

Report for: Director of Housing, Regeneration and Planning

Decision Date: 8 June 2020

Title: Ending the Initial Period for Northolt Tenants

Lead Officer: Alan Benson, Interim Assistant Director of Housing

**Report for Key/
Non-Key Decision:** Non-Key Decision

1. Describe the issue under consideration

- 1.1. The Broadwater Farm Rehousing and Payments Policy (BWRFP) adopted by Cabinet on 13 November 2018 offered rehousing and payments to Northolt tenants requiring rehousing from the Northolt block to permit its demolition. In early 2020, three mobility restricted tenants were identified in an adjoining wing of Stapleford, who currently use the Northolt lift to access their homes. As these tenants were clearly also affected by the demolition, the Northolt offer was extended to these three tenants.
- 1.2. The BWRFP gave tenants in Northolt access to Choice Based Lettings (CBL) for an Initial Period to be determined by the Director of Housing, Regeneration and Planning. At the end of the Initial Period any remaining tenants would be made direct offers of alternative accommodation.
- 1.3. After over a year of bidding, 75 tenants from Northolt have been rehoused but there remain seven tenants in Northolt who have yet to be rehoused, plus the three Stapleford tenants who have been unable to bid for properties due to the COVID-19 crisis.
- 1.4. This report proposes that the Director now end the Initial Period, that is moving to direct lets for the remaining households.

2. Recommendations

- 2.1. It is recommended that the Director of Housing, Regeneration and Planning:
 - 2.1.1. End the Initial Period provided for in the Broadwater Farm Rehousing and Payments Policy, section 2.1.1 with the effect that
 - all further rehousing of tenants at Northolt and the three mobility restricted tenants from the adjoining wing of Stapleford will be by direct offer, and
 - such offers will be their final offer of alternative accommodation.

in accordance with that Policy (noting the BWRFP commitment to a second move as set out in para 5.1)

3. Reasons for decision

- 3.1. Recommendation 2.1.1 is proposed to enable the swift rehousing of the remaining tenants to allow the demolition of Northolt, and its replacement, as early as practicable.

4. Alternative options considered

Continue the Initial Period of CBL

- 4.1. This option was rejected because the remaining residents have failed to find a new home using CBL within the past year.
- 4.2. In the light of the COVID-19 pandemic, the Lead Member for Housing and Estate Renewal decided on 7 April 2020 that CBL be generally suspended. Even if it were otherwise appropriate to continue the Initial Period, it would not in those circumstances be appropriate to make an exception to the general position for the Northolt tenants and the three Stapleford tenants.

5. Background information

- 5.1. At its meeting on 13 November 2018, Cabinet approved the demolition of Northolt to be replaced by new social housing. The demolition of this block would require both the rehousing of its tenants and the three mobility restricted tenants in the adjoining wing of Stapleford who require access to the Northolt lift. Cabinet also approved the BWFRPP and the following recommendations:
 - *To offer Northolt tenants access to CBL for an Initial Period to be determined by the Director of Housing, Regeneration and Planning.*
 - *2.5.4 of the policy sets out that at the end of the Initial Period, any tenants remaining will be made a direct offer of alternative accommodation which would be the tenant's final offer.*
 - *Any tenants who are offered and accept such accommodation will retain a Band A status for a second move, should they be unhappy with their direct offer.*
- 5.2. The Initial Period started in February 2019 and 75 tenants have successfully found new homes leaving seven Northolt tenants left who have not successfully bid for properties plus the three mobility restricted tenants in Stapleford who were identified in early 2020 and have been unable to bid. Some of the seven remaining Northolt tenants have been unsuccessful because of a need or preference for particular properties or because they have a relatively recent tenancy start date which has given them low priority against competing Band A households. The Stapleford tenants have been unable to bid due to the COVID-19 crisis.
- 5.3. Officers take the view that if the Initial Period were continued few if any of the remaining tenants would be rehoused under CBL. Officers also believe that extending the Initial Period further will cause delays in emptying the block with longer terms costs to the Council. Further delay in rehousing tenants would also extend the need for security on the block which was put in place to mitigate the risks from unauthorised gas appliances.
- 5.4. This report seeks a decision from the Director of Housing, Regeneration and Planning to end the Initial Period, thereby removing Northolt tenants' access to CBL and to begin making Direct Lets to the remaining tenants of Northolt. The report also seeks to ensure that the Stapleford tenants are also offered an appropriate Direct Let for the accessible accommodation they require. Like the Northolt tenants, they will retain a right to second move if they are unhappy with their offer.

6. Contribution to strategic outcomes

- 7.1 This will help to achieve the Borough Plan's Housing priority: 'a safe, stable, and affordable home for everyone, whatever their circumstances'. In particular, it will help to meet outcome 3 ('We will work together to drive up the quality of housing for everyone'), objective d ('Ensure safety in housing of all tenures across the borough').

7. Statutory Comments

Legal Comments

- 7.1. The Assistant Director for Corporate Governance has been consulted in the drafting of this report and where not set out below legal comments have been incorporated into the main body of this report.
- 7.2. The decision proposed was provided for in the Policy approved by Cabinet on 13 November 2018, when Cabinet fully considered the equalities and human rights impacts of the Policy.
- 7.3. No consultation is required on this decision.
- 7.4. The Assistant Director Corporate Governance sees no legal reason preventing the Director from approving the recommendations in the report,

Finance Comments

- 7.5. The ending of the Initial Period will mean that Northolt tenants will begin getting their final offers and assist in emptying ready for its demolition.
- 7.6. This on its own does not appear to have additional financial implications.

Equalities

- 7.7. 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.
- 7.8. 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 apply to the first part of the duty.
- 7.9. The Cabinet report proposing the Broadwater Farm Rehousing Policy dated 13 November 2018 was accompanied by an Equality Impact Assessment. This can be accessed here: [Cabinet report](#). This report sets out the impact of that decision on individuals and groups of Broadwater Farm residents with protected characteristics.
- 7.10. The EqIA noted that men, older people, and those with disabilities are over-represented among residents of the Northolt block. It is therefore reasonable to assume that individuals who share the protected characteristics will be among those

affected by the decision to end the Initial Period provided for in the Broadwater Farm Rehousing and Payments Policy, cease choice-based lettings, and make direct offers of accommodation.

- 7.11. It is notable that this decision is being taken in the context of the COVID-19 pandemic. As such, continuing with choice-based lettings would conflict with government public health guidance on social distancing and expose residents to avoidable risk. In the light of these risks, the Cabinet agreed on 7 April 2020 to suspend all Choice Based Lettings for all Council lets. A separate EqIA was undertaken for this decision.
- 7.12. While the decision to end the Initial Period reduces the extent of choice that affected households have over their accommodation, it represents a measure to ensure that they can have suitable accommodation while also safeguarding their health during the current restrictions.
- 7.13. In making direct offers, the Council will be required to have due regard for the needs of individuals and households with protected characteristics.

8. Use of Appendices

None

9. Local Government (Access to Information) Act 1985

Broadwater Farm Rehousing and Payments Policy: [BWERPP](#)

Report on Temporary Suspension of Choice Based Lettings: [CBL suspension](#)