

NOTICE OF MEETING

HOUSING, PLANNING AND DEVELOPMENT SCRUTINY PANEL

Wednesday, 13th March, 2024, 6.30 pm - George Meehan House,
294 High Road, N22 8JZ (watch the live meeting [here](#), watch the
recording [here](#))

Councillors: Dawn Barnes, Harrison-Mullane, Tammy Hymas, Khaled Moyeed,
John Bevan, Alexandra Worrell (Chair) and Isodoris Diakides

Quorum: 3

1. FILMING AT MEETINGS

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2. APOLOGIES FOR ABSENCE

3. URGENT BUSINESS

The Chair will consider the admission of any late items of urgent business (late items will be considered under the agenda item where they appear. New items will be dealt with as noted below).

4. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct.

5. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

To consider any requests received in accordance with Part 4, Section B, Paragraph 29 of the Council's Constitution.

6. MINUTES (PAGES 1 - 8)

To approve the minutes of the previous meeting.

7. VOLUNTARY UNDERTAKING TO THE REGULATOR OF SOCIAL HOUSING (PAGES 9 - 16)

8. PREPAREDNESS FOR NEW SOCIAL HOUSING CONSUMER STANDARDS (PAGES 17 - 26)

9. COMMUNITY INFRASTRUCTURE LEVY (PAGES 27 - 34)

10. UNDER-OCCUPATION IN COUNCIL HOUSING (PAGES 35 - 38)

11. WORK PROGRAMME UPDATE (PAGES 39 - 42)

12. NEW ITEMS OF URGENT BUSINESS

To consider any items admitted at item 3 above.

13. DATES OF FUTURE MEETINGS

None.

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Fiona Alderman
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George Meehan House, 294 High Road, Wood Green, N22 8JZ

Tuesday, 05 March 2024

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MINUTES OF MEETING Housing, Planning and Development Scrutiny Panel HELD ON Monday, 18th December, 2023, 6.30 pm

PRESENT:

Councillors: Holly Harrison-Mullane, Tammy Hymas, John Bevan and Alexandra Worrell (Chair)

146. FILMING AT MEETINGS

The Chair referred Members present to agenda Item 1 as shown on the agenda in respect of filming at this meeting, and Members noted the information contained therein'.

147. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Barnes and Cllr Moyeed. Apologies were also received from Cllr Gordon

148. URGENT BUSINESS

None

149. DECLARATIONS OF INTEREST

None

150. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

None

151. MINUTES

In relation to the previous minutes, Cllr Bevan asked to be notified when 105 Waverley Road was let. **(Action)**.

Cllr Bevan also requested that the location of the stopcock be provided to new tenants as part of the tenant checklist. **(Action)**.

RESOLVED

That the minutes of the meeting of 14th November were agreed as a correct record.

152. BED AND BREAKFAST ELIMINATION PLAN

The Panel received an update on the Bed & Breakfast (B&B) Elimination Plan. The plan is a requirement of the Homelessness Prevention Grant funding from DLUUHC and details plans to reduce and then end our use of B&B accommodation for residents who are homeless. The report was introduced by Denise Gandy, Assistant Director of Housing Demand, as set out in the agenda pack at pages 11-36. Cllr Sarah Williams, Cabinet Member for Housing Services, Planning and Private Renters was also present for this item. The following arose during the discussion of this item:

- a. The Panel sought assurances around the accountability mechanism with DLUHC. In response, Members were advised that there was a specialist advisor who worked with the team on developing their B&B Elimination plan and that they met monthly. Officers compiled a detailed return to the government around the numbers of B&B placements. Officers advised that the funding for 2024/25 had already been allocated so that was secure, funding for 2025 onwards was unsure.
- b. The Panel sought assurances around domestic violence victims and how the Council protected them from having to be moved out of their accommodation. In response, officers advised that the main pressure related to the Domestic Abuse Act 2021, which broadened the Council's responsibility around homelessness and domestic abuse, so that the Council had to treat all people as an emergency case where they were made homeless through domestic abuse. Officers advised that there were blockages in the market in terms of moving people out of refuges and into the private sector. The Council did not place domestic abuse victims in accommodation with shared facilities.
- c. The Panel sought clarification about whether the voids figures in the report reflected HCBS properties. In response, the Cabinet Member advised that the report set out that there were 272 general void properties, 77 HCBS voids and 74 sheltered accommodation void properties.
- d. In response to a question, officers advised that 1% inspection figure in the report referred to the estimated number of illegally occupied properties, rather than the percentage of properties that received an inspection.
- e. A panel member raised concerns about the demolition of Love Lane and the impact this would have on available housing units. In response, it was acknowledged that there could be pinch points in the system but that there were new properties coming into the system to replace those being demolished and that the goal was to get flow into the system to free up units.
- f. In relation to a question around whether the new build properties should be put into the HCBS in order to achieve higher rental income, the Cabinet Member advised that this wasn't possible as the grant funding for the new build properties was allocated on the basis that they would be secure lets.
- g. In response to a question, the officers advised that the Homelessness Reduction Act placed three duties on local authorities. The authority had 56 days to prevent homelessness, then 56 days to relieve homelessness and after that threshold was passed, then the main housing duty kicked in.
- h. The Panel sought clarification about what the other barriers were to being moved on. In response, officers set out that typically it was ordinary practical issues such as moving costs, the logistics of moving home and things like rent arrears.

- i. In reference to the reasons people have exited B&B accommodation in paragraph 6.4.6 of the report, officers agreed to provide a more detailed breakdown in writing about the 21 cases where the housing duty was ended for another reason. **(Action: Denise).**
- j. Officers provide assurances that at each stage of the process an applicant would have an opportunity to make a representation on a proposed course of action, including where a negative decision was being proposed.
- k. The Panel sought assurances that the government targets were not having a negative effect on vulnerable people. In response, the members were advised that the key driver for getting people out of B&Bs is that it was the least suitable type of accommodation for families, rather than the government putting pressure on councils to do so. Officers were working to increase supply in order to reduce the need for B&B placements.
- l. The Panel sought clarification around the Multi Agency Reduction Board. In response the Cabinet Member advised that it had its first meeting last week and that it would meet every three weeks. The membership was made up from key internal and external partners and reflected the fact that it was much broader than just a council wide issue.
- m. Officers agreed to come back with a response on what was meant in the action plan by reducing prohibition notices. **(Action: Denise).**
- n. A Panel Member queried whether, in light of the reduction in the capital programme, that the framework procurement agreement should be reduced from four companies to three. In response, officers advised that they were still receiving a positive response from the market to this and were hopeful of getting this in place. Officers also set out that part of the reason for having the four companies was that they would be based in a particular geographic area.
- o. In response to a question, the Cabinet Member acknowledged that the industrial action being taken by repairs staff was having a negative impact on voids work.

RESOLVED

Noted

153. SCRUTINY OF THE 2024/25 DRAFT BUDGET AND 5 YEAR MEDIUM TERM FINANCIAL STRATEGY 2024/2029

The Panel received the Council's Draft Budget and 5 Year Medium Term Financial strategy (MTFS) 2024-2029 proposals, relating to the Panel's remit. The Panel was asked to consider the proposals and to provide recommendations to Overview & Scrutiny Committee on these proposals. The report was introduced by John O'Keefe, Head of Finance (Capital, Place & Property) and Kaycee Ikegwu, Head of Finance (Housing & Chief Accountant) as set out in the agenda pack at pages 37-123. The Cabinet Member for Housing Services, Private Renters and Planning was present for this item. Sheela Thakrar, Finance Business Partner, was present for this item. The Director of Housing and Placemaking was also present for this item, along with a number of other officers from the Housing and Placemaking directorate.

By way of introduction, the Panel was advised that the December Cabinet report set out that there was an overall budget gap of around £16.4m. This budget gap was largely due to demand pressures, particularly in Adult Social Services. Finance would be working with the Directorates between now and February to close this budget gap and to present a balanced budget to Cabinet in February. It was noted that within Housing and Placemaking there was a balanced budget being presented. There were pressures within the budget such as business rates, repairs, hard FM and planning fee income, but that they were being contained by the wider Housing and Placemaking budget. Finance advised that the report differentiated management actions from policy changes and that management actions referred to actions taken by the Director to reduce budget pressures that were carried out in the normal day-to-day management of the service, such as a restructure. Table 7.2C highlighted that there were around £1m of management actions in the area of Housing and Placemaking.

Officers set out that there had been a £396m reduction in the capital programme from March 2023 to November 2023. This was due to rising costs associated with construction, and the increased scrutiny of debt levels within local authorities. By way of context, officers were advised that every additional £1m spend in the capital programme generated a debt cost to the revenue account of circa £72k. The Housing Revenue Account at period 6 reported a forecast adverse variance of £1.686M. The forecast year-end HRA surplus was £6.554m compared to a HRA budgeted surplus of £8.238 M. This position had improved from the Quarter 1 position, this was largely due to a drawdown of reserves. In relation to the HRA, officers highlighted two key actions. The first was a proposal to charge formula rent plus 5% on new builds. The second was to charge the full September CPI inflation rate increase to service charges (last year these had been capped at 10%).

