Hold sessions with affected staff groups tailored depending on the degree to which they are affected - i.e. **inform** those around the change, **involve** experts, and **listen** to those concerned)
6. Outline 'touch points' for continued engagement and create shared commitment to this plan:
  - Updates on progress - **inform**
  - Consulting experts - **involve**
  - avenues for concerns and fears to be raised - **listen**

Note – 'involve' is largely covered in the previous slide showing the 3 workstreams. 'Inform' and 'Listen' need to be developed and planned

## Private Rented Sector – impact of Covid-19

### Tower Hamlets' private rented sector:

- Around 40% of the total housing stock in Tower Hamlets is privately rented – at least 32,000 households.
- Average private rents in Tower Hamlets are high – £1,647 compared to £695 nationally.
- Four in ten households in Tower Hamlets live below the poverty line.
- Landlords ending private tenancies is the second biggest cause of homelessness in the borough.

### Emergency measures to protect renters, landlords and homeowners:

- Evictions ban: all eviction proceedings suspended from 27<sup>th</sup> March until 23<sup>rd</sup> August.
- Notice period for possession extended to three months: new notice period in place to 30<sup>th</sup> September.
- Private tenants are encouraged to speak to their landlord if they are having difficulty paying rent and where possible, come to an arrangement to repay rent or clear arrears.
- A new pre-action protocol applies for private landlords seeking possession of their property.
- A three month 'mortgage holiday' for homeowners and buy-to-let landlords.



## Private Rented Sector – impact of Covid-19

- **As unemployment rises and incomes fall, private renters are finding themselves unable to afford rent and vulnerable to eviction and homelessness. Many private renters have little or no savings.**
- Local Housing Allowance (LHA) is out of step with median rents. **The new LHA rates to median rents in Tower Hamlets still show shortfalls** ranging from £57 a month for someone in 1 bedroom in a shared property - up to a £163 shortfall a month for a 4-bedroom property.
- Universal Credit claimants often take up advance loans to see them through the five-week wait. Recipients must pay back loans back at a rate of 25% of their standard Universal Credit allowance until the debt is cleared.
- Those on furlough or only entitled to statutory sick pay have also seen their income drop. The overall Benefit Cap penalises those in large families.
- **Our private housing advice team have seen a significant increase in private tenants approaching them for advice and mediation:** from 25<sup>th</sup> March to 24<sup>th</sup> April the team had over 100 new approaches. A similar increase has been seen in subsequent months. Key issues presented by private tenants approaching our service include:
  - Private tenants unable to pay rent due to loss of income
  - A marked increase in queries linked to security of tenure including around 30 cases where tenants have experienced harassment or threats of eviction, sometimes in response to a request for a rent deferment.
  - There are two known cases of unlawful eviction which the team are moving to prosecution.
- Our Private Renters Charter' partners have seen a significant increase in queries from private tenants related to security of tenure and loss of income, including many requests from migrant renters unsure of their rights. Partners working on the rogue landlord market say they have seen no let-up in cases of unlawful eviction and harassment.
- The market has seen a drop in tenant demand due to lack of home moves, students moving home, loss of jobs. Private rents have gone down but still unclear what the long term impact on the market might be.

## Response to Date

### Communications

- Dedicated information on the Council's coronavirus housing and private housing webpages.
- Online and video updates via e-newsletters, corporate communications channels and Mayor's office.
- Letter to private tenants claiming Housing Benefit and CTR on new measures and support available.
- Letter to licensed landlords on emergency measures and prosecutions for unlawful evictions.
- Working with Private Renters' Charter partners on joint communications including cascading information to voluntary and community groups i.e. via WhatsApp.
- Working with Registered Providers on joint communications (in development).

### Unlawful evictions

- Borough commander has issued updated Guidance for responding to unlawful evictions.
- Private housing advice team have no capacity to support with injunctions, however where tenants are eligible for legal aid they are referred as appropriate. The team refer private tenants eligible for rent repayment orders to our own Civil Enforcement Officer and to our partner Justice for Tenants.

### Financial hardship / rent arrears

- Private housing advice team are now working closely with benefits team on Discretionary Housing Payment (DHP) applications to clear rent arrears where needed. Initial period for DHP award will be three months.
- Tackling Poverty are making DHP applications and providing holistic support to private tenants where needed.

### Lobbying

- Key asks are long-term protections for renters are needed to prevent homelessness; uprating Local Housing Allowance (LHA) to reflect local circumstances and suspension of total Benefit Cap; preventing evictions for arrears under section 8 through debt relief or grace period for repaying debts; increasing funds available for DHP; legislation brought forward to end evictions under section 21.
- Tower Hamlets submitted evidence to **HCLG Inquiry: Impact of Covid-19 on PRS and homelessness**
- Letter from Mayor John Biggs to Robert Jenrick MP on LHA shortfall.

## Key Issues for Recovery Phase

### Evictions

- The financial impact of the crisis on could see a surge in evictions and homelessness once emergency protections come to an end.
- Court proceedings for possession cases under s21 and s8 resume (remotely) on August 23<sup>rd</sup>. Unclear how quickly cases will move - may create a bottle neck that will take the next year to untangle.
- Delays in court proceedings could lead to an increase in unlawful evictions. Prosecuting for unlawful evictions could act as a deterrent. The borough has limited capacity to support injunctions (to reinstate a tenant subject to unlawful eviction) or offer legal services, but we can refer tenants eligible for legal aid to appropriate solicitors and/or pursue rent repayment orders.
- Rising evictions in the private rented sector could lead to increased demand on homelessness services.

### Rent arrears

- The shortfall between median rents and average incomes alongside rising unemployment means many private tenants are unable to afford their rent leading to increased demand for financial support.
- Discretionary Housing Payments (DHP) may help. Where tenancies remain unaffordable tenants will need to move.

### Private tenants don't know their rights

Our partners say that many renters are unclear of their rights and the support available to them, particularly migrant renters and those for whom English is not their first language.

### Private rental market

Drop in tenant demand and collapse of short lets industry appears to have led to short-term drop in rents. However over long term house sales are likely to slow, potentially increasing demand for private rented housing.

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