

Minutes of the meeting of the Scrutiny Panel 1 - 2023/24: Housing and Environment

Date: Thursday, 23 November 2023

Venue: Committee Room 5 - Perceval House

Attendees (in person):

Cllr Miriam Rice (Chair), Cllr Jon Ball (Vice-Chair), Cllr Daniel Crawford, Cllr John Martin, Co-optee Member Ben Twomey

Attendees (virtual):

Cllr Muhammad Iqbal and Cllr Tarept Sidhu

1 Apologies for Absence and Substitutions

No apologies for absence were received.

2 Urgent Matters

There were no urgent matters.

3 Declarations of Interest

There were no declarations of interest.

4 Matters to be Considered in Private

RESOLVED: That all items be considered in public, as proposed.

5 Minutes

RESOLVED: That the minutes of the meeting held on 5 September 2023 are agreed as a correct record of proceedings.

6 Appointment of Co-optee Member

RESOLVED: That the Panel agreed the appointment of Ben Twomey, Chief Executive, Generation Rent as a co-optee member.

7 Homelessness in Ealing

Jack Dempsey, Head of Housing Allocations and Accommodation and Gill Reavey, Head of Housing Solutions presented this report which set out the current housing challenges in the borough.

The following points were made:

- There were a significant amount of rent rises and a reduction in supply in the private rented sector. Less than 3% of properties in London could now be rented at the London Housing Allowance (LHA) rate or below.
- There was an increase across London, specifically West London in the number of families, usually asylum seekers, placed by the Home Office in accommodation. The Home Office was now a substantial competitor in accessing private rented homes in the borough. With the implementation of SAP (Streamlined Asylum Processing) the Home Office's assessment process for asylum seekers, there was often only 7 days' notice given for a person to find alternative accommodation and they were then approaching the council for support.
- There had been a significant reduction in the number of social housing lets, over 10 years ago on average a 1,000 lets were made per year, 662 were made last year.
- The housing challenges were placing exceptional pressures on the frontline services. The number of approaches of households to the council this year was likely to exceed over 4,000.
- Ealing had always had a good level of success with homeless relief and homeless prevention activities, which included negotiating with landlords or finding accommodation in the private rented sector. It was becoming more difficult to negotiate with some landlords as the rent expectations were so high that they were unaffordable, which was leading to an increase in the number of cases of homelessness acceptances.
- There was an increasing number of households placed into Bed and Breakfast type accommodation and commercial hotels due to the lack of supply in the private rented sector. The cost of providing temporary accommodation was an ongoing financial pressure as housing subsidy rates had remained static at 90 percent of January 2011 LHA rates.
- The Renters Reform Bill was now at committee stage. The ending of Section 21 no fault evictions was being delayed indefinitely following the Minister's announcement that reforms would have to be made to the County Court Procedures before this could be implemented. This was a problem for Ealing's Housing Solutions Service as the end of a private sector tenancy was by far the biggest reason for people coming to the council for assistance. The service could no longer achieve high levels in preventing homelessness as the gap between the rent that could be paid and the landlord's expectation was too big and beyond what the council could reasonably pay.
- It was thought that there were 614 people placed by the home office in

four hotels in the borough. Many of these people would receive a quick decision on their asylum application and would be given limited notice to leave the accommodation. With partners in the health sector, officers had written to the Home Secretary to express concern that these people were being put in an extremely vulnerable position as they might not have a priority need for housing and were not being given time to resolve this difficulty or even to claim benefits. Six households from Home Office accommodation had presented themselves to the council for support the previous day.

Panel members asked the following questions:

- A refugee being given only 7 days' notice to find accommodation was absurd. A Section 21 eviction notice had a two months' notice period and people were finding it very difficult to find somewhere alternative to live in the private rented sector within that timescale. Was the spike in cases from July related to the reduced home office notice and was there anything that the council could do to ensure that people were not having to sleep on the streets or be placed in temporary accommodation? Gill Reavey replied that in July most people were being given 28 days' notice, which in the context of Ealing's rental market was not enough time to find accommodation. Since October the communication between the Home Office and the accommodation provider had been slow and the individual was receiving notice of on average between 9 and 7 days. The Home Office said that it should be 28 days, so where the notice period was less housing officers were referring the case to the Home Office contact. Fourteen cases had been referred so far and there had been no response.
- With the number of people approaching as homeless due to the end of a tenancy, if the notice period was longer would they be able to find alternative accommodation? Gill Reavey thought that many people would struggle even with a longer period to look for a new home, because of the impact of the LHA and welfare benefit cap there was nothing that was affordable. There was a belief that people should move to an area where property was available, but it was not as simple for that for most people as they had ties to areas. Jack Dempsey added that there was next to no available affordable accommodation in the borough. The other concern was that the temporary accommodation subsidy regime meant that the council was losing money when placing people in self-contained temporary accommodation.
- What levers does the Council have, for example such as working with the OPDC (Old Oak and Park Royal Development Corporation) to boost housing supply? Jack Dempsey stated that the OPDC sat across 3 boroughs and there were different developments due at different times. The three councils involved were adamant that they would have 100 percent of new social housing lets and relets to centrally drive applicants through the housing register to be able to prioritise those