The following arose as part of the discussion of this report:

- a. The Panel sought assurances around legal disrepair claims being a budget pressure within the HRA and questioned what actions were being taken to minimise their impact. In response, the Cabinet Member advised that there was a new process in place to try and prevent these cases from escalating to external lawyers. The Director emphasised the use of the pre-action protocol to try and resolve claims before they escalated to legal action. There had also been additional management resources put in place to tackle the underlying disrepair issues. The Director advised that this was a national and London-wide trend and that the service was working hard to get on top of it. The Cabinet Member set out that a lot of tenants were being targeted with leaflets and that some of these leaflets were quite misleading and basically encouraged tenants not to report disrepair issues in the usual way. In relation to a follow-up question around the improvements seen as a result of additional management resources, officers advised that this was an issue that was being monitored by the Housing Improvement Board and that future updates could be provided to the Panel if the Panel wanted them.
- b. A member of the Panel advised that they were fully supportive of the proposals to charge an additional 5% to formula rents on new build properties as well as the proposal to increase service charges in line with inflation.
- c. The Panel questioned why the Council was setting up a £20m hardship fund for tenants, when those tenants would be on housing benefit and any increase in rent costs should be met by central government through increased housing

benefit payments. In response, it was clarified that the fund was not £20m, the exact figure was still to be agreed, but that it would be around £300k. The report identified that the fund would be paid for through the £20m HRA working balance. Officers advised that the fund was to offer targeted support to those who may find themselves in rent arrears. It was expected that there were two groups of people who would not have the additional costs covered through housing benefits. The first was those who had reached the benefit cap and the second was those who paid their own rent in full. Many of these people may be on low incomes and it was expected that the fund would help ease some of the pressure on these people from increased housing costs.

- d. The Panel noted with a degree of concern that the reliance on external lawyers for legal disrepair claims actually seemed to be going up. In response, officers emphasised that the intention was to stop cases escalating to the point in which they became legal cases through the pre-action protocol. It was acknowledged that due to the demand on solicitors in this area, it had been difficult to recruit internally as people with this skillset were in high demand.
- e. The Panel queried whether additional savings were expected in the area of Housing and Placemaking to plug the overall budget gap. In response, finance officers advised that all services would be asked to contribute to closing the budget gap in the final MTFS proposals in February.
- f. The Panel sought clarification that the pressures in the HRA were separate and that these did not have any impact on the £16.4M budget gap. Officers acknowledged that the two areas were separate and that it was not expected that the HRA position would change significantly in February.
- g. The Panel sought clarification around why the existing £100k saving on head leases was no longer considered deliverable. In response, officers advised that the Council was seen as a very low risk source of income to landlords and that many were simply unwilling to sell their lease. Those that did offer to sell asked for a high selling price. In essence the landlords did not believe it was in their interests to sell and the saving had been written out as unachievable.
- h. The Panel sought further information about the High Road West scheme and how much risk this exposed the Council to. In response, officers advised that the scheme was governed by a Development Agreement which was agreed in 2017. The expenditure captured in the capital programme relating to the scheme, was where the Council had used its compulsory purchase powers to acquire properties for Lendlease. When a development phase progressed the Council would be fully reimbursed for these costs and this would pay down the Council's debt obligations. In relation to the level of risk exposure, officers advised that no scheme was risk free, but that the Council had secured a number safeguards such as a parent company guarantee and step-in rights to acquire the properties themselves if Lendlease was unable to fulfil its obligations. The Panel was also provided assurances that each phase of the development was subject to a viability assessment being undertaken. The Director of Housing and Placemaking emphasised the fact that it was a phased development and that Phase 1 was a relatively small scheme relating to 61 homes. The Council's risk exposure was limited to these 61 homes in Phase 1.
- i. The Panel sought clarification about the restructure in regeneration referred to in the report. In response, the Panel was advised that this was one of the few areas that was not externally funded and so restructuring offered savings to the Council. Officers advised that the main area of saving related to a reduction in

- management costs and also from moving to more of an enabling model for economic development.
- j. The Panel sought assurances around the 6% uplift announced by government for the coming financial year and what impact that would have. In response, officers set out that it was not expected to make a material difference as it was broadly in line with what was forecast. The methodology of how these payments were made, could conceivably have an impact on the Council.
 - k. In relation to a questions about why Council Tax was only due to increase by 1.99% in Years Two onwards, officers agreed to come back with a written response on this. **(Action: John O’Keefe).**
 - l. The Panel sought clarification around capital financing costs and why these were so high. In response, officers advised that these costs related to the cost of financing our borrowing. The HRA included £1.4B of borrowing over the MTFS, which largely related to the housebuilding programme. The assumption was that interest rates would be 5.1% in the first year and rising to 5.5% in the second year. These assumptions would be revised on a quarterly basis in conjunction with the Council’s external Treasury Management advisor. Officers added that from Year 6 onwards the Housing Delivery Programme would start to generate significant income from new housing units, which would offset some of the borrowing costs. By Year 10 it was anticipated that the HRA would generate a £20m surplus.
 - m. The Chair sought clarification around whether it was fair to say that borrowing costs were the primary driver for the 5% increase in formula rents and the other actions outlined in the report. In response, officers advised that it was a driver but that it was not the main driver. The below inflation rent increase last year was a major factor as was the fact that the revenue cost base had increased dramatically over the last year. Officers emphasised the importance of generating additional income through the Housing Delivery Programme in order to be able invest in the Council’s existing housing stock.
 - n. The Panel sought assurances around the major repairs reserve and whether enough funding had been allocated to this to ensure existing stock was adequately looked after. In response, the Cabinet Member advised that there had been a massive investment in the major works programme, totalling around £500M. The ten-year plan better reflected this investment, rather than the five-year MTFS being considered by Members. The Panel noted that new build properties were self-financing.
 - o. The Panel sought clarification about the ongoing existence of Homes for Haringey as an entity, given that the service had been insourced. In response, officers advise that it had been retained as a legal entity for the purposes of keeping the leases, and so that the full LHA rent cap rates could be charged. The Panel was advised that HfH did not have any staff but had a Board of Directors appointed by the Council.
 - p. The Chair queried the fact that a number of the new savings proposals seemed to be repeat savings from last year. The Cabinet Member advised that these were additional savings from what had been agreed previously and likely reflected where it was thought that further savings could be derived from doing more of the same. Officers agreed to clarify the new revenue savings numbers ACH24_SAV_003,006 & 007 in terms of how they related to similar savings

- that had been agreed previously and whether the similar savings from last year had been delivered. **(Action: David Joyce/Denise Gandy).**
- q. Officers agreed to provide clarity in relation to the new revenue saving of £13k deriving from additional enforcement income. The Chair commented that this did not seem like much money, given that CPN's could generate fines of up to £30k. Officers would provide a written response on how the £13k saving was calculated. **(Action: John O'Keefe).**
 - r. The Panel sought clarification as to whether there was scope to raise additional revenue from undertaking more planning enforcement. Officers advised that this was something that was being looked at as part of the final MTFs report and that they were also examining whether the service could be more commercially focused and charge to guide people through the planning process.
 - s. The Panel sought clarification on the new modular lodge proposed for TA, and the extent to which this would be a permanent structure. In response, the Panel was advised that its life would be assured for 60 years but that crucially, it would be moveable and able to be relocated if needed, for a fraction of the original cost. A site had been chosen and this would be announced in the coming months.
 - t. In relation to the new revenue growth proposal for Temporary Accommodation, officers clarified that this investment took into account the raft of other actions being undertaken by the Council to build additional capacity. The need for this growth proposals was largely driven by the market cost of acquiring new properties.
 - u. A Panel Member commented that it seemed as though the Council was shouldering most of the risk in relation to High Road West, whilst Lendlease would get the profits. In response, officers advised that what the Capital Programme didn't show was that the scheme was subject to £70m grant funding from the GLA. The Council's expenditure level on the scheme was capped at £36m, and expenditure above this level would require Lendlease to pay the Council back to a level below the cap.
 - v. In relation to the Wood Green regeneration project in the capital programme, officers advised that this comprised of a number of interventions in Wood Green, including provision of workspace, public realm works and the master plan for Station Road and the library site. Some of these schemes would be match funded.
 - w. In response to a question, officers acknowledged that the Civic Centre Works was a significant investment but highlighted the fact that there would also be a significant cost arising from accommodation needs for staff if the Council did nothing. Finance commented that around half of the budgeted cost reflected the fact that the scheme involved the restoration of a listed building.
 - x. The Panel raised concerns about the upkeep of the landscaping works that had been done to the new build properties. The current budget allowed for the Parks department to undertake some landscaping works twice a year. The Panel were concerned that this was not sufficient and that the appearance would quickly become overgrown. The Panel sought further information from

Cabinet around whether there was scope for additional investment into maintaining the green areas around out new build estates, including the possibility of using a private landscaping contractor. The Panel would also like some clarity as to whether this can be paid from service charges out of the HRA, rather than the revenue budget. **(Action: Finance/Philip).**

RESOLVED

That the Panel considered the Draft Budget 2024/25 and the Five Year MTFS proposals relevant to its remit, and considered recommendations to put forward to Overview & Scrutiny Committee.

