

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA**HOUSING AND PROPERTY SCRUTINY COMMITTEE****13 JULY 2016****LIVE ISSUES REPORT BY THE DIRECTOR OF HOUSING**

The purpose of this report is to inform Members of recent policy and practice developments, which are likely to impact on the future work of the Business Group and to update Members on progress of current projects.

FOR INFORMATION**1. Adair and Hazlewood Towers: Update on works to comply with the Enforcement Notices**

- 1.1 On the 31st October 2015 a fire broke out within a flat on the third floor of Adair Tower.
- 1.2 The fire was investigated by the LFB and by the Police and is considered to have been non- accidental (arson). The Police arrested the alleged perpetrators and charges are expected to be brought against these individuals. Investigations are ongoing.
- 1.3 Following the LFB's investigation and post-fire audit of Adair Tower and their subsequent audit of its sister block Hazlewood Tower (which is identical in design and construction) the TMO/Council was served with two Enforcement Notices – one relating to each block. The key matters raised in the Enforcement Notices relate to the installation of self-closing devices on all flat entrance doors and the requirement to review the protection to each communal staircase and ventilation to the lift lobbies to ensure that both staircases are not affected by smoke and are available for use by residents and attending fire crews. (The original design of both blocks featured two staircases - one fully enclosed and protected means of escape staircase and the second an "accommodation staircase" which was open to the lift lobbies. The accommodation staircase had allowed smoke from the fire floor to reach other floors in the building and the LFB require this to be investigated.)
- 1.4 The TMO and RBKC agreed to ensure that all flat entrance doors in both blocks are sufficiently fire-rated and fitted with self-closing devices. Contractors are currently on site, initially inspecting and assessing each flat door to clarify what works are required and

subsequently undertaking all necessary works to either upgrade or replace the flat entrance door. Inspections have been completed on the majority of the doors with further attempts to obtain access to the remaining flats ongoing. An access procedure has been adopted and in cases where access is persistently withheld residents will be referred to legal services who will pursue access via legal means. Contractors have also commenced the necessary remedial work / door replacement.

- 1.5 In order to clarify the LFB's requirements in relation to ventilation and protection within lift lobbies and staircases as set out in the Enforcement Notices, the TMO engaged the services of specialist fire engineering consultancy, Exova, to undertake investigations and make recommendations for any necessary remedial action. Exova have produced a draft specification for the recommended works to address the ventilation and protection issues and are due to be implemented.
- 1.6 The contractor undertaking the works to upgrade / replace the flat entrance doors has also been appointed to undertake the works to address the LFB's ventilation concerns by installing fire-rated screens to fully enclose the lift lobbies and separate them from the accommodation staircase. Both programmes of work are currently on target to be completed by early August 2016.
- 1.7 The LFB have been updated on the TMO's progress with meeting the requirements of the Enforcement Notices at the regular (bi-monthly) TMO / LFB Liaison meetings. Further the LFB have been provided with a copy of the recommendations from the Exova report and asked to confirm their approval for the works to proceed.
- 1.8 The LFB have agreed a three month extension on both Enforcement Notices requested by the TMO as the original contractor engaged to complete the work went in to liquidation part way through the inspection process. All works are on target to be completed within the extended period.

2. Homeless prevention legislation: A potential change in statutory homelessness duties

- 2.1 Existing homelessness legislation requires local authorities to provide advice and assistance to households (and vulnerable individuals) who are homeless or threatened with homelessness within 28 days. Local authorities have a duty to provide suitable temporary accommodation when households become homeless, and ordinarily discharge that duty with an offer of social housing or suitable private rented accommodation.

- 2.2 The Housing (Wales) Act 2014 changed the focus of the advice and assistance to homeless households to the prevention of homelessness. Central Government has expressed an interest in implementing similar legislation in England. The homelessness charity Crisis has lobbied for homeless prevention legislation to be implemented by Private Member's Bill: such a procedure stands a reasonable chance of success, given the support of the DCLG.
- 2.3 While RBKC does not oppose a move towards the prevention of homeless, it believes new legislation will require very careful consideration. The Council is very well positioned to contribute to the current discussions being a signatory to the recent report '*The homelessness legislation: and independent review of the legal duties owed to homeless people*'; published by Crisis (the only London borough to be represented on the panel).
- 2.4 A new statutory duty to prevent homelessness will not work unless it addresses the following:
- The *causes* of homelessness must be addressed in order for prevention to work. The reasons why households are threatened with homelessness may be the very same barriers faced by local authorities when trying to prevent homelessness; eg high rents and the ending of assured shorthold tenancies.
 - We must be free to help homeless households find stable, *affordable* homes that will not be rely on welfare benefits (such as Discretionary Housing Payment) to be sustainable. Such properties are likely to be away of central London.
 - We must be free to tailor services to local housing need. A 'one size fits all' approach will not work in London, and is contrary to the spirit of Localism.
 - The link between a homeless application and the allocation of social housing cannot be sustained, and households should have a duty to cooperate with efforts to alleviate their homelessness.
 - We will require significant additional resourcing in order to pursue successful and sustainable prevention and relief strategies.
- 2.5 The Cabinet Member for Housing & Property will be contacting the chair of the All Party Group on Homelessness and the MP's who are

proposing the private members bill to express the Council's views and to invite further discussion on homelessness prevention.

