

MINUTES OF MEETING Housing, Planning and Development Scrutiny Panel HELD ON Wednesday, 13th March, 2024

PRESENT:

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

ALSO ATTENDING:

157. 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'.

158. APOLOGIES FOR ABSENCE

Apologies for lateness were received from Cllr Moyeed.

159. URGENT BUSINESS

There were no items of urgent business.

160. DECLARATIONS OF INTEREST

None.

161. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

There were no deputations, petitions, presentations or questions received.

162. MINUTES

The Panel requested that a further update be provide to a future meeting around the costs to the Council arising from legal disrepair claims. **(Action: Philip).**

RESOLVED

That the minutes of the meeting on 18th December 2023 were agreed as a correct record.

163. VOLUNTARY UNDERTAKING TO THE REGULATOR OF SOCIAL HOUSING

The Panel received a report which provided an update on the work being done following the Council's self-referral to the social housing regulator, and the subsequent notice issued by the regulator in relation to breaches of two parts of the Home Standard; for non-compliance with the Decent Homes Standard, and the Council's identification of over one hundred Category 1 hazards within its own housing stock. The report was presented by Jahedur Rahman, Operational Director of Housing Services and Building Safety as set out in the report pack at pages 9-16. The Director Placemaking and Housing, as well as the Cabinet Member for Housing Services, Private Renters and Planning were also present for this item. The Panel noted that nine of the ten actions agreed with the regulator as part of the short-term plan had been completed. The following arose from the discussion of this report:

- a. The Panel queried the statement in the report that 323 properties had returned back to Haringey and questioned whether this related to 323 illegal tenancies. In response, officers advised that this related to cases of properties without a valid electrical/gas safety certificate, and that due to problems with no access to these properties, the tenancy management team could do no more and so they were 'handed back' to the Council's legal department to take legal action.
- b. The Panel sought clarification around the term the 'big 6' indicators of compliance, and queried whether there were other compliance indicators that were relevant. In response, officers advised that these were the six statutory areas of compliance that the authority was assessed against by the regulator. It was commented that from a legal perspective these were the six areas that the Council had to focus its efforts upon.
- c. In relation to a question, officers confirmed that the report's allusions to new systems was the move to a new dedicated compliance system, so that the Council was no longer recording cases on spreadsheets.
Clerk's note at 18:47 – Cllr Moyeed joined the meeting at this point
- d. The Panel commended officers on the amount of work that had been done to undertake outstanding actions. The Panel noted that the regulator found that there were around 5k homes that did not meet the decent homes standard and that there were around 100 properties with category one defects. The Panel enquired whether any targets had been set for improving these outcomes. In response, officers advised that the Council had undertaken a stock condition survey and so had an up-to-date stock condition programme, which allowed it to have an accurate picture of the number of properties with category one defects. Officers advised that whilst surveyors had undertaken a robust survey regime and were prioritising category one hazards, it was the case that one of the category one hazards identified in HRS legislation was overcrowding. In these cases, there was no repair that the Council could carry out to rectify the problem. Where the problem was repair based, the Council would rectify this. The Panel requested some further data on the number of category one hazards minus cases of overcrowding (**Action Jahed**).
- e. The Panel queried why some of the different compliance indicators had variable frequencies as identified in the report. In response, officers advised that the inspection frequency was determined by the regulatory requirements and that this was out of the Council's control. Different assessments had different regulatory regimes.

- f. The Chair queried whether the statement made under the Carbon & Climate Change section of the report related specifically to the voluntary undertaking. In response, officers clarified that these comments related to work being undertaken as part of the Strategic Asset Management plan that went to Cabinet.
- g. In relation to a query about the role of external validation, officers advised that once all of the actions had been completed, external auditors would be used to validate the work that the Council had done internally. Only once these assurances had been received would the Council apply to the regulator to have the notice removed. In response to a follow-up question, officers confirmed that the regulator had advised that the authority did not need to resolve the ongoing cases involving access issues in order to have the notice removed.
- h. The Panel sought assurances about the wider engagement work referred to in the report. In response, officers advised that that the wider engagement work was taking place but that it was not part of the response to the referral to the regulator.
- i. The Panel contended that a lessons learnt exercise should be undertaken, given the position the Council found itself in when Homes for Haringey came back in-house. In response, the Director advised that Pennington Choices had undertaken a piece of follow-up work and that there was raft of actions and follow-ups that sat outside of the voluntary undertaking. Part of the follow-up work would be around validating these actions and ensuring that they had been resolved. In this context, the Director advised that he was satisfied that a suitable level of lessons learnt work had been done across the service.
Clerk's note at 19:00 – Cllr Diakides left the meeting at this point.

RESOLVED

That the panel noted the report and the information contained therein.