154. WORK PROGRAMME UPDATE

RESOLVED

Noted

155. NEW ITEMS OF URGENT BUSINESS

N/A

156. DATES OF FUTURE MEETINGS

26 February

CHAIR: Councillor Alexandra Worrell

Signed by Chair

Date

Report for: Housing, Planning and Development Scrutiny Panel

Title: Voluntary undertaking to the Regulator of Social Housing

Report

authorised by: David Joyce, Director of Placemaking and Housing

Lead Officer: Jahedur Rahman, Operational Director of Housing Services and Building Safety

Ward(s) affected: All

Report for Key/

Non Key Decision: For information.

1. Recommendations

It is recommended that the Panel note this report.

2. Describe the issue under consideration

Housing, Planning and Development Scrutiny Panel requested an update on overall progress with the delivery of the Voluntary Undertaking to the Regulator of Social Housing, and progress since the last update was provided to the Panel.

3. Background information

- 3.1. In June 2022, an external consultant produced a 'state of the nation' report on the status of the landlord function at the point of insourcing by the Council. This provided the Council with a high-level analysis of the state of the Landlord service and recommended an improvement plan be produced with clear milestones to address the service specific issues and identify clear accountabilities, with timelines.
- 3.2. In December 2022, the Council also commissioned a Property Compliance Health Check to assess the approach to managing six compliance areas: gas and heating; electric; fire and building safety; asbestos; water, and lifts. The health check found a number of areas of non-compliance, with several key recommendations made, particularly around overdue fire risk actions and electrical safety.
- 3.3. In January 2023, the Council wrote to the Regulator of Social Housing (RSH), the body that provides independent oversight of all registered social housing providers including local authorities and housing associations and made a voluntary self-referral for a potential breach of the Home Standard.
- 3.4. At the time of the self-referral the Regulator was also aware that 30% of the council's housing stock did not meet the Decent Homes Standard.

- 3.5. The RSH assessed the evidence provided as part of the self-referral and confirmed that the Council had breached two parts of the Home Standard on the following grounds: non-compliance with the Decent Homes standard and the Council’s identification of over one hundred Category 1 hazards; the high number of high risk fire risk assessments outstanding; and the Council being unable to confirm that electrical inspection condition reports (EICRs) had been completed within the last ten years for around 4,000 properties.
- 3.6. As a result, the RSH published a Regulatory Notice on 6th March 2023. This notice remains “live” for 12 months or until full compliance is achieved.
- 3.7. A report was presented to Cabinet in April 2023 detailing the reasons why the Council was in breach of the Homes Standard, and the Council’s Improvement Plan to address and resolve the issues raised. This report described the additional step of entering into a Voluntary Undertaking – statutory health and safety with the RSH to further demonstrate the Council’s commitment to ensuring that we are working openly and transparently with the RSH with the aim of achieving full compliance and discharge of the Notice.
- 3.8. On 11 July 2023 Cabinet approved the details of the Voluntary Undertaking as required under Section 125 of the Housing and Regeneration Act 2008 allowing a social housing provider to present to the RSH a Voluntary Undertaking.

Summary of the Voluntary Undertaking

- 3.9. The Voluntary Undertaking (VU) identified three priority themes:
- Governance.
 - Data quality and lack of a suitable management IT system.
 - Programme management & reporting.
- 3.10. Our short-term plan as agreed with the Regulator is set out below:

Short term plan	
Commitment	Timescale / current status
Implement new Governance structure	May 2023 (Complete as of 19 May 2023)
Complete backlog of overdue Fire Risk Assessments	February 2023 (Complete as of 28 Feb 2023)
Complete backlog of overdue high-risk Fire Risk Assessment actions	March 2024
Complete backlog of 4046 electrical installation condition reports more than 10-years old.	May 2023 – Of the 466 incompletes at end of May 23,

	69 outstanding at the end of January 24
Complete validation of key compliance programme data	August 2023 - Complete
Update and improve monthly KPI compliance reporting by including additional data recommended by Pennington.	July 2023 – Complete
Complete backlog of 4236 electrical installation condition reports more than 5-years old.	December 2023 – Complete apart from 454 at end of Jan 24 due to no access.
Ensure 1000 homes that were not compliant at the date of our self-referral, comply with the Decent Homes Standard.	March 2024 – Complete as of November 23
Review and update Asset Management Strategy	March 2024 – Complete – Cabinet report December 2023
Procure and implement new compliance management system.	March 2024 – Complete

- 3.11. The information in the table above demonstrates that out of the ten short term actions agreed with the Regulator, nine have now been completed or largely completed, and one is not due to be completed until the end of March 2024.

Progress update

- 3.12. The table below shows the compliance position at the point of the insourcing of Homes for Haringey as of June 2022.
- 3.13. At this time there were 80 overdue FRAs, 9,647 overdue domestic EICRs and 7,442 overdue actions of which 4,216 were high risk.
- 3.14. Following concerns about overdue electrical inspections and high-risk fire safety actions the Council sought assistance from external specialists Pennington Choices who carried out a health check in December 2022.
- 3.15. The table below shows the compliance position for the ‘big six’ areas of compliance that the industry generally uses to track performance as of December 2022. The Council subsequently made a self-referral to the Regulator of Social Housing in January 2023.

Ref	Compliance Area	Percentage Compliance	No. of Properties Affected	Frequency	No. Complying
1.	Fire Risk Assessments (12-month rolling)	98.41%	1,637	Variable	1,611
2.	Gas Safety (LGSR) Domestic (GN, SH, HOS & PSL)	100.00%	14,736	Annual	14,736
3.	Electrical (EICR) (Domestic & Communal)	54.39%	15,962	5-yearly	8,681
4.	Asbestos Reinspections (Communal)	88.22%	781	Variable	689
5.	Passenger Lift Inspections (LOLER)	100.00%	149	Biannual	149
6.	Water Hygiene (L8) Risk Assessments	100.00%	487	Biennial	487

3.16. The table below shows the compliance position against the same indicators as of January 2024.

Ref	Compliance Area	Percentage Compliance	No. of Properties Affected	Frequency	No. Complying	Percentage Compliance last reported	Trend since previous report
1.	Fire Risk Assessments (12-month rolling)	100.00%	1,617	Variable	1,617	99.81%	↑
2.	Gas Safety (LGSR) Domestic (GN, SH, HOS & PSL)	99.89%	14,585	Annual	14,569	99.94%	↓
3.	Electrical (EICR) (Domestic & Communal)	96.51%	15,812	5-yearly	15,260	95.95%	↑
4.	Asbestos Reinspections (Communal)	100.00%	1,174	Variable	1,174	99.91%	↑
5.	Passenger Lift Inspections (LOLER)	100.00%	148	Biannual	148	100.00%	↔
6.	Water Hygiene (L8) Risk Assessments	100.00%	383	Biennial	383	100.00%	↔

3.17. Between December 2022 and January 2024, the following improvements in the compliance position had been achieved:

- Fire risk assessments (FRAs)
 - December 22 – 26 properties non-compliant
 - January 24 - All properties compliant.
- Gas safety
 - December 22 all properties compliant
 - January 24 - 16 properties were non-compliant due to access. 3 have since been completed through subsequent contact with the tenants. 11 have been accessed by forced entry following Court action. 2 are scheduled for Court hearings on 1st March 2024 have been overdue for 5 days.

- Asbestos re-inspections
 - December 22 - 92 properties non-compliant
 - January 24 – All properties compliant.
- Electrical Inspection Condition Reports (EICRs)
 - **See table below.** This demonstrates an improvement of 3,698 properties with an EICR over five years old and less than 10 years old (between Dec 22 and January 23 **(87%)**), and an improvement of 3971 properties with an EICR over ten years old or no current EICR **(98%)**.

	Penningtons Dec 22	22/12/ 2023	05/01/2024
Total properties requiring EICR		15023	15023
Total properties with a EICR <5-years		14382	14410
Total number of properties without a current EICR >5-years	8,282	641	613
Break down by age			
Total properties with a EICR >5 <10-years	4,236	563	538
Total Properties with no current EICR or >10-years	4,046	78	75

3.18. Of the 538 properties with an EICR older than five years but less than ten:

- All have had four letters including an invitation to make an appointment, two timed appointments, two missed appointment cards and a final warning letter.
- All have been visited by an RLO, have been called and texted, as well as having an urgent contact request fixed to the door.
- The contactors continue to seek access to 191 properties by cold calling, texting and emailing and out of hours RLO visits.
- 323 properties have been handed back to LBH and the tenancy management team are visiting and writing to each.
- Tenancy management have exhausted all efforts to gain access to 45 of the 241.
- Vulnerability issues have been identified in 8 of the 241 and tenancy are working with other support agency on a case-by-case basis.

- Currently working toward the issuing of warning letters by legal team to commence court proceedings on at least 3 test cases.
- 3.19. Gas safety - There has been a slight decline in performance between December 22 when 100% performance was achieved, and January 24 when it was not possible to gain access to 16 properties due to non-engagement by residents and cancellation of court hearings over the Christmas period. All have now been completed.

Compliance Management System

- 3.20. Included in the Voluntary Undertaking, the Council also undertook to procure and implement a new compliance management system to improve data management & reporting. A new compliance system has been procured and FRA and EICR data has been added to the supplier's template for data loading. A test site has been created for review in February and process and workflow workshops will also commence in February. The system 'go live' is anticipated to take place in April.

