

Committee/Meeting: Cabinet	Date: 3/07/13	Classification: Unrestricted	Report No: CAB 004/134
Report of: Development and Renewal Originating officer Martin Ling		Title: Overcrowding and Under Occupation Statement Wards Affected: All	

Lead Member	Cllr Rabina Khan – Cabinet Member for Housing
Community Plan Theme	A Great Place to Live
Strategic Priority	Improving and maintaining the quality of housing and the local neighbourhood

1.0 SUMMARY

- 1.1 The implementation of the 2009/12 Overcrowding Reduction Strategy was successful with 18 of the 21 identified actions being progressed satisfactorily.
- 1.2 Rather than develop a new Strategy, it is proposed that the 2009/12 Strategy is refreshed with many actions retained, those that are no longer viable removed and any new actions identified incorporated. It is further proposed that a set of specific actions relating to reducing under –occupation and making better use of the stock are also incorporated into the refreshed action plan.
- 1.3 It is proposed that the strategy is rebranded as an Overcrowding and Under-Occupation Statement in order that it can complement the other suite of policy statements that will inform the Mayor’s Housing Statement.

DECISIONS REQUIRED

The Mayor in Cabinet is recommended to:-

- I. Approve the Overcrowding and Under Occupation Statement attached at Appendix 1.
- II. Approve Overcrowding and Under Occupation Statement Action Plan attached at Appendix 2.

2.0 REASONS FOR THE DECISIONS

- 2.1 There are over 9000 overcrowded households in the borough and their living conditions can have a detrimental impact on the health, education and wellbeing of those affected. By tackling overcrowding in conjunction with the Council's main Registered Providers and other partners, the Council can help to alleviate the impact of overcrowding and improves the life chances of the households affected.

3.0 ALTERNATIVE OPTIONS

- 3.1 The Council could choose not to have an Overcrowding and Under Occupation Statement and Action Plan. The Council could also choose to adopt a modified Overcrowding and Under Occupation Statement and Action Plan, which may require further impact assessment, but the versions in the appendices are recommended for reasons set out in the body of the report.

4.0 BACKGROUND

- 4.1 The Council in partnership with Registered Providers developed an Overcrowding Reduction Strategy in 2009. The strategy was ratified and adopted by the Council at Cabinet in October 2009. Subsequently, the Tower Hamlets Housing Forum Common Housing Register sub group helped to develop an action plan associated with the strategy between October 2009 and April 2010.
- 4.2 Reducing Overcrowding is a Mayoral priority with a target set to in 2010 rehouse 1000 overcrowded households per year.
- 4.3 At the April 2010 meeting, the CHR Forum agreed to take on the delivery role of the Tower Hamlets Overcrowding Reduction Strategy 2009-12 with the assistance of a Housing Policy Officer with reporting taking place bi-annually to the CHR Forum.
- 4.4 As at April 2012, within the action plan, 16 actions had been achieved, 5 are still in progress and 3 have not progressed. The three that have not progressed are as follows:
- The acquisition of larger private sector accommodation to re-house overcrowding families will now not be progressed due to the proposed Housing Benefit cap.
 - Take up of the cash incentive 'Homebuy' scheme did not achieve its target. This is due to the difficult housing market and economic conditions and general difficulty in obtaining mortgages from lenders.
 - The rehousing of 19 Gypsies and Travellers on a new site to adequately address their housing need. This project was not progressed but is still being investigated.

- 4.5 A notable achievement has been the reduction in overcrowding due to the implementation of the revised 2010 lettings policy which has seen lets to overcrowded households increase from 33% in 2007/8 to 61% in 2011/12. This is illustrated in the following table:

Year	Total Lets	Overcrowding Lets	%
2006/7	1,981	656	33%
2007/8	1,627	541	33%
2008/9	2,142	771	36%
2009/10	2,608	1,054	40%
2010/11	2,194	979	45%
2011/12	2,679	1,642	61%

- 4.6 Other areas of progress as presented to the Common Housing Register sub group in the final 2009/12 report are set out in the table below:

3675	Lettings made to overcrowded households - 2009/12
330	Under-occupiers re-housed in total - 2009/12
800	Overcrowded Council Tenants have received home visits since the 01/04/2011
165	Council under-occupiers have received home visits since the 01/04/2011
12	Knock-through's completed in - 2009/12
240	Overcrowded families rehoused through RTB Buy back programme.