who were in the highest need. Supply generally though was difficult. The council had seven acquisition officers working with letting agents, door knocking, and looking around the periphery of the borough as well as in borough, but it was pretty tough in terms of the rent levels that were being asked for and the officers were mindful about quality and compliance. Gill Reavy added that the housing department had help from consultants who were working on two areas, firstly the immediate problem of having families in unsuitable and expensive temporary accommodation, how to increase supply quickly and have an exit strategy for them, and secondly to publish a new homelessness and rough sleeping strategy.

- A panel member stated that the OPDC would be building a lot of houses in the North Acton area and it might of interest for the Panel to hear directly from them on their plans and to communicate some of the concerns with respect to supply and tenure. There was also potential for scrutiny to add value to the homelessness and rough sleeping strategy.
- A family made homeless through a no fault eviction in August had been placed in four or five different commercial hotels. There were significant health and social issues and the schools were a 90 minute journey. They would seem to tick a lot of boxes to be considered a priority and moved on to more suitable accommodation, but the council had not formally accepted a duty to house. Was the system so overwhelmed that even if cases were a high priority they were being accommodated in commercial hotels, regardless of their circumstances? Gill Reavy replied that there were a high number of families in commercial hotels that had to be rebooked on a fortnightly basis and sometimes moved between hotels due to the nature of the accommodation. The service did not want to keep them in hotels and it was heartbreaking that families were having to stay there for long periods of time. Most families in commercial hotels for a long time were waiting for larger properties which were most difficult to find and unaffordable. Jack Dempsey added that a lot of London authorities were having to utilise commercial hotels as emergency accommodation. Moving people around was outside of local authority control as commercial hotels had a maximum 28 day stay ruling, otherwise it was classed as settled accommodation.
- Was it first come first served or a prioritisation of need when moving people from a commercial hotel to temporary accommodation? Jack Dempsey said that it was like an allocation scheme in the classic sense but officers were mindful to be fair and adopt a commonsense approach.
- In response to a question on the Local Housing Allowance (LHA) Gill Reavy said it that was unfair that the LHA was pinned to the bottom 30% of rents, it would be fairer if it was at 50% and that would give people a better chance of finding a home. The rate also never

exceeded the rate for 4 bedroomed properties, which had led some landlords to convert larger properties into Houses in Multiple Occupation (HMO) to get more money for single lets.

- Considering the Council's responsibility as a corporate parent, how were people in care being supported with housing? Jack Dempsey said that there was a move on quota of allocations available through the housing register route and some of these were available for young people leaving care. There was a housing support worker in the leaving care team who would work with the young person to make sure that they were ready and able to live independently. They would do a tenancy programme to prepare them and would work with the young person to help prevent a breakdown of the tenancy.
- Did the housing department liaise with planning over the accommodation size needed? Jack Dempsey confirmed that they did when there were social housing elements within developments. However they might need to be a bit more demanding in asking for larger sized properties rather than 1 bedroomed properties, which help to financially support the scheme.
- There were external consultants at the recent local development plan advisory committee who were advising that there was a need for a lot of small units and a relatively small proportion of large units. Was there a difference of view from the housing department and what was being fed into the local plan? Jack Dempsey replied that in pure quantitative figures there were more people on the one and two bedroom list than on the three and four bedroom list, however people needing the larger properties were waiting a lot longer and this was what the local plan was also being asked to consider.

A member of the public asked the following questions:

- Some families could be in temporary accommodation for 10 years and more, what steps was the council taking to help those families who had been placed in Ealing by other boroughs to integrate? Officers said that it was a difficult question to answer as neighbouring boroughs who placed families in temporary accommodation in Ealing retained the housing officer link with that family. Ealing Council would not necessarily know about the household, they would be like any other household moving from one borough to another. Once in Ealing if they needed to apply for social services help or to place their children in Ealing schools, they would be entitled to all the support that any Ealing resident was entitled to. The member of the public replied that this was not everybody's experience because in the Ealing magazine there were promotions about services, such as warm homes and green homes advice, which families placed in Ealing by other boroughs had been denied access to. Gill Reavey agreed to follow this up with the service area that carried out this work and to respond to the member of public.

- Was it appropriate after abolishing the D category on the list for social housing to tell families that they were either stuck where they were or to apply for sheltered housing if all their family members were over 60? This was an equality issue. If there was a family break up, women were more likely to be raising children and could be in their 60s with children under the age of 18. They would not then be eligible for sheltered housing whereas more men would be eligible as they were less likely to have caring responsibilities. Had that been considered? Jack Dempsey replied that Ealing revised its housing allocations policy, which went through scrutiny last year to remove band D. This was not something that Ealing alone had done, many authorities had removed this category and the people were classed as being adequately housed. When the revised policy came in last September all applicants were requested to complete a change of circumstances if their circumstances had changed, which might have meant that they could fall into one of the priority bands. If not, they still had the option to seek housing options advice from the council so they could discuss any problems they were having with their landlord, which meant they could be passed to the private sector housing team. If their circumstances had changed, they could make a fresh application to the housing register. Sheltered accommodation was specifically for older persons, so they would not be allowed to have children living in the household. They were generally one bedroomed properties, with an occasional supply of two bedroom properties, but they would not be allowed to have someone under 60 living there permanently.
- Accommodation was scarce but when people talked about being adequately housed, there had to be some differentiation between people who had social housing that they were unhappy with compared to people who were in temporary accommodation for which they had no tenancy agreement and could be evicted at two weeks' notice. They had monthly intrusions and inspections with very little say over how they lived in the property. Jack Dempsey stated that people in temporary accommodation would not have a full secure tenancy, there would be a licence agreement which would set out the intervals for inspections. Monthly checks were not uncommon in temporary accommodation, it was a way of making sure that the accommodation was still suitable but also gave the landlord the opportunity to inspect the property to see if there were any repairs required. The council would also be informed if the household had changed and the property was considered too small. Jack Dempsey offered to examine the licence that the member of the public was referring to, adding that there should be reasonable notice given of an inspection, sometimes it was between 24-48 hours unless there was an emergency requiring urgent access. The tenant emphasised that this form of tenancy did not give tenants the same security or peace of mind and they should not be considered as being adequately housed. Regarding sheltered housing it was more likely to adversely impact women who had dependent children than men if one looked at how childcare was

divided between the genders.

The Chair thanked the member of the public for her questions.

The Chair provided feedback to the Panel on the meeting that she and Councillor Sidhu had with a formerly homeless person who had recently been housed. The person had been fleeing domestic violence with her children and had been accommodated in a range of temporary housing, in and out of the borough over several years. As her son was now over 18, she told the councillors that she had been informed that he could no longer count as a member of her household and the accommodation she had been provided with did not have a room for him. The tenant said that she regretted fleeing from the violence, as she felt that her situation was now worse due to her son being unable to live with her.

Concluding this item, the Chair thanked the officers for their presentation, and stated that it was important for members to be reminded of the impact that the housing situation was having on people's lives. Local authorities did not have the resources to do all that they would like to do but it was important to communicate the support that could be provided.

RESOLVED: The Panel recommended that

1. The council should review procedures to ensure it communicates with residents and keeps them in the loop as to what it can do to help and what they might expect. Residents must be better informed of the consequences of accepting or refusing accommodation, an example being where a resident accepted a home, but was not aware that her adult son could not move in with her.

8 The Future of the Housing Repairs Service

Dawn Kent-Payne, Assistant Director, Housing Asset Management provided the Panel with a presentation which updated them on the future of the housing repairs service.

The Panel was informed:

- The repairs service was to be delivered by several contractors, 2 day to day responsive repairs contractors and specialist contractors.
- Wates Living Space had been recently mobilized as the first main term contractor that the council was working in partnership with. The contract value was worth £4.5 million per year covering day to day repairs, disrepairs, and voids. The Wates team were co-located with the council repairs team in Perceval House.
- The next phase was to partner with a second day to day contractor for several reasons including splitting risk and capacity and to pick up a

number of small complex works.