3. Proposed capping of residents aged under 35 in supported accommodation

- 3.1 In the November 2015 Spending Review, the Government announced that Housing Benefit claimed by social housing tenants will be capped to Local Housing Allowance levels. This measure means that single people under 35 without children will be restricted to the LHA shared room rate. The cap comes into effect from April 2018 but will apply to all new social housing tenants from April 2016.
- 3.2 The Government has agreed to delay the implementation of the cap by one year (ie tenancies starting April 2017) while further impact analysis is undertaken.
- 3.3 The Housing Department has analysed the impact of the forthcoming cap on its commissioned supporting housing services. This analysis has confirmed that landlords and providers will suffer losses on rents and services charges on 70% of commissioned contracts. 68% of socially excluded (rough sleeper) properties, 100% of young persons properties, and 100% of domestic abuse family properties would be adversely affected. The total shortfall in rent and service charges for the 594 supporting housing units subject to the cap will be £1.5 million.
- 3.4 The Department holds the view that alternative provisions, such as the placement of supported housing clients in temporary accommodation or a fundamental re-commissioning of supported housing services (a measure that has already saved over £2 million in the last five years) are not feasible.
- 3.5 The Housing Department has contacted the DCLG to express its concerns and welcomes further discussion with Government officials on this proposal.

4. Amendments to the Council's Allocation Scheme

- 4.1 We will be bringing forward amendments to the Allocation Scheme to reflect statutory regulations governing the allocation of social housing introduced after the Scheme's application; secondly, to implement minor changes of policy to improve the prioritisation for and allocation of accommodation, and to address a number of adverse effects identified within the 2014 Allocation Scheme once it

was in operation; and thirdly, to clarify the original intent behind certain provisions within the Scheme.

- 4.2 One significant proposal is the introduction of 'homeless prevention points'. The proposal will recommend that homeless prevention points are awarded to a homeless household (or individual) who agrees to move to a private sector tenancy, where otherwise the Council would provide temporary accommodation and accept a full housing duty. Households awarded these points will be in a position to bid for vacant social housing advertised on the Council's choice-based lettings scheme. The aim of this proposal is to reduce the numbers of households being placed in temporary accommodation, and the associated costs of doing so, while possibly providing homeless households with more choice as to where they are accommodated. Officers are currently modelling how this proposal may work in practice.

5. [REDACTED] V Royal Borough of Kensington & Chelsea

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FOR INFORMATION

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Background Papers used in the Preparation of this Report:

None

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in 2014. In addition, the Board would be responding to the consultation. The changes would protect HRA income, and provide a more consistent service.

2. It was thought that the Board should have the opportunity to discuss the draft investment strategy, and ensure that the investment standard met the Board's aspirations.

Confirmation was given that a workshop would be arranged for December, and dates would be circulated. It would also be possible to arrange one to one meetings for Board members who could not make the workshop.

3. All Board members had been invited to the opening of the new flats at Holmefield House, at 1.00 pm on 6th December. This event marked the completion of the first phase of hidden homes' development, and both the Leader and Deputy Leader would be present.

JC

The Board noted the contents of the Chief Executive's update report.

9. Health and Safety

Anthony Parkes gave an update on health and safety issues. Matthew Hodgson, consultant, had carried out a review, and an action plan had been drawn up to ensure that high standards are embedded within the organisation. A lot of work had already been done, and the aim was to get us to a higher level. A presentation would be made to the Board in March which would provide a full update, and report on any legislative changes in this area.

A training and development programme had been set up, and Executive Team had been briefed by Matthew Hodgson on their roles and responsibilities in this area. A health and safety manager had now been recruited for Repairs Direct, who would also assist with contracts in the Assets and Regeneration department.

With reference to leaseholder doors, it had been decided to carry out work to ensure compliance following the fire risk assessments, in advance of statutory responsibility for this area being established. An update was given that only 14 out of the original 107 had not yet responded.

Internal Audit had carried out their follow up audit on 12th November, which had gone well, but we had yet to receive the results. This audit would be reported to Finance, Audit and Risk Committee on 11th December, and then Board in January.

Board members asked the following questions:

1. It was queried whether any of the non-compliant fire doors

were in tower blocks, and this was confirmed which was why work had been brought forward to establish compliancy. Further details to be provided to Cllr Blakeman although progress was on-going.

AP

2. It was asked that Board members be given a briefing on their roles and responsibilities on health and safety. However, it was Executive Team members who had responsibility in this area, and this included a responsibility to report back to the Board. It was proposed that Board members be given a briefing at 6.00 pm before the March Board meeting on the different responsibilities.

AB-S/AP

The Board noted the health and safety update on responsibilities and compliance across the organisation.

10 Risk Management Strategy and Procedure

Janet Seward presented the risk management strategy and procedure to the Board. This had last come to the Board in May 2011, and was an internal document which helped the TMO produce and score risk maps. An update came to the Board every two years. Revisions included changes in staffing. Internal Audit had approved it, and it had also been agreed by the Finance, Audit and Risk Committee. The recommendation was that the strategy and procedure be adopted for the next two years.

The Board agreed the Risk Management Strategy and Procedure.

11 KCTMO Repairs Direct update

Andy Marshall presented this report. The IT systems had been well embedded during the initial phase. The volume of repairs had gone up which may be due to publicity about the launch of Repairs Direct, or greater confidence in using the service. Further analysis was being carried out of an increase to 121 jobs per day. Satisfaction with the service was just under 97%.

A major concern was the level of staff sickness, and work was being done to manage this.

The supplies' interfaces were working well through Travis Perkins which resulted in less administration for Repairs Direct. Performance was a mixture of green and amber, and a more detailed report would be made to Board on 7th January. The risk register had been to Finance, Audit and Risk Committee, and was attached for information.

Board members raised the following issues: