

Leicester
City Council

MEETING OF THE HOUSING SCRUTINY COMMISSION

DATE: MONDAY, 9 JANUARY 2023

TIME: 5:30 pm

PLACE: Meeting Room G.01, Ground Floor, City Hall, 115 Charles Street, Leicester, LE1 1FZ

Members of the Scrutiny Commission

Councillor Westley (Chair)

Councillor Chamund (Vice Chair)

Councillors Ali, Aqbany, Fonseca, Gee, Modhwadia and Pantling

Members of the Scrutiny Commission are invited to attend the above meeting to consider the items of business listed overleaf.

For Monitoring Officer

Officer contacts:

Anita James, Senior Democratic Support Officer Tel: 0116 4546358 Email anita.james2@leicester.gov.uk

Jerry Connolly, Scrutiny Policy Officer Tel: 0116 4546343 Email jerry.connolly@leicester.gov.uk

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PUBLIC SESSION

AGENDA

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1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any pecuniary or other interests they may have in the business to be discussed.

3. MINUTES OF THE PREVIOUS MEETING

Appendix A

The minutes of the meeting of the Housing Scrutiny Commission held on 7th November 2022 have been circulated, and Members are asked to confirm them as a correct record.

4. PETITIONS

The Monitoring Officer to report on the receipt of any petitions received in accordance with Council procedures.

5. QUESTIONS, REPRESENTATIONS OR STATEMENTS OF CASE

The Monitoring Officer to report on the receipt of any questions, representations or statements of case received in accordance with Council procedures.

6. TENANCY MANAGEMENT VISION AND SUPPORT REPORT

Appendix B

The Director of Housing submits a report setting out the new vision and priorities for the tenancy management service including details of the support provided to sustain tenancies and prevent homelessness.

Members of the Commission will be asked to note the vision and priorities for the service and to provide any comments as feedback.

7. EMPTY HOMES (PRIVATE SECTOR) REPORT

Appendix C

The Director of Housing submits a report providing an update on the work of the Empty Homes Team to bring long term empty private sector homes back into use.

Members of the Commission will be asked to note the contents of the report and provide any comments as feedback.

8. ANY OTHER URGENT BUSINESS

The Chair has agreed to include a District Heating Update report to this meeting which will be taken as urgent business on basis that there needs to be further scrutiny consideration before any decision is taken around any increase in district heating charges.

9. DISTRICT HEATING UPDATE REPORT

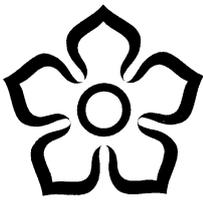
Report to follow as soon as possible.

Due to the Christmas and New Year bank holidays impacting on statutory timelines for publication the finalised report will be circulated as a second despatch as soon as it is available.

10. WORK PROGRAMME

Appendix D

Members of the Commission will be asked to consider the work programme and make suggestions for additional items as it considers necessary.



Leicester
City Council

Appendix A

Minutes of the Meeting of the
HOUSING SCRUTINY COMMISSION

Held: MONDAY, 7 NOVEMBER 2022 at 5:30 pm

P R E S E N T :

Councillor Westley (Chair)
Councillor Chamund (Vice Chair)

Councillor Ali
Councillor Aqbany

Councillor Fonseca
Councillor Pantling

Also Present:

Councillor Cutkelvin, Assistant City Mayor
Joe Carroll, Tenants' and Leaseholders' Association
Peter Hookway, Tenants' and Leaseholders' Association

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38. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Gee.

39. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda.

Councillor Aqbany declared that a large number of his constituents were on District Heating.

40. MINUTES OF THE PREVIOUS MEETING

AGREED:

That the minutes of the meeting held 22 September 2022 be confirmed as a correct record.

41. PETITIONS

The Monitoring Officer reported that none had been received.

42. QUESTIONS, REPRESENTATIONS OR STATEMENTS OF CASE

The Monitoring Officer reported that none had been received.