- 4.7 Despite this progress, overcrowding still remains one of the biggest challenges that the Council faces. As set out below, over 9000 households in the borough still require more bedrooms than they currently have:

By Landlord and Beds lacking	1	2	3	4	5	Total
Total	7922	1561	177	17	1	9,678*

*As at April 2013

5.0 2013 Overcrowding and Under –Occupation Statement

- 5.1 The Council is working on a number of policy areas that are being put before the Cabinet for approval as policy statements in 2013. These include the Homelessness Statement, the Older Persons Housing Statement and the revised Lettings and Allocations scheme. It is therefore proposed that the refreshed Overcrowding and Under-Occupation document will also be revised and presented as a statement.
- 5.2 It is anticipated that the key actions from these statements will inform the Mayor's Housing Statement which it is aimed to be produced in the summer of 2013.
- 5.3 It should be noted that the Council's ability to continue to tackle overcrowding will be impacted upon by the reduction in resources available. Areas where there are fewer resources compared to 2009 – 2012 include the following:

National Affordable Housing Programme: The reduction in central government grant available and introduction of the new affordable rent regime has limited the number of new homes that will be built over the next three years. Despite these national limitations, the Mayor is still on track to deliver his pledge of 4,000 new homes in his first term and last year the Council built the highest number of affordable homes anywhere in the country. The Council's planning policies, land and partnership funding through the HCA/GLA have all contributed towards the achievement of this target.

Council buybacks: The Council had limited resources to buy back ex-council 3 bed plus Right to Buy properties.

2009/12 – One off Local Homes Initiative scheme: This has been completed and further resources have not been allocated.

- 5.4 It is anticipated that the introduction of welfare reform will have a further impact on housing need. The introduction of Universal Credit and in particular the Benefit cap of £500 per week, scheduled to rolled out from October 2013 could increase pressure on the Council, particularly from households in the private sector or in temporary accommodation. This will inevitably create a tension between meeting the needs of homeless households and overcrowded households.

The reduction in Housing benefit for households of working age who under occupy social housing, could however increase demand from under occupying tenants who may wish to downsize in order to avoid having to make a contribution towards their rent once their benefit has been reduced.

5.5 Reducing Under-occupation

It has long been identified that encouraging tenants who are under occupying their properties to move into smaller suitable properties can assist in providing homes for overcrowded households. 105 under occupying households were

rehoused in 2011/12. There are currently around a 1200 households registered as under occupied on the Common Housing Register and a number of actions have been identified in conjunction with the Tower Hamlets Housing Forum to assist and incentivise under occupiers to consider downsizing. These actions will be included in the Overcrowding and Under - Occupation Statement. The CHR sub group has agreed to adopt an ambitious target of 600 under occupying moves over the next 4 years.

5.6 New Initiatives

To complement existing initiatives, a series of bespoke housing solutions are being worked up for that group of households who require Wheelchair Adapted/Mobility Standard A properties. Under the auspices of the title “Project 120” (to reflect the approximate number of households concerned), each household’s physical needs are assessed alongside their other housing preferences – location, size, type, etc.

In a collaborative process involving Housing Options, Regeneration & Development and Planning Officers, new build schemes can be identified that can be the source of each household’s housing needs. Many of these households suffer from chronic overcrowding, particularly if a family member’s health conditions demand that they have sole use of a bedroom otherwise suitable for two persons and this makes the requirement to find adequate housing for the family all the more pressing.

The Localism Act in 2012 has allowed local authorities to make amendments to their existing Lettings Policy in order to meet local housing need. The Council recently reviewed the lettings scheme and in April 2013, Cabinet approved further amendments to the scheme which will assist the Council in continuing to house those households that are overcrowded or under-occupied in the most efficient and effective way.

5.7 Development and monitoring of the Statement

The 2009/12 Overcrowding Strategy was subject to a consultation with partners including a seminar to identify actions. The Strategy was then monitored by the Tower Hamlets Housing Forum Common Housing Register sub group. The sub group have been involved in the development of the refreshed Overcrowding and Under Occupation Statement and will continue to work on identifying new initiatives to tackle overcrowding.

5.8 Mayor of London

The Mayor of London has highlighted tackling overcrowding as a key area for his forthcoming Housing Strategy. Officers from the Council and Tower Hamlets Homes recently met with the GLA who were satisfied that Tower Hamlets is well advanced in its work in this area and are likely to be in compliance with the Mayor of London’s Housing Strategy. The GLA has agreed to share good practice from across London with all boroughs in order to tackle overcrowding.

5.9 Draft Action Plan

Attached at Appendix 2 is an outline of the proposed draft action plan. It includes:

- Actions brought forward from the 2009/12 Overcrowding Strategy
- New actions identified in conjunction with the THHF CHR sub group
- Actions to reduce under occupation identified in conjunction with the THHF CHR sub group.

The Actions have been grouped into four specific areas:

- Property based actions
- Lettings based actions
- Advice and partnership based actions
- Under occupation based actions

6.0 **COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 6.1 This report provides an final update on the Council's Overcrowding Reduction Strategy 2009-12 and seeks approval of the 'Tackling Overcrowding and Under Occupation Statement 2013' and the corresponding Action Plan.
- 6.2 The statement is one of a suite of documents which along with those relating to Homelessness, Older Persons and the revised Lettings and Allocations scheme will be among the key policies that feed into the Mayor's Housing Statement.
- 6.3 The objectives contained within the various policies and statements set out a range of activities and priorities for the Council and key partners that will provide a clear focus for ensuring that available resources are targeted to and in line with these needs.
- 6.4 The financial consequences of the Statement and action plan will be subject to the availability of funding and further reports assessing the financial impact of individual proposals and identifying sources of funding. Delivery of the statement will be extremely challenging in the current economic climate, and will require a co-ordinated approach and aligning of funding from all major partners. It will also require that best value for money is obtained from limited sources of external funding, given that the Council's mainstream resources to support the statement are extremely limited.
- 6.5 The costs of preparation and subsequent consultation on the 'Overcrowding and Under Occupation Statement' have been met from within existing revenue resources.

7.0 CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)

- 7.1 The Council is a local housing authority under the Housing Act 1985. The Council is required by section 8 of the 1985 Act and section 3 of the Housing Act 2004 to review housing conditions in Tower Hamlets. Pursuant to section 9 of the Housing Act 1985, the Council may provide housing accommodation by acquiring or erecting houses. The Tower Hamlets Community Plan, which contains the Council's sustainable community strategy under section 4 of the Local Government Act 2000, makes the provision of quality, affordable housing a key objective.
- 7.2 The Council is required to comply with the requirements of Part VI of the Housing Act 1996 when allocating housing accommodation. Section 166A of the Housing Act requires the Council to have a scheme for determining priorities and the procedures to be followed in allocating housing accommodation. The Council is required to allocate housing in accordance with the allocation scheme. The scheme must secure that reasonable preference is given to people in overcrowded housing, along with other categories of people in urgent housing need and may also give them additional preference. The Council's allocation scheme reflects these requirements.
- 7.3 Section 179 of the Housing Act 1996 requires the Council to provide free advice and assistance in Tower Hamlets about homelessness and the prevention of homelessness. It is reasonable, generally, for the Council to seek to prevent homelessness, having regard to its obligations under Part VII of the Housing Act 1996 to provide accommodation to homeless persons and the resources available to it to meet housing needs.
- 7.4 Having regard to the Council's housing functions, it is consistent with good administration for the Council to adopt a statement targeted at reducing overcrowding. The actions specified in the action plan in Appendix 2 appear capable of being carried out within the Council's statutory functions. It is understood that the Overcrowding and Under Occupation Statement is not the housing strategy, which is referenced in the Council's budget and policy framework.
- 7.5 Before adopting the Overcrowding and Under Occupation Statement and action plan, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't. Information is contained in section 8 of the report and Appendix 3 relevant to these considerations.

8.0 ONE TOWER HAMLETS CONSIDERATIONS

- 8.1 An Equality Assessment has been carried out on the Overcrowding and Under Occupation Statement and is attached at Appendix 3. Overcrowding can impact on all sections of the community and the statement provides an opportunity to take forward a number of initiatives to meet this need and assist in community cohesion between groups across the Council.

9.0 SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

9.1 There are no specific sustainable action for a greener environment implications but all new build and refurbishment of properties that can provide suitable accommodation for overcrowded households will take into account sustainability issues in line with current planning and building policies.