Decent homes position

- 3.21. As of the 16th of January, the estimated number of homes made Decent in 2023/24 had risen to 1,232. Haringey has now met and exceeded the target as agreed with the Regulator for 1,000 decent homes in 2023-2024.

Regulator engagement

- 3.22. Since the self-referral the Operational Director of Housing Services and Building Safety and the Director of Placemaking and Housing have been meeting monthly with the Regulator to monitor the Council's progress and provide the appropriate level of assurance that our plans are on track.
- 3.23. The Regulator has stated their confidence in the Council's improvement plans and direction of travel in relation to the Voluntary Undertaking.

4. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes'?

- 4.1. By meeting the requirements of the Voluntary Undertaking the service is contributing to Theme 5 of the Corporate Delivery Plan – Homes for the Future, particularly the following outcome: **An improvement in the quality of housing and resident services in the social rented sector.**

5. Carbon and Climate Change

- 5.1. By complying with the Decent Homes standard as set out in the Voluntary Undertaking, the Council will be improving the thermal efficiency and comfort of its council stock and making other improvements to the condition and quality of its homes to make it more efficient to manage and maintain for both the Council and residents.

6. Statutory Officers comments (Director of Finance (procurement), Head of Legal and Governance, Equalities)

Not required on the advice of the Principal Scrutiny Officer.

6.1. Finance

Not applicable.

6.2. Procurement

Not applicable.

6.3. Head of Legal & Governance [Name and title of Officer completing these comments]

Not applicable.

6.4. Equality

The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advance equality of opportunity between people who share those protected characteristics and people who do not.
- Foster good relations between people who share those characteristics and people who do not.

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

This report is for information and does not have any direct positive or negative equality impact. The Voluntary Undertaking indirectly contributes to Haringey council's housing improvement plan. Black people, disabled people, women and those from a low socioeconomic background are overrepresented in our social housing stock, so it is expected that it will have an indirect positive impact on those who share protected characteristics.

7. Use of Appendices

None.

8. Background papers

Agreement of Voluntary Undertaking with Regulator of Social Housing Cabinet Report 11 July 2023 and Appendix: [Briefing for: \(haringey.gov.uk\)](#)

[Voluntary Undertaking- Appendix 1.pdf \(haringey.gov.uk\)](#)

Report for: Housing, Planning and Development Scrutiny

Title: Preparedness for new Social Housing Consumer Standards

Report authorised by: David Joyce, Director of Placemaking and Housing

Lead Officer: Jahedur Rahman, Operational Director of Housing Services and Building Safety

Ward(s) affected: All

**Report for Key/
Non Key Decision:** For information.

1. Recommendations

It is recommended that the Panel note the report.

2. Describe the issue under consideration

Housing, Planning and Development Scrutiny Panel requested an update on the Council's preparedness for the Regulator of Social Housing's new Consumer Standards, particularly focusing on tackling antisocial behaviour.

3. Background

- 2.1 The Grenfell Tower fire disaster took place on 14 June 2017. This led to one of the most fundamental changes in social housing regulation in decades, with the Social Housing (Regulation) Act being enacted on 20 July 2023. The Act aims to improve the condition of social housing and increase resident safety. It strengthens the right of the resident's voice to be heard. It also greatly enhances the powers of the Regulator of Social Housing (RSH).
- 2.2 The Regulator recently consulted on new consumer standards for social housing. It is anticipated that there will be minimal changes to the standards as a result of the consultation. The new standards are expected to be published in late February/ early March and come into effect from April 2024 alongside the new regulatory regime.
- 2.3 The Regulator has regularly communicated to landlords that they should not wait for publication of the new standards but should be implementing the approach set out in The Charter for Social Housing, the Social Housing White Paper published November 2020 which clearly set out expectations of landlords in respect of safety, and resident engagement.

4. Details

4.1. The current consumer standards are:

- Home
- Tenant Involvement & Empowerment
- Neighbourhood & Community
- Tenancy
- Tenant Satisfaction Measures Standard 2023 (tenant scrutiny)

4.2. These will be replaced by the following consumer standards:

- Safety & Quality
- Transparency, Influence and Accountability
- Neighbourhood and Community
- Tenancy.

4.3. The key differences between the 'old' and 'new' standards are considered to be an increased emphasis on having up-to-date knowledge of the condition of the housing stock down to an individual property level (Safety and Quality standard); and a requirement on landlords to demonstrate an understanding the diverse needs of residents and delivering equitable outcomes to residents across all their services (Transparency, Influence and Accountability standard).

4.4. The new standards are also outcome based rather than prescriptive. They will be supported by a new Code of Practice. The expectation from the Regulator is that landlords *'can meet the outcomes we expect in the most appropriate way for their tenants and their business'*.

Safety and Quality standard

4.5. This covers the following areas: stock condition and quality, including Decent Homes compliance; health and safety; repairs, maintenance and planned improvements; and adaptations for tenants with disabilities.

Transparency, Influence and Accountability standard

4.6. This covers the following areas: fairness and respect; diverse needs; resident engagement; provision of information to residents about landlord services including the consumer standards; and a simple, accessible complaints service.

Neighbourhood and community standard

4.7. This covers maintenance of shared spaces; local cooperation and landlords' strategic responsibilities in working in partnership to promote wellbeing and partnerships; safer neighbourhoods, including having an ASB policy and taking prompt action to tackle this, using the full range of powers available; clearly set out approach to tackling hate crime; and a

policy around domestic abuse, and cooperate and rehouse victims of domestic abuse.

Tenancy Standard

- 4.8. This standard covers allocations and lettings, including letting homes in a fair and transparent way; addressing overcrowding and under-occupation; providing appeals mechanisms; preventing tenancy fraud; having clear policies around tenure; and providing a mutual exchange service; and supporting residents to sustain their tenancies and prevent unnecessary evictions.
- 4.9. The full details of the proposed new standards are set out here: [Proposed Consumer standards \(publishing.service.gov.uk\)](https://publishing.service.gov.uk).

Action Planning

- 4.10. A gap analysis was conducted against the current consumer standards on the Council's behalf by HouseMark, the specialist housing consultancy between November 22 - February 2023, with final reports received March 2023.
- 4.11. Performance against the Home standard was considered to be weak on the following grounds:
- High level of non-decency
 - Need to revise asset management strategy targets and budgets
 - A need to audit building safety compliance
 - Increase the efficiency of the repairs service and improve repairs communications.
- 4.12. This was a secondary confirmation, in addition the external review in December 2022, of the need to improve against this standard, having already referred ourselves to the Regulator. The remaining standards were considered adequate or limited. An action plan was developed against the gap analysis.
- 4.13. The Housing Improvement Plan which was agreed by Cabinet on 14 April 2023 includes a specific action to implement the gap analysis action plan. However, the development of the Plan itself was also influenced by the findings of the gap analysis.
- 4.14. It should be noted that meeting the decent homes standard, resident safety and compliance, and operating an effective repairs service all remain key considerations in the new Safety and Quality Standard.
- 4.15. The Housing Improvement Plan also includes a number of key actions that contribute to the delivery of the current, and new consumer standards, particularly those in respect of:

- Resident led improvement (**Transparency, Influence and Accountability Standard**)
 - Improve our repairs service (**Safety and Quality Standard**)
 - Improve estates...service (**Neighbourhood and Community Standard**)
 - Improved compliance (**Safety and Quality Standard**)
 - Investing in our stock (**Safety and Quality Standard**)
 - Sheltered housing (**Tenancy Standard**)
 - Better management (**Neighbourhood and Community Standard/ Tenancy Standard**).
- 4.16. Delivery of the actions in the Housing Improvement Plan is monitored and reported to the relevant performance boards.
- 4.17. Following the Council's self-referral to the Regulator and confirmation that there had been a breach of the Home standard, the Council has entered into a Voluntary Undertaking with the Regulator. Under this there is monthly progress reporting to the Regulator of performance against an Improvement Action Plan. More details of the Voluntary Undertaking are set out elsewhere on this meeting agenda.
- 4.18. As a result of the self-referral to the Regulator, putting in place improvement plans, and the ongoing engagement with the Regulator, considerable progress has been made in meeting the requirements of the new consumer standards, and particularly the new Safety and Quality Standard. The levels of non-decency in Haringey's stock have been reduced and in November 23 the Council exceeded the target of 1000 homes made decent in 2023/24 agreed with the Regulator. The stock condition survey is due to complete in 2024 which will ensure the data is up to date and enable accurate targeting of investment to achieve and maintain decency. Significant improvements in health and safety compliance have been achieved and this will be further assisted by our purchase of a new compliance management system.
- 4.19. Another key achievement of one of the actions in the Housing Improvement Plan is putting in place a new resident engagement and governance framework which strengthens and broadens the Council's housing resident engagement mechanisms, enabling more residents to participate and have their voice heard and have more of a say in the way housing services are run.
- 4.20. There was an extensive engagement exercise on the new framework. This included promoting the recruitment to the new structures via Homezone, the resident magazine, as well as via the website, letters, texts, emails and social media channels. There were introductory meetings held both face to face and online. There were assessment sessions and one to one feedback. There was an induction day where involved residents met the Cabinet Member, Director of Placemaking and Housing, Operational Director of Housing and Building Safety and Assistant Director of Housing Management. The Council continues to

promote how residents can get involved and has produced a short film in both English and Turkish to assist with explaining what resident engagement means. This is consistent with the requirements of the Transparency, Influence and Accountability Standard.

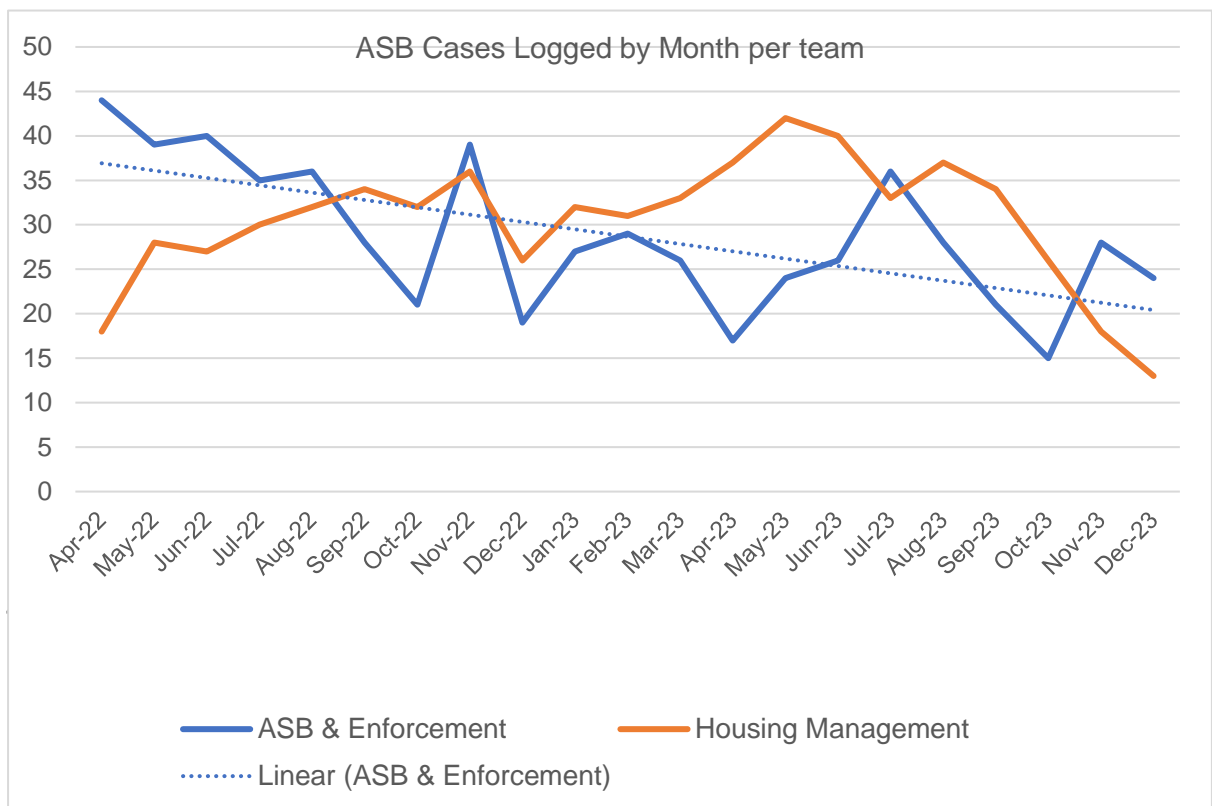
- 4.21. To ensure that we are fully prepared for the implementation of the new consumer standards we are in the process of arranging an awayday for senior managers to conduct a gap analysis and identify key actions to prepare us for housing inspection, to be facilitated by a specialist housing consultancy. The intention is also to arrange for an external organisation to carry out a 'mock' housing inspection later in 2024/25.

Anti-social Behaviour (ASB) Service Improvements

- 4.22. As part of the Housing Improvement Plan and linked to the Regulator's new Consumer Standards, discussions are in progress with Stronger & Safer Communities with regards to a fundamental redesign of the current joint operating model for tackling ASB in council properties and on housing estates.
- 4.23. Under the current arrangement Housing Services pay for an ASB service from the ASB & Enforcement team in Stronger & Safer Communities, under Environment and Resident Experience, which is funded by the Housing Revenue Account (HRA) under the terms of a Service Level Agreement (SLA).
- 4.24. It is important to note that this SLA technically expired in March 2022 and has been in place since April 2019, however the arrangements under this agreement have continued to date. The current arrangement provides for 90% of the cost of the immediate ASB & Enforcement Team, with contributions to other posts within the department and the remaining proportion covered by the General Fund, although this structure differs to what was originally provided in the SLA due to a restructure in the ASB & Enforcement team. The ASB & Enforcement Team is an internal Council Service dealing with ASB both in private sector and local authority housing stock as well as non-tenure related cases, such as businesses and public spaces.
- 4.25. This ASB SLA provides ASB case management for high level cases or where cases require enforcement action. Low level ASB cases are typically managed by Housing Management, and should these cases escalate to requiring more serious intervention or legal action, the ASB & Enforcement team then take over the management of the case on request under the terms of the SLA. The service standards mirror the requirements contained within the ASB policy (2021).
- 4.26. The SLA also includes attendance at estate walkabouts and resident meetings, providing Housing Management with regular articles on successes and case studies, and developing and assisting in providing training. The logging, initial assessment and allocation of ASB cases are

included in the SLA although this is now completed by two Enforcement Support Officers under Direct Services.

- 4.27. For 2022-23 Tenancy Management were allocated 359 cases, with ASB & Enforcement allocated 383, although it is important to note that not all of ASB & Enforcement's cases will be housing related. For this financial year on case allocation from April 2023 to December 2023, Tenancy Management have been allocated 280 cases which is an increase of 17 for the same period from 2022-23, and ASB & Enforcement allocated 219 which is a decrease of 82 cases. There is a general trend from April 2022 of the number of cases logged to ASB & Enforcement decreasing which can be seen in the graph below. It is important to note that the cases allocated to ASB & Enforcement will not all be housing related.



comparisons. The ASB review and associated work will continue to ensure value for money and that a quality service is delivered to residents that meets the standards required of us as a landlord.

- 4.29. Changes in how ASB is monitored, and services are delivered are already underway, with reporting from Enforcement being improved upon, and reporting against key KPIs has been put in place on a monthly basis going forward.
- 4.30. Housing Services are also seeking resident feedback on how we can improve our services through the new CIG (Continuous Improvement Group) which meets quarterly for Tenancy Management, and the way in which the ASB process is delivered to and shared with residents is under

review. Improvements to this service is a high priority for the 24/25 financial year.

- 4.31. We are building our links with residents and ensuring we take on board their views on what the main issues are in the Borough and what they feel the best solutions would be. This is particularly important for our more challenging estates such as Broadwater Farm and Northumberland Park, where we currently have a regular on-site presence from all aspects of the tenancy/housing management team. This enables greater oversight of the issues on these estates and more swift action when an incident takes place. Further, this ensures that we have strong links with the local community and that residents feel they can approach us to discuss any concerns or local issues.
- 4.32. Parking is also a common cause of lower level ASB complaints and neighbour disputes, particularly where individuals park a large number of vehicles on an estate, causing issues for others parking. For this reason, a new parking enforcement scheme was agreed by Cabinet on 16 January 2024, utilising traffic management orders to enforce parking restrictions on our estates; therefore, resolving many of the issues residents experience with parking.
- 4.33. We have recently focused on improving our approach to vulnerable tenants and safeguarding issues identified in our properties which has been done in conjunction with the Housing Ombudsman. This work will be continuing and in addition provides a good foundation on which we aim to regain DAHA (Domestic Abuse Housing Alliance) Accreditation. This project has just been initiated across various teams within the Council as it will be a Council wide application, with the expectation for assessment to be in around 12 months. Working towards the DAHA accreditation will immediately indicate our commitment to delivering safe and effective responses to domestic abuse which is based on understanding and responding to the individual needs of people experiencing domestic abuse, and again supports the new focus on domestic abuse in the consumer standards.

Safer Estates

- 4.34. This service was introduced as a pilot in 2018 specifically to address the escalating crime and anti-social behaviour (ASB) issues on the Love Lane Estate. The service consisted of 60 4K definition cameras and 3 door entry systems. Within the first 3 months of operation there was a 71% reduction in rough sleeping, 65% reduction in prostitution, 64% reduction in alcohol consumption within the external communal areas, 62% reduction in drug use, 60% reduction in criminal activity and 48% reduction in fly tipping.
- 4.35. In 2019 Safer Estates was formally brought into Estates & Neighbourhoods and an annual expansion programme commenced. 79 separate locations are covered. The service consists of:

- 595 cameras, and operating systems
- 4 door entry systems
- 6 public address systems, and operating systems
- 4 rapid deployment cameras
- 160 radio transmitters
- Systems for recording and retaining camera footage for 31 days.

4.36. In addition to providing a deterrent to crime and ASB, creating a safer environment for residents, the service provides clear 'evidentiary' quality footage enabling the police and the Council's Enforcement Team to take enforcement action against perpetrators of crime, ASB and fly tipping. Footage is also shared with the Police where the threshold for criminal activity is met.

5. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes'?

5.1. By complying with the Regulator's consumer standards Housing Services and Building Safety are contributing to meeting Theme 5 of the Corporate Delivery Plan – Homes for the Future, particularly the following outcome: **An improvement in the quality of housing and resident services in the social rented sector**. The measures to tackle antisocial behaviour in council homes and on estates are contributing to Theme 6 – Safer Borough 'a borough where all residents and visitors feel safe and are safe'.

6. Carbon and Climate Change

6.1. By complying with the Regulator's Safety and Quality standard, particularly in respect of compliance with the Decent Homes standard, the Council will be improving the thermal efficiency and comfort of its council stock and making other improvements to the condition and quality of its homes to make it more efficient to manage and maintain for both the Council and residents.

7. Statutory Officers comments (Director of Finance (procurement), Head of Legal and Governance, Equalities)

Not required on the advice of the Principal Scrutiny Officer.

7.1. Procurement

Not required.

7.2. Head of Legal & Governance [Name and title of Officer completing these comments]

Not required.

7.3. Equality

The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advance equality of opportunity between people who share those protected characteristics and people who do not.
- Foster good relations between people who share those characteristics and people who do not.

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/fait, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

The Regulator's new Consumer Standards, particularly the Transparency, Influence and Accountability standard are likely to have a positive impact on Haringey council tenants as there is a requirement for landlords to 'understand the diverse needs of tenants, including those arising from protected characteristics, language barriers, and additional support needs' and 'assess whether all tenants have fair access to, and equitable outcomes of, housing and landlord services. Additionally, the standard requires that landlords must ensure that their services are accessible.

8. Use of Appendices

None.

9. Background papers

Government's proposed consumer standards: [Proposed Consumer standards \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

The Charter for Social Housing; [The charter for social housing residents: social housing white paper \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

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Report for: Housing, Planning and Development Scrutiny Panel, 13 March 2024

Title: Community Infrastructure Levy

Report authorised by: Rob Krzyszowski, Assistant Director, Planning, Building Standards & Sustainability

Lead Officer: Bryce Tudball, Interim Head of Planning Policy, Transport and Infrastructure

Ward(s) affected: All

**Report for Key/
Non Key Decision:** For information

1. Describe the issue under consideration

1.1 The Housing, Planning and Development Scrutiny Panel has asked for a briefing paper on the Haringey Community Infrastructure Levy (CIL). This paper provides a background to CIL covering both Strategic CIL and Neighbourhood CIL, details the Council's adopted Haringey CIL and policy in this regard, and identifies how money raised is being used to support infrastructure delivery in the borough.

2. Recommendations

The Scrutiny Panel is asked to note this briefing paper.

3. Reasons for decision

Not applicable.

4. Alternative options considered

N/A

5. Community Infrastructure Levy (CIL)

Background

5.1 The Council expects new development to contribute to site related and wider infrastructure needs through a combination of the following mechanisms:

- Planning conditions (site/development related)
- Planning obligations to secure developer contributions or works in kind e.g. Section 106 agreements / planning obligations (site/development related)
- CIL (neighbourhood, strategic and borough-wide infrastructure)

- 5.2 CIL is a levy introduced under the Planning Act 2008 that local authorities can choose to charge on new developments in their area for the purpose of raising funds for the wide range of community infrastructure projects required to support area development.
- 5.3 CIL is set through the adoption of a Charging Schedule. CIL is a charge based on the floorspace of new buildings to help fund infrastructure needs arising from new development. It is non-negotiable and is calculated based on net increase in floorspace based on a £ per metre square charge (£/m²).
- 5.4 CIL must be spent as follows:
- Up to 5% of CIL may be spent on the **administrative expenses** incurred by the Council in administering the collecting and spending of CIL.
 - **15%** of CIL may be spent on **Neighbourhood CIL (NCIL)** projects, that is projects identified in consultation with local neighbourhoods. The 15% figure increases to 25% where there is an adopted Neighbourhood Plan.
 - The remaining **70-80%** of CIL may be spent on **Strategic CIL (SCIL)** projects.

Haringey CIL

- 5.5 On 21 July 2014 the Council approved the first Haringey CIL Charging Schedule which took effect on 1 November 2014 (“Haringey CIL Charging Schedule 2014”). On 14 March 2022, and following a CIL Partial Review, the Council approved a Revised CIL Charging Schedule (“Haringey CIL Charging Schedule 2022”). This took effect on 1 September 2022 and on the same date the Haringey CIL Charging Schedule 2014 ceased to have effect.
- 5.6 The Haringey CIL Charging Schedule 2022¹ sets out the Council’s CIL rates together with a map showing the different charging zones (see Table 1 below for rates and Figure 1 which shows the related charging zones). The principal change from the Haringey CIL Charging Schedule 2014 is increased rates for a range of uses in the eastern charging zone including an increase in the residential rate from £15 per m² to £50 per m².

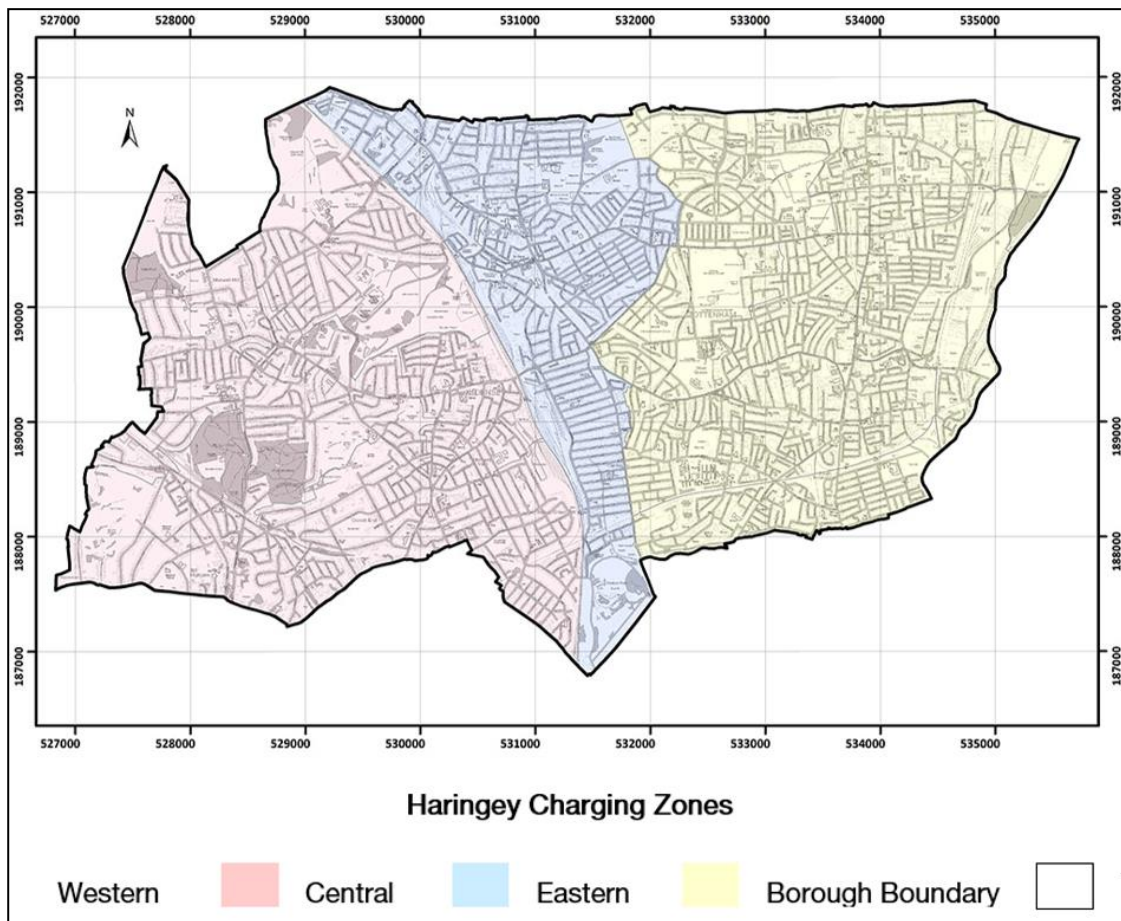
Table 1: Revised CIL Charging Schedule

Use	CIL charge (£/square metre)		
	Western	Central	Eastern
Residential	£368.12	£229.21	£50
Student accommodation	£368.12	£229.21	£85
Build to Rent housing	£368.12	£229.21	£100
Supermarkets	£131.97		

¹ [Community Infrastructure Levy Charging Schedule 2022 \(haringey.gov.uk\)](https://www.haringey.gov.uk/Community-Infrastructure-Levy-Charging-Schedule-2022)

Retail Warehousing	£34.73
Office, industrial, warehousing, small scale retail	Nil Rate
Health, school and higher education	Nil Rate
All other uses	Nil Rate

Figure 1: Map of Haringey CIL Charging Zones



5.7 CIL charging rates are subject to automatic annual indexation for inflation. The current rates are set out in the Council’s CIL Annual CIL Rate Summary for 2024² which was published in December 2023. The next Annual CIL Rate Summary is required to be published in December 2024.

² [CIL Charging Schedule including Annual CIL Rate Summary for 2024 \(haringey.gov.uk\)](https://www.haringey.gov.uk/cil-charging-schedule-including-annual-cil-rate-summary-for-2024)

Strategic CIL

- 5.8 Legislation requires SCIL to be spent on “funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area”³. Infrastructure is defined as including:
- Roads & transport facilities
 - Flood defences
 - Schools & educational facilities
 - Medical facilities
 - Sporting & recreational facilities
 - Open spaces
- 5.9 National Planning Practice Guidance (PPG) on CIL states that SCIL “can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support development”⁴.
- 5.10 Haringey’s CIL Governance document⁵ states that SCIL “will be spent on CIL eligible projects with [sic] the Capital Programme, taking into account the Regulation 123 List and the IDP”.
- 5.11 The SCIL Infrastructure List in the Council’s Infrastructure Funding Statement states that Haringey SCIL funding may be applied in whole or in part to the provision, improvement, replacement or maintenance of the following infrastructure:
- Educational Facilities
 - Further Education Facilities
 - Health and wellbeing Facilities
 - Parks and Open Spaces
 - Social and Community Facilities
 - Transport and Highways excluding works that area required as part of a development proposal to be secured through a Section 278 Agreement
 - Enterprise Space
 - Sports and Leisure Facilities
 - Public Realm Improvements
 - Community Safety Measures
 - District Energy Network and associated infrastructure
- 5.12 The Council’s CIL Governance document makes clear “there will be competing demands” for SCIL and sets a series of prioritisation guiding criteria.
- 5.13 In December 2020⁶ Cabinet approved £14.6m of SCIL monies being spent on projects which best met the relevant criteria. This included £5.1m on walking and cycling projects, £3.55m on decentralised energy networks, £.5m on School Streets as well as major contributions to a handful of other priority placemaking projects.

³ Planning Act 2008, CIL Regulations 2010

⁴ National Planning Practice Guidance: CIL

⁵ www.haringey.gov.uk/cil

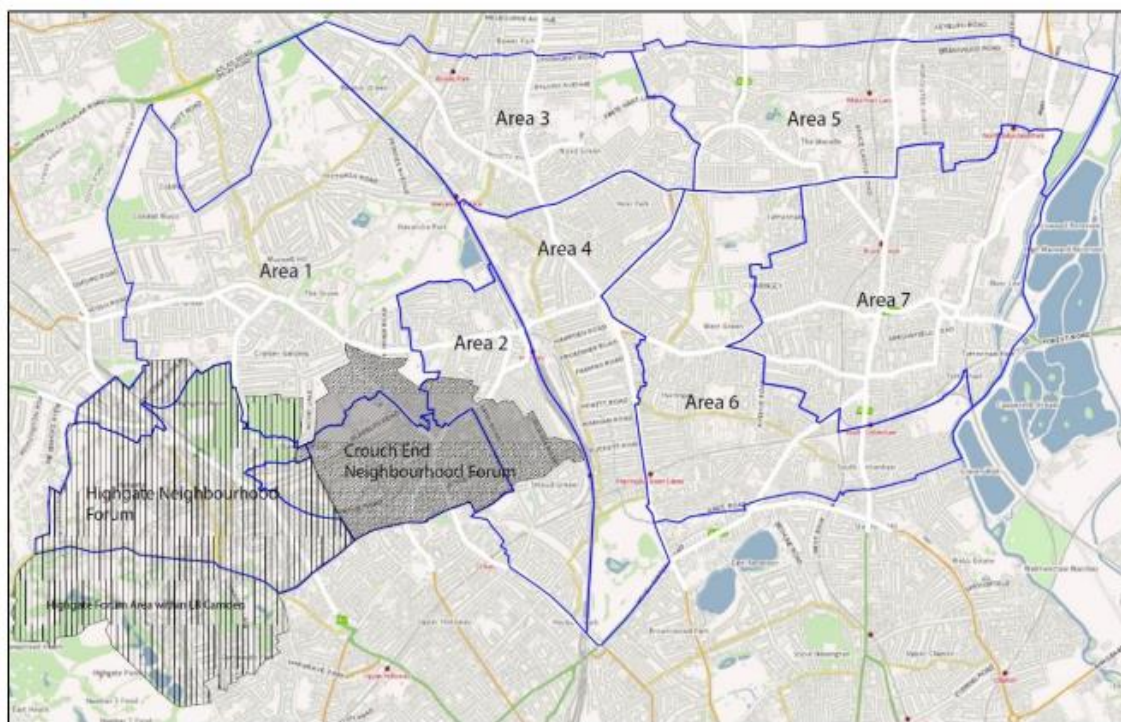
⁶ www.minutes.haringey.gov.uk/ielssueDetails.aspx?IId=71778&PlanId=0&Opt=3#A166290

- 5.14 In February 2024⁷, as part of the Council's 2024-25 budget setting process, Cabinet allocated £9.7m of SCIL to help finance three schemes in the Council's capital programme: Walking and Cycling Action Plan, Road Casualty Reduction, and School Streets. It is noted that this comprised the balance of the Council's unallocated SCIL and therefore more SCIL will need to be accrued going forward before further allocations can be made.

Neighbourhood CIL

- 5.15 Legislation allows 15% of CIL to be spent on infrastructure or 'anything else that is concerned with addressing the demands that development places on an area'. In places with an adopted Neighbourhood Plan, this increases to 25% of CIL. This is called Neighbourhood CIL (NCIL).
- 5.16 The process for deciding how the Council spends NCIL is set out in the Council's CIL Governance document. Haringey is currently split into 9 NCIL areas as set out in Figure 2 below. There are different NCIL spend arrangements where a community has an adopted Neighbourhood Plan in place. In Haringey there are 3 Neighbourhood Forums in Highgate, Crouch End and Finsbury Park & Stroud Green. Currently only Highgate has an adopted Neighbourhood Plan which means that 25% of CIL may be spent on NCIL projects. The Finsbury Park and Stroud Green Neighbourhood Forum is not currently recognised in the CIL Governance document which predates it.

Figure 2: Map of Haringey NCIL areas*



* The current NCIL areas are based on ward boundaries prior to 5 May 2022 and as such does not align with the new ward boundaries following the Boundary Commission Review on Haringey's council wards

⁷ www.minutes.haringey.gov.uk/documents/s144073/2024.25Budget%20and%202024.29MTFFS%20Ver5.029Jan24FINAL.pdf

- 5.16 In order to better achieve the Council's aims of fairness and equality, in March 2020 the Council agreed⁸ to:
- Change the CIL Governance document to allow a fairer approach and spend NCIL in a different area to where it was raised
 - Allocate NCIL via a new methodology as follows:
 - The Neighbourhood Forum area amounts remain ringfenced. Of the remaining NCIL available:
 - 15% is allocated to areas based on the amount of development in an area⁹
 - 10% is allocated proportionally to the Tottenham areas (Areas 5 and 7) based on the number of wards in the areas
 - 75% is allocated proportionally to Areas 1 to 7 based on the number of wards in each area
 - Spend NCIL on a list of 41 'Round 1' projects totalling £2.2m
- 5.17 Re-allocated NCIL monies are calculated once per year at the end of March.
- 5.18 In March 2020 the Council agreed¹⁰ to spend NCIL on a list of 41 'Round 1' projects totalling £2.2m. The projects/priorities for spend were identified by the community through a Round 1 consultation on NCIL spend in 2018.
- 5.19 As at 31 March 2022, there was £1.734m of unallocated NCIL to spend on Round 2 projects. It is planned to launch engagement on potential Round 2 projects later in 2024. As part of Round 2, there is potential for a participatory budgeting pilot covering one or more of the NCIL areas identified above. This could discharge the Council's commitment in the Corporate Delivery Plan 2023/2024 to "develop a Haringey approach to local participatory budgeting which is consistent with the Haringey Deal".
- 5.20 Due to ward boundary changes in May 2022 a review of the process for allocating NCIL is required for monies accumulated since 1 April 2022. This will be conducted later in 2024.

Reporting on CIL

- 5.21 The Council is required to publish an Infrastructure Funding Statement (IFS) every year which among other things must report on key CIL matters including receipts, allocation and spend. The Council's last IFS was published in December 2022¹¹ covering the 2021/22 financial year. The IFS 2022/23 will be published in March 2024.

⁸ www.minutes.haringey.gov.uk/ieListDocuments.aspx?CId=435&MId=9371&Ver=4

⁹ The amount of development is based on the NCIL collected as the simplest and most reliable and relevant proxy but adjusted so that the effect of the varying CIL rates across the borough is neutralised to ensure fairness. Each area's percentage share of the overall amount of development is then applied to the topslice amount. This effectively distributes the topslice proportionally based on the amount of development.

¹⁰ www.minutes.haringey.gov.uk/ieListDocuments.aspx?CId=435&MId=9371&Ver=4

¹¹ www.haringey.gov.uk/sites/haringeygovuk/files/infrastructure_funding_statement_-_2021-22.pdf

Planning Service Peer Challenge

5.22 In October 2023¹² a Peer Challenge was carried out of the Council’s Planning Service led by a team of local government peers. Following the ‘challenge’ a Final Report was produced by the peer team which included a series of recommendations. An Action Plan has since been drawn up to address these and the Final Report and Action Plan is due to be considered by Cabinet at its March meeting. Of note, Recommendation 8 was to “consider how allocation of Community Infrastructure Levy and Neighbourhood CIL spending can support members and broader community engagement in the planning process, highlighting the positives of development, and giving clear communication of how those decisions are made.” The Action Plan contains related actions to communicate positive outcomes as a result of SCIL and NCIL spend and to highlight during NCIL Round 2 that the funding comes from new development.

6. Contribution to strategic outcomes

6.1 CIL funding can support delivery of key elements of the Corporate Delivery Plan 2023-24 including responding to the climate emergency, and place and economy. NCIL can also support the specific outcome that residents will have a greater number of meaningful opportunities to directly influence how specific funding is spent.

7. Use of Appendices

None

8. Background Documents

None

9. Local Government (Access to Information) Act 1985

N/A

¹²

www.minutes.haringey.gov.uk/documents/s144179/Planning%20Service%20Peer%20Challenge%20Report%20Action%20Plan%20report%20CLEAN.pdf

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Report for: Housing, Planning & Development Scrutiny Panel

Title: Under-occupation in council housing

Report authorised by: Director of Placemaking and Housing / Director of Adults and Health

Lead Officer: Assistant Director of Housing Demand / Assistant Director of Housing

Ward(s) affected: All

**Report for Key/
Non Key Decision:** No

1. Describe the issue under consideration

1.1. This report presents findings from council held and census data on under-occupation in council and other social housing, sets out the Council's policies to support under-occupying council tenants to move to smaller homes and sets out the Council's ambition to develop a new rightsizing strategy.

2. Recommendations

2.1. That Scrutiny note the report.

3. Background information

Under-occupation in Council housing

3.1. Haringey is the landlord of c.15,000 tenanted council homes. When tenants are granted a tenancy it is on the basis of their household size and needs. For example, a household made up of two parents and two children of the same sex would be able to bid for, be offered and then become tenants of a 2-bed council home.

3.2. Household make-ups change, in particular as parents have more children – or adult children who have remained at home have children of their own. And adult children also move out to their own homes. If households remain in the home they were first assigned they will therefore be in a home of the wrong size – either by lacking bedrooms (in which case we would refer to them as being 'overcrowded') or by having spare bedrooms (in which case we would refer to them as 'under-occupying').

3.3. If households are overcrowded they can apply to join the housing register to be rehoused in a home that is the right size. Households are placed in band B if they are severely overcrowded (short 2 or more bedrooms) and in band C if they are short one bedroom.

- 3.4. Households who are underoccupying are also eligible to join the housing register in order to move to a smaller home than their current one.
- 3.5. Haringey council tenants have secure tenancies: this means that – barring issues such as anti-social behaviour – tenants can remain in their home for their whole life. This means that even if the original household has changed in size and become much smaller, there is no requirement for tenants to move to a smaller home. There are tenants living in large family homes who do not need a home of this size, however the Council cannot require that they move to a smaller home.
- 3.6. Given the significant demand for larger family homes (with 2648 households on the housing register requiring a 3-bed home, 579 requiring a 4-bed home and 162 requiring a home with 5 beds or more), it is in the Council's interest to support tenants who are living in a home that is larger than they need to move to a smaller home.

Census data

- 3.7. Data from the 2021 census has revealed the extent of both under-occupation and overcrowding in housing across the borough. In the social sector, strikingly, the degree of overall under-occupation and over-crowding are nearly identical – meaning that if under-occupying households were able and willing to move to a smaller home, overcrowded households would be able to move into those larger homes. For example, just under 1600 households living in a 2-bed social rented home (rented from either the Council or another registered provider) have a spare bedroom. Just under 900 households in socially rented 1-bed homes need a 2-bed home. For larger homes, there is more overcrowding, with around 330 households in 4 beds with spare bedrooms and around 770 households lacking bedrooms.
- 3.8. The census data is particularly rich since the council does not always have accurate data on the number of under-occupying households. We know how many are on the housing register due to under-occupation, but households who are not interested in downsizing would not join the register.

Incentives for downsizing

- 3.9. The Council does offer incentives to encourage people to downsize. Tenants are given £1000 for moving to a smaller home, and an additional £1000 for each bedroom they give up. For example a household moving from a 2-bed to a 1-bed or a 4-bed to a 3-bed would be awarded £2000, while a household moving from a 4-bed to a 1-bed would be awarded £4000. Additionally, households are given £500 to support them with the move.
- 3.10. There is an under-occupation officer at the Council who works to support these households to move to a smaller home that meets their needs. They work with anyone who joins the register who is under occupying and with residents who are referred by Tenancy Management, by the Housing Benefit Service who identify households who are under occupying, and by partner agencies. We are also delivering a series of sessions jointly with Tenancy management to encourage under occupiers to come along and discuss their options.

The Neighbourhood Moves Scheme

3.11. The Council introduced the 'Neighbourhood Moves Scheme' in 2021. This introduced an amendment to the Council's Housing Allocations Policy and set out that when new council housing developments where at least 4 new council homes would be delivered were to be let, existing council tenants living in close proximity to the new homes have first priority to these. Households who are underoccupying have first priority, in order of the number of bedrooms they are releasing, followed by overcrowded households, and then any other households. One of the aims of the Neighbourhood Moves Scheme has been to support households living in homes that are too large or too small to move to a new, local, home that suits their needs.

Under occupation moves this financial year

3.12. The number of actual moves achieved so far in this financial year is 18. Moves were made to smaller Council properties, sheltered accommodation and through the seaside and Country Homes Scheme. We have a further 13 moves pending. 8 of these pending moves are at Walter Tull House, three of whom are waiting to view adapted properties. Three residents are under offer for Sheltered Housing properties. Two residents are under offer for General Needs properties.

Future work

3.13. More work is needed to broaden the Council's offer to under-occupiers. A rightsizing strategy and policy will be developed in 2024. This will be developed with Haringey social tenants who are underoccupying their homes, and will use their experience to ensure that the council takes a flexible and supportive approach to helping these residents move to homes that meet their needs, while freeing up larger social homes to house Haringey's families on the housing register. Once developed, this strategy and policy will be presented to Cabinet.

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Housing and Regeneration Scrutiny Panel

Work Plan 2022 - 24

<p>1. Scrutiny review projects; These are dealt with through a combination of specific evidence gathering meetings that will be arranged as and when required and other activities, such as visits. Should there not be sufficient capacity to cover all these issues through in-depth pieces of work, they could instead be addressed through a “one-off” item at a scheduled meeting of the Panel. These issues will be subject to further development and scoping. It is proposed that the Committee consider issues that are “cross cutting” in nature for review by itself i.e., ones that cover the terms of reference of more than one of the panels.</p>		
Project	Comments	Priority
Review on Landlord Licensing and Renting in the Private Sector	<p>To review the impact of the implementation of the Council’s landlord licensing scheme on the private rented sector. The review will be looking at both the additional licensing scheme, introduced in 2019, as well as impending introduction of the selective licensing scheme, following DHULC approval.</p> <p>The Panel are also keen to understand what other support the Council could provide to those living in the Private Rented Sector and what are other local authorities doing around this.</p>	

<p>2. “One-off” Items; These will be dealt with at scheduled meetings of the Panel. The following are suggestions for when particular items may be scheduled.</p>		

Date	Potential Items
2022-23	
28 June 2022	<ul style="list-style-type: none"> • Terms of Reference • Private Sector Landlord Licensing Scheme • Empty Homes Policy • New Local Plan Update • Community Infrastructure Levy Update
29 September 2022	<ul style="list-style-type: none"> • Update on the Council's Housing Delivery Programme • Use of the Private Rented Sector to meet Housing Need • Wards Corner Update
01 November 2022	<ul style="list-style-type: none"> • Update on the insourcing of Homes for Haringey • Temporary Accommodation <ul style="list-style-type: none"> ○ Standards and quality of TA accommodation and how the Council works with and seeks compliance from external TA providers.

	<ul style="list-style-type: none"> ○ The Council’s acquisitions programme - How we acquire TA properties and bring them up to standard. ● Aids and Adaptions & Housing for people with disabilities and other specific needs. <ul style="list-style-type: none"> ○ How do we ensure that people with specific needs receive suitable accommodation?
12 December 2022 (Budget Meeting)	<ul style="list-style-type: none"> ● Budget scrutiny ● Housing Repairs performance and update on improvement plans
27 February 2023	<ul style="list-style-type: none"> ● Housing Associations ● Housing repairs improvement plan ● Placemaking Approach
2023/24	
27 June	<ul style="list-style-type: none"> ● Terms of Reference ● Update on progress on the working the Social Housing Regulator ● Damp & Mould ● Housing Services Scrutiny– Future agenda items inc. voids and Housing Repairs updates

19 September	<ul style="list-style-type: none"> • Update on the recommendations into the Wards Corner review. • Housing Delivery Programme • Housing improvement Plan
14 November	<ul style="list-style-type: none"> • Housing Strategy • Voids • Update on the implementation of the strategic asset management
18 December (Budget)	<ul style="list-style-type: none"> • Budget Scrutiny • Update on the Bed & Breakfast elimination plan (Homelessness).
13 March	<ul style="list-style-type: none"> • Update on the work with Social Housing Regulator • CIL • Under/Over Occupation • New Social Housing Consumer Standards

Indicative future agenda items:

- Local Plan update
- A follow up update in relation to Aids and Adaptions.
- Allocations Policy
- An update on zero carbon future building projects and zero carbon demolition projects. It was suggested that this could dovetail with an update on the Local Plan.