43. RENT ARREARS REPORT (APRIL 2022 TO SEPT 2022)

The Director of Housing submitted a report providing information on the progress of steps taken to manage rent arrears during the period April 2022 to September 2022.

The Head of Service for Housing presented the item, it was noted that:

- At the end of September 2022, the cash amount outstanding from rent arrears was £2.4m, this was 5% higher than the same point last year. There was an upwards pattern for rent arrears in the September period.
- The rising cost of living was putting many tenants under increased financial pressure.
- The current rent collection rate stood at 100%.
- Currently there were 1,400 tenants who owed more than 7 weeks rent. This was a reduced value from pre-Covid.
- The total value of the top 500 arrears cases had declined by 16% when compared to the same time last year.
- 6k tenants were claiming UC and 72% of those tenants were on rent arrears.
- Housing Officers worked closely with the DWP to support employment for tenants.
- The Rent Management Advisers had received 440 referrals, 35% of those required longer-term support.
- Only 2 evictions had been carried out over the last 6 months, a significant reduction of pre-Covid numbers.
- The team supported tenants in applying for Discretionary Housing Payments. In recent months many applications were being rejected due to limited funding. Therefore, alternative sources of funding would need to be considered.
- A rise in rent arrears was expected due to the cost-of-living crisis, there was confidence in the resilience of the team regardless of this. The priority would remain early intervention.

In response to Members' questions, it was noted that:

- Given the incoming reduction in DHP, other sources of funding would be considered. The potential use of the Household Support Fund was an option.
- 2% of housing stock was currently void, many properties were void for extended periods due to needing to fix damage. Capital works were also undertaken during void periods.
- When language barriers were present, many tenants used friends and

family to translate. The Council could also provide translators. The income management team featured Officers with a variety of languages.

The Chair praised the work of the department in this area and noted that this work would get harder.

AGREED:

That the Commission notes the update.

44. HRA CAPITAL PROGRAMME AND HOUSE BUILDING UPDATE

The Director of Housing provided a presentation giving details of the HRA Capital Programme and house building.

The Head of Service for Housing presented the item, it was noted that:

- The HRA Capital Programme was responsible for property refurbishments, electrical upgrades, and other property upgrades.
- Works were decided by looking at the life cycle data of different house facilities. Legislation changes also updated housing regulations so that also informed works. Survey work was undertaken to determine if works were actually required once a life cycle was complete.
- Work was carried out by a variety of contractors who were procured or appointed via corporate frameworks.
- Projects were often a response to new legislation such as sprinkler installation. Projects also included acquisitions and demolitions.
- Various house building projects were currently ongoing.
- The work for 6 sites had been contracted to Robert Woodhead Construction who had recently gone into voluntary liquidation. A procurement plan for the sites affected was in the process of being agreed.
- A scheme was being designed for a development at the Forest Lodge Education Centre.
- The Stocking Farm redevelopment would bring 45 new affordable homes.
- The development on the Southfields Newry site would bring 50 new affordable homes.
- A delivery plan was being developed for the next 4 years, this delivery plan would be more weighted towards development whereas previous plans were focused more on acquisitions.

In response to Members' questions, it was noted that:

- The Robert Woodhead liquidation did not present a financial risk as only completed work had been paid for.
- It was hoped that the changing landscape in the construction industry would mean that there was more opportunity for more competitive

pricing.

- The Hydra Walk development was one of the sites affected by the Robert Woodhead liquidation. The work would now be carried out by a refurbishment contractor. Residents would be informed of the development.
- All new homes covered in the presentation would be affordable.
- Preston Lodge was a building of interest but the current status could not be disclosed.

AGREED:

1. That the Commission requests that Ward Councillors be briefed on developments in their areas so that they can give that information to enquiring constituents.
2. That the Commission requests that a further update be brought in 6 months.
3. That the Commission requests that Members' comments be taken into account by Officers.

45. HOMELESSNESS REVIEW 2022 REPORT

The Director of Housing submitted a report providing information on the Homelessness Review and the formulation of a Homelessness Strategy.