164. PREPAREDNESS FOR NEW SOCIAL HOUSING CONSUMER STANDARDS

The Panel received a report which provided an update on the Council's preparedness for the Regulator of Social Housing's new Consumer Standards. The report was presented by Jahedur Rahman, Operational Director of Housing Services and Building Safety and Nimisha Patel, AD for Housing Management, as set out in the report pack at pages 17-26. The Director Placemaking and Housing, as well as the Cabinet Member for Housing Services, Private Renters and Planning were also present for this item. The following arose as part of the discussion of this report:

- a. The Panel queried what kind of weighting was given to the new consumer standards and what the repercussions would be for non-compliance. In response, officers set out that the governance arrangements would vary from authority to authority. In response to a follow-up question, officers advised that they were confident that, if the authority was inspected today, it would meet the standards on safety and quality due to the work done in the past 12 months. Compliance with some of the other standards still required some more work.
- b. The Panel sought clarification on whether the new approach would give the Council more teeth in terms of enforcing against cases of poor quality housing. A Panel member gave examples from their casework of CPNs not being

- actioned and cases taking a very long time to progress. In response, officers acknowledged that the Housing Enforcement Team had been very reliant on issuing CPNs, and that one of the things the AD for Housing Management would like to see is use of other powers, such as injunctions which carried more weight. It was noted that discussions were taking place to ensure that the Council was using all of the remedies available to it through housing legislation.
- c. The Panel sought assurances about whether the Council received sufficient support from police colleagues to deal with significant breaches. In response, officers acknowledged that there was a case for needing stronger liaison with police. The Panel were advised that there was an internal partnership problem solving group where high level cases were discussed and where officers tried to get a commitment from police colleagues at a senior level.
 - d. The Panel set out that it was very difficult to tackle ASB cases that involved drugs without police support, but that the police didn't always have the resources to help. They queried what enforcement measures could the Council put in place to tackle identified cases of ASB. In response, officers advised that they recognised that the way the authority exercised its landlord function could improve, and that there was a number of powers available to the authority to enforce against tenants who were causing ASB. It was commented that the Housing Service was working with colleagues to ensure that the authority maximised the use of the enforcement tools that were available to it.
 - e. The Panel sought assurances, that following the roll-out of the safer estates programme in 2018, that all of the estates had adequate CCTV in place. In response, officers advised that there was a capital budget allocation every year to support the roll-out of improving CCTV on estates. The Cabinet Member advised that CCTV was improved in areas where there was a known issue and that this was a targeted approach. The Cabinet Member suggested that she did not believe it was desirable to have CCTV covering every corner of the estates.
 - f. The Panel raised concerns about the fact that most tenants did not know the name of their housing manager and it was queried how this would impact the new consumer standards. In response, officers advised that as part of the Housing Improvement Plan, all residents were written to and advised of the name of their housing manager. Officers advised that they wanted to move away from having a single named point of contact towards a single mailbox that was monitored by multiple members of staff. In response to a follow-up, officers advised that residents should still know who their housing manager was so that they could join them on estate walkabouts, for instance. However the service wanted to move away from a single contact for emails as this could be a single point of failure.
 - g. The Panel sought assurances about placing residents with support needs in general housing and the extent to which support was offered. In response, the Panel was advised that there were a lot of different pathways into housing and that ensuring that the right support mechanisms were there was key. The Cabinet Member provided assurances that this was something that was considered. Officers advised that there was a growing trend nationally of increasingly vulnerable people being placed into general needs housing, due to the acute shortage of housing.
 - h. In response to a question around ASB and how we prioritised door entry systems for particular residents, officers advised that as part of the safer estates schemes, it was based on intelligence and knowledge of ASB taking

- place. Officers clarified that door entry systems weren't always the answer as they were often vandalised. Instead, CCTV could be a far more effective tool for dealing with ASB. In cases involving severe issues with drugs, the Council had also installed 24 hour dog patrols in some locations.
- i. The Panel queried about the repairs service and communicating the work that was done, it was questioned when major works and repairs would be prioritised over compliance. In response, the Cabinet Member acknowledged that the initial focus had been on compliance and that there was a limit to how much the Council could focus its efforts on. The Cabinet Member set out that a lot of additional resources had been put into the repairs team and that as the Major works programme came online, the demand for reactive repairs should decrease. The Cabinet Member advised that it was anticipated that the partnering contract for major works would be in place soon. Officers acknowledged that the repairs service was not where it needed to be, but by way of context it was noted that the service carried out around 55k repairs a year and around 1% of these resulted in complaints.
 - j. The Panel sought clarification about the number of ASB cases in social housing dealt with by the Council's housing enforcement service. In response, officers advised that about 50% of the cases dealt with by the enforcement team were housing related. Officers advised that they were in the process of revisiting the SLA that they held with the housing enforcement team to agree a revised model and to look at whether the recharging mechanism was fair and accurate.
 - k. In response to a follow-up question, officers advised that examples of the types of things that constituted high-level ASB were drug dealing, threats of violence, criminality and persistent offending.
 - l. In response to a question about housing association tenants, officers advised that the report in front of members was specific to Council tenants. Housing associations had their own ASB reporting mechanisms and that residents should complain to their Housing Association in the first instance and then the Housing Ombudsman.
 - m. In the context of the existing SLA, Members commented that housing contributed 90% of the funding for the housing enforcement team and that it seemed as though they spent 50% of their time on cases involving social housing.
 - n. The Panel requested a future update around the revised re-charging model/SLA between housing and housing enforcement, and what additional services residents would be available to residents. **(Action: Jahedur/Barry Francis)**

RESOLVED

That the report was noted.

165. COMMUNITY INFRASTRUCTURE LEVY

The Panel received a report which provide an update on the Haringey Community Infrastructure Levy (CIL), including both the Strategic CIL and Neighbourhood CIL. The report was introduced by Bryce Tudball, Interim Head of Planning Policy,

Transport and Infrastructure, as set out in the agenda pack at pages 27 to 34. The following arose as part of the discussion of this item:

- a. The Panel queried why there were differing CIL rates across different areas of the borough and questioned whether these were due to be updated to reflect appreciating land values. In response, officers advised that the CIL rates were set based on viability evidence and that evidence showed that viability was higher in the west and central parts of the borough. The CIL rates were relooked at in 2017 and an increase in CIL rates in the east of the borough was subsequently introduced. Officers advised that the CIL rates across the borough were at around the maximum level without putting future development at risk.
- b. In response to a question, officers advised that legislation permitted an area that had adopted a neighbourhood plan to retain 25% of the CIL receipts generated in that area. This was in contrast to around 15% of Neighbourhood CIL being redistributed to areas that did not have an adopted plan.
- c. The Panel sought clarification about the amount of money generated in the east versus the west of the borough, given differing CIL rates and a general lack of development in the west of the borough. In response, officers acknowledged that the levels of development differed across the borough and that the majority of CIL generated came from the east and centre of the borough. Officers contended that it was fair that the majority of CIL revenue should be spent in those areas. Officers advised that NCIL had a redistributive element to ensure that areas that had the most development received a higher proportion of CIL funding.
- d. In response to a follow-up question, officers set out that the evidence base showed that CIL rates were about right in the west of the borough and that it shouldn't be the CIL rates that detracted from development. Instead, the relative lack of development was ascribed to the fact that there were very few development opportunities in the west of the borough. The Neighbourhood Plan would be looking at how to increase these development opportunities.
- e. The Panel sought clarification around Schools Streets and whether these could be implemented anywhere across the borough. In response, officers advised that Strategic CIL could be spent anywhere in the borough and that this included School Streets, along with a number of other walking and cycling projects and road danger reduction projects that were being developed across different parts of the borough.
- f. In relation to the proposed Crouch End Neighbourhood Plan, officers advised that some funding to support this was allocated in 2022, however the neighbourhood forum were not quite ready at that point. Officers advised that the Council recognised that the money for this area needed to be spent and it was hoped that this would be allocated towards the end of the year at the next round of Neighbourhood CIL allocation.
- g. In response to a question about who got to choose how the funding was spent in an area without a neighbourhood forum, officers advised that funding was ringfenced in areas with neighbourhood forums. The neighbourhood forums were consulted on how the money was spent but they did not take the decision. Instead, there should be a wider engagement exercise with residents. The

- allocation of NCIL funding in areas without a neighbourhood plan (just as for those with a neighbourhood plan), would still be subject to a process of engagement but would ultimately be a decision taken by Cabinet.
- h. The Panel sought clarification about whether the amount of unallocated CIL money remained at £1.74m. In response, officers advised that the amount of unallocated CIL money as of 2022 was £1.74m but that further money would have been accrued since then. Some work was needed on the CIL approach following changes to ward boundaries.
 - i. In response to a question about participatory budgeting and the role of VCISOs, the Panel was advised that there was no agreed approach to participatory budgeting at present and that as the money related to infrastructure projects, it would be Council-led as per the relevant statutory framework.
 - j. In response to a comment, officers challenged the assertion that the majority of CIL spending was in one area. Officers set out that there was an allocation of parks funding in 2020 and that the projects were spread across different areas of the Council. It was emphasised that the allocation of CIL was part of an engagement process with residents.
 - k. In relation to a question about changes to ward boundaries, officers set out that the starting point would be to respect the boundaries of existing neighbourhood forums, both in Highgate and those in development.
 - l. The Panel commented that Camden and other neighbouring boroughs had higher CIL rates than Haringey. In response officers advised that Camden had higher levels of viability and so had higher CIL rates. Overall, it was suggested, Haringey was broadly in-line with its statistical neighbours. Officers also emphasised that CIL was just one of several ways in which developers provided contributions to local authorities. The other main example was Section 106 money, which included provision of affordable housing.
 - m. The Panel questioned whether any consideration had been given to having variable CIL rates depending on the size of developments. Officers responded that this had been given consideration in the past but that the government had been clear that local authorities should not seek to jeopardise smaller sites by seeking to extract additional developer contributions.
 - n. In response to a question, officers advised that government guidance sets out that strategic CIL should be spent on projects in the capital programme, and that these were quite broad in scope and also aligned with the Council's political priorities

RESOLVED

That the Panel noted the report.

166. UNDER-OCCUPATION IN COUNCIL HOUSING

The Panel considered a report which presented findings from council held census data on under-occupation in council and other social housing, set out the Council's policies to support under-occupying council tenants to move to smaller homes and set out the Council's ambition to develop a new rightsizing strategy. The report was

presented by Robbie Erbmann, AD for Housing, as set out in the published agenda papers at pages 35-37. Denise Gandy, AD of Housing Demand was also present for this item, along with the Cabinet Member for Housing Services, Private Renters and Planning. The following arose as part of the discussion of this report:

- a. The Panel noted 46% of four-bed council properties were under-occupied and 61% of five-bed council properties were under-occupied. Officers set out that the data showed that Haringey was slightly more under-occupied, that it was overcrowded. Better use of the Council's housing stock could, therefore, improve the demand pressures that the Council faced in relation to housing needs.
- b. The Panel commented that they recalled a previous update on this issue and the fact that the incentives offered weren't enough to tempt people to leave their family homes. The Panel queries the extent to which the Council was able proactively engage with tenants on this issue, without pressuring them. In response, the Cabinet Member acknowledged that in many ways this was the key question, and that having a robust offer of incentives was crucial to rightsizing the council's housing stock. The Cabinet Member suggested that the authority was at the beginning of this process and that she did not have all of the answers at present. However, it was envisaged that directing additional staffing resources at this would help move it along. It was suggested that a key incentive for some people could be an offer to move into a new home that had much lower running costs.
- c. The Panel sought clarification about whether there were any examples of good practice from other local authorities that had implemented a successful incentive scheme, that could be considered. In response, officers advised that, broadly speaking, it was about having a range of options in place. One example given was a transferable discount scheme, whereby those who were under occupying could be given a discount to buy a shared ownership property, in the same way that people got discounts under Right to Buy. There were also seaside and country home schemes that facilitated tenants swapping tenancies for a home in the country or by the sea.
- d. The Panel commented that one solution could be around having different tiers of incentives, as some people would be incentivised by money but others may have different motivations. The Panel also commented that engaging with residents was key in order to find out where the under-occupations were and to gauge interest. In response, the Cabinet Member noted that offering different rates to different residents would probably result in the Council being taken to court.
- e. The Panel sought clarification about whether adult children who still lived at home would be classed as a property being under-occupied. In response, adults advised that only properties with empty rooms would contribute to the figures for under-occupied properties, not those with adult children living in them.
- f. In response to a suggestion about having split tenancies for those with adult children that wanted to get their own place or families that wanted to separate, officers advised that this was an avenue that they would be keen to explore.

- g. In response to a question, officers advised that the existing home swap scheme was an alternative option available to people and that it was run as a national programme that allowed tenants to agree to swap homes on a national rather than intra-Haringey basis.
- h. The Panel sought clarification about whether it was legal to for the Council to reserve a particular chunk of housing for those who were currently under-occupying. In response, officers advised that it was possible to do a targeted scheme on a one-off basis through a targeted lettings plan. Officers advised that the Neighbourhood Moves scheme had already been quite successful in facilitating people to move into new homes. Officers also highlighted the fact that the Ashley Road site was due to be 50% social housing and 50% homes for private sale, but that the Council had managed to secure all 272 properties for social housing. This meant that there would be a lot of one and two bedroom properties on the site, and the plan was to offer a bespoke product for older residents who may want to downsize into a more accessible property.
- i. The Panel requested that a further update be brought to the Panel in due course around the Neighbourhood Moves scheme and its implementation to date. **(Action: Philip).**

RESOLVED

Noted.

167. WORK PROGRAMME UPDATE

The Panel requested a further update on under-occupation and work to increase staff resources beyond the one officer currently assigned to it.

The Panel also commented that they should meet informally to learn lessons on recommendation setting that arose from the recent scrutiny review on PRS housing.

RESOLVED

That the work programme was noted.

168. NEW ITEMS OF URGENT BUSINESS

N/A

169. DATES OF FUTURE MEETINGS

TBA

CHAIR: Councillor Alexandra Worrell

Signed by Chair

Date