- The repairs service was continuing to look for additional specialist contractors to bolster capacity and enable it to be more responsive in a timely manner.
- Robust key performance indicators had been put into the contract management to drive up the quality of the repair and improve customer satisfaction.
- The Housing Repairs Service was working closely with quantity surveyors to improve value for money and ensure that what was being billed for was what had been delivered and that the service was not overpaying.
- The key issues for residents were the ability to report a repair, timeliness of having a repair completed, the quality of repairs, communication throughout the process and repair trends. Some of the main repair issues being dealt with currently were roofing, lift breakdown, door entry issues, damp and mould, and disrepair.
- The repairs service was working to develop a much stronger and more responsive service. There was a backlog of disrepair cases and the additional contractor would focus on dealing with those as well as working on voids to reduce void periods.
- The service intended to establish a residents repairs forum to give additional challenge and support on the best way to deliver services in the future.
- In terms of disrepair the service was about to pilot alternative dispute resolution. This would mean that they would work collaboratively with the resident to acknowledge that they did need to be compensated for the disrepair situation they were in, but that the service was trying to get the repair dealt with quickly. This was to help prevent a long drawn out process and reduce the legal intervention and court cases arising from not dealing with a repair promptly.
- The service was introducing a product called RepairSense which used the latest artificial intelligence and machine learning technology to mine, analyse, and interpret repairs data. This would equip the service with actionable insights to increase repairs quality and sustainability, reduce repairs demand and improve tenant satisfaction.

Panel Members asked the following questions:

- In terms of proactively finding repairs issues there were visits and inspections of the larger estates, did this happen for the smaller ones? Dawn Kent Payne said that Housing Management staff carried out

estate inspections, the Housing Safety team also carried out block inspections and repairs staff were on the estates regularly. She said that she was in favour of residents joining staff on the inspections so that they could point out the things that were not right.

- Should voids with relatively minor repairs be prioritised? Dawn Kent Payne replied that the service was working on voids, however there were a lot of competing priorities across the void demand. The service was trying to balance the work between each of the contractors for those voids which required a lot of work and those that needed a little.
- The pilot alternate dispute resolution would be useful both for the resident and the council in trying to keep things from going to court, but there was always a risk if it was about shutting off legal processes. It might be of benefit for the panel to scrutinise the pilot.
- The average day to complete a repair was 15 days which could feel like a very long time if you were living with mould or damp or had door entry issues. How was the 15 day target arrived at, was the target something to be always under, and what guarantee was there from Wates that they would be able to stay on target? Members were informed that the targets were agreed some time ago in previous contracts. Some of the work that the service intended to do with residents as part of the repairs forum was to establish whether that was a suitable target. There were two classifications of repair, an emergency repair within 4 hours or a routine repair within 28 days. The service was working to empower schedulers to use their initiative to schedule repairs in sooner than later depending on the nature of the repair. It was also important to work with residents to get the repairs completed when it suited them.
- Members pointed out that the graph stating the average time for carrying out a repair and providing a target of 15 days was not very helpful if it combined emergency 4 hour and routine 28 day repairs. The Chair requested that additional commentary should be added to the graph to explain how it had been determined.

A member of the panel said that he had recently attended a tenants' repair forum. It was a valuable tool for the authority and the officers involved as well as the residents. It was a brilliant example of how residents and officers could work together. Finding trades people could be quite difficult, the timing of repairs would always be a little up and down depending on where trades people were coming from. There was a vast improvement in the repairs service since he had been elected, which was due to the hard work of the officers.

The Chair thanked the officer for her presentation.

RESOLVED: The Panel recommended that:

1. The council was taking actions and putting measures in place to ensure improvements to the housing repairs service, including the alternate dispute resolution pilot. If it proved not to be possible to scrutinise the success of these actions and measures in this municipal year and in the lifetime of this panel, then the matter should be revisited by a future panel, preferably where this directorate is considered in 2024/5.

9 Panel Work Programme

The Panel reviewed the proposed agenda items for its March meeting. The Chair stated she would be requesting an update on the progress of delivering the transport strategy for that meeting.

RESOLVED: That the Panel's work programme be noted.

10 Date of Next Meeting

The date of the next meeting of the Panel was noted as 7 March 2024.

Meeting commenced: 7.03 pm

Meeting finished: 9.08 pm

Signed:

Dated: Thursday, 7 March 2024

M Rice (Chair)