The Director of Housing presented the item, it was noted that:

- The current Homelessness Strategy would come to an end in 2023 after 5 years. At that point a new Strategy would be launched.
- A public consultation took place between July and September taking feedback about existing Homelessness Services. 91 responses were received in total with a large number coming from the Voluntary Sector. This consultation informed the 2022 Homelessness Review on which the Strategy would be based.
- The main challenges highlighted in the review were centred around the supply of affordable and social housing. Due to this there were increased wait times for Council homes meaning longer time spent in temporary accommodation. The other key issue was the affordability of the PRS.
- Whilst there was success with getting rough sleepers off the street, there were increasing numbers of new rough sleeps still going onto the streets.
- The Council were usually unable to assist those with no recourse for public funds so other move on accommodation was needed for them.
- For ex-offenders there had been good progress with the launch of the new LLR wide protocol but there needed to be effective pathways across LLR with the upcoming opening of HMP Fosse Way.

- Work was ongoing with Public Health to undertake the healthcare needs assessment for homeless people.
- The main gaps in the Service highlighted by the consultation were on the need for more assistance accessing the PRS, the supply of temporary accommodation, and increased support for those with mental health and substance abuse issues.
- Work had begun on drafting the new Strategy. The Strategy would include an action plan. The final proposed Strategy would be brought back to the Commission after public consultation.

In response to Members' questions, it was noted that:

- The Council worked with housing associations, with vacant properties being put through the choice based letting system. Therefore, registering with housing associations was not needed for getting those homes.
- The priority for homelessness groups was getting people off of rough sleeping, therefore certain donations that sustained a street lifestyle might not be wanted. It was suggested that items such as warm clothing could be donated to foodbanks or other suitable charities.
- Over winter there would be an arrangement where nobody would need to sleep rough.
- There were arrangements to ensure quality in the private rented sector for those on the homelessness pathway. Including ensuring a minimum 12-month contract and that properties were fully checked. Landlords were also encouraged to get in touch with the Council when issues occurred with those on the homelessness pathway.
- The Government intended to reform Section 21 to stop no fault evictions. The Council supported this.
- There were pressures with staff shortages and the number of family cases.
- Tenants needed to play their part once the Council was informed of a possible conviction including potentially looking for other accommodation as part of their agreed plan.
- The Service was successful in preventing homelessness in 70% of cases.

AGREED:

That the Commission notes the update.

46. DISTRICT HEATING SERVICE CHARGES PROPOSALS REPORT

The Director of Housing submitted a report on the District Heating Service Charges proposals which included an overview of the charging arrangements for tenants and leaseholders in receipt of heating and hot water through the District Heating network and the recommendations which would be presented to Full Council for an in-year increase to service charges.

The Director of Housing presented the item, it was noted that:

- The District Heating (DH) network provided a low carbon source of heat and hot water to 2500 tenants, private leaseholders, and other organisations.
- Since the last budget had been set in February 2022, gas prices had increased by 95%, this was caused by many factors including the war in Ukraine. When the budget was set only a 20% rise in prices was forecast.
- To help offset energy bills, the Government was providing a £400 rebate to all on energy bills. There was also a £150 council tax energy rebate and low-income households were also eligible for a £650 payment to assist in general with the cost of living.
- The Government energy price cap was only linked to unit price, so many would be paying more based on their energy usage.
- The HRA was legally required to be ring fenced and to be balanced. If prices were not increased there would be a shortfall on the HRA of £1.7m by the end of the financial year, extending to over £8m by 2024.
- The incoming Government rent cap would mean that a rent rise would not be able to cover the extra pressures of gas prices.
- If DH prices were not increased, then there would have to be a significant reduction in Housing Services in order to balance the HRA.
- The Council had no obligation to subsidize energy costs for private leaseholders at the expense of tenant rents.
- Therefore, an in-year DH price increase of 70% was proposed, this would lead to an average monthly price increase of £10.31 depending on the level of energy usage and the size of properties.
- The price increase for the rest of the financial year could be covered by the Government's various support.
- Even with the new price increase, DH users would still have much cheaper prices than customers on the open market.
- Other Councils such as Hull were proposing to raise their gas charges by as much as 300%.