10.0 RISK MANAGEMENT IMPLICATIONS

10.1 There are no specific risk management implications in the final version of the Overcrowding and Under Occupation Statement. Implementation of the Action Plan will be subject to the availability of funding.

11.0 CRIME AND DISORDER REDUCTION IMPLICATIONS

11.1 There are no specific crime and disorder reduction implications.

12.0 EFFICIENCY STATEMENT

12.1 There are no efficiency implications in the Overcrowding and Under Occupation Statement.

13.0 APPENDICES

13.1 Appendix 1 - Draft Actions for the 2013/15 Overcrowding and Under-occupation Statement
Appendix 2 - Overcrowding and Under Occupation Statement
Appendix 3 - Equality Impact Assessment

Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

List of “Background Papers” used in the preparation of this report

None

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APPENDIX 1

Draft Actions for the 2013/15 Overcrowding and Under-occupation Statement

Set out below are the draft actions for the 2013 /15 Statement

1. Property Based Actions		
	Item	Comment
1.1	New Build Development Programme - Increasing housing supply across all tenures (Market, Intermediate and Social).	Retained from 2009/12 Strategy. Note reduction in grant for programme.
1.2	In liaison with Planning Control continue to secure larger family sized units on all s106 and new affordable housing schemes.	Retained from 2009/12 Strategy.
1.3	Council Housing Build Programme and contribution towards RP programmes through planning policy, partnership funding and land	Retained from 2009/12 Strategy, subject to funding being allocated
1.4	Improve the quality of life for tenants through improvements to existing homes of overcrowded tenants.	Retained from 2009/12 Strategy and innovate approach to home visits as appropriate.
1.5	Continue with the knock through and extensions to make it more effective and increase the number of knock-throughs	Retained from 2009/12 Strategy,
1.6	Improve living conditions for overcrowded households in the Private Sector. (Grants programme)	Retain, subject to funding being allocated.
1.7	Develop Project 120 by finding the best solution for each of the 120 applicants on the housing register requiring wheelchair accommodation. Many of these households are also overcrowded.	New Action
2. Lettings Based Actions		
	Item	Comment
2.1	Implement new Lettings Policy to ensure it provides the flexibility & priority required to support the Overcrowding and Occupation Statement.	New Lettings Policy approved by Cabinet in April 2013.

2.2	Continue to promote the revised sons & daughters scheme through an allocated quota group	Retained from 2009/12 Strategy.
2.3	Review sub-regional nominations agreement to maximise housing for local residents.	Retained from 2009/12 Strategy.
3. Partnership and Advice Based Actions		
	Item	Comment
3.1	Get all Registered Providers in the Borough to sign up to the Common Housing Register Forum.	Retained from 2009/12 Strategy
3.2	Provide an excellent Housing Advice & Options Service to residents of the borough.	Retained from 2009/12 Strategy and modify as appropriate.
3.3	Carry out Home Visits to under occupied and overcrowded households.	Retained from 2009/12 Strategy and monitor both Council and RP visits.
3.4	Keep under review the ability to create mobility of tenure through social homebuy (cash incentive scheme).	Retained from 2009/12 Strategy, but note limited impact because of welfare reform.
3.5	Develop a Low Cost Home Ownership service as an improvement to the Housing Options service offered by the Council.	Retained from 2009/12 Strategy and implement in line with Mayor of London's revised scheme.
4. Under Occupation Based Targets		
	Item	.Comment
4.1	Implement Project 500 to target the top 500 under occupiers and focus on bespoke packages to meet their needs.	New Action.
4.2	Enable Registered Providers to keep voids freed up by under occupiers to offer to their urgent transfer cases.	New Action.
4.3	Explore the feasibility of identifying and ring fencing desirable properties to meet the needs of under occupiers.	New Action.
4.4	Package a set of practical incentives up to the value of £2000 in order to encourage under occupiers to consider moving.	New action – Incentives to include: <ul style="list-style-type: none"> • Practical assistance with the move • Re-direction of your post • Handyperson

		<p>service or gardener for the day</p> <ul style="list-style-type: none">• Help with rent issues• Help with decorating• Disconnections / reconnections for your gas and electricity etc.• Financial assistance
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