Joe Carroll from the Tenants' and Leaseholders' Forum raised concerns about the ability of residents to pay the new prices with extra cost of living pressures. He also noted that the prices were not linked to use as there was no metering in DH properties.

Peter Hookway from the Tenants' and Leaseholders' Forum stated that he would not be happy if Housing Services were cut due to the Council subsidizing DH prices for private leaseholders and tenants on DH.

There was discussion regarding the possibility of installing meters into DH properties. It was noted that meters would be trailed in the St Peters area as it would be easier to install them there, and then once the success of that was understood the metering of other areas could be considered. It was noted that it would be very hard to install meters into certain areas due to the piping infrastructure not being compatible. It was also noted that installing meters would not necessarily lower prices for DH users and could lead to price increases for some.

The Chair stated that although a DH price rise was regrettable, the extra burden on Council tenants of cuts to Housing Services would be unacceptable.

The Chair moved that the Commission support the proposed price rises to DH, this was seconded by Councillor Pantling, and upon being put to the vote, the motion was CARRIED.

AGREED:

1. That the Commission supports the proposed price rises for District Heating.
2. That the Commission requests that comments from Members and Tenant Representatives be taken into account by Officers.

47. PRIVATE RENTED SECTOR (PRS) STRATEGY PROGRESS REPORT

The Director of Housing submitted a report providing a summary update on the implementation of the Council's Private Rented Sector Strategy objectives.

The Assistant City Mayor for Education and Housing introduced the item, noting that since the selective licensing scheme had been brought in, there had been a case of unsafe windows being highlighted to a landlord. Despite the landlord only owning 1 property in the selective licensing area, he fixed the windows across all 19 of his properties.

The Head of Regulatory Service presented the item, it was noted that:

- As part of this work, 6 high-level priorities had been identified. All of these priorities had either been implemented or were pending implementation and an action plan oversaw multiple tasks being delivered to improve the sector.
- The work took a holistic approach to both tenants and landlords.
- Since the launch of the selective licensing scheme there had been 126 applications and 4 licenses had been issued. There would soon be more communications to landlords regarding the scheme.
- If a landlord received accreditation with a landlord organisation, then they could be offered a discount on the selective licensing scheme.
- A bid for £200k funding had been put in for the Repayable Home Repair Loan scheme.
- The Draft Local Plan looked to have a clearer policy on HMOs and flat conversions.
- Work was progressing to substantially expand the Article 4 area in the city, tackling overconcentration of HMOs.
- The activity level of the Planning Enforcement team was higher than many other similar Local Authorities.
- A grant had been received to help identify low energy efficiency properties and support landlords improving that energy efficiency.
- A new online portal to support landlords was in progress, this would be

- launched alongside a similar portal for tenants.
- Landlord forums were ongoing, smaller liaison groups had also recently been launched to maintain close dialogue with landlords.
 - There was a dedicated Homelessness team for private sector tenants.
 - Progress had been made in taking forward work to tackle non-compliant landlords.
 - An overarching principle was the need for improved intelligence and monitoring in order to have more joined-up services.

In response to Members' comments, it was noted that:

- The selective licensing scheme was in its infancy but there had been no unexpected outcomes so far.
- Meetings with landlords regarding the scheme were ongoing. Despite some opposition to the selective licensing scheme, relations with landlords were generally positive.
- Pressures in the private rented sector were more related to national issues as opposed to local issues.
- The number of applications received were proportionate to the level of staffing.

Members of the Commission raised concerns about the levels of rent rises in the private sector.

AGREED:

1. That the Commission requests that the benchmarking data from other Authorities be presented to the Commission.
2. That the Commission requests that regular updates on the private sector housing team be brought to the Commission.
3. That the Commission requests that data on the Local Housing Allowance be circulated to Commission Members.

48. WORK PROGRAMME

The Chair requested that an update on empty homes be brought to a future Commission meeting.

49. ANY OTHER URGENT BUSINESS

There being no other business, the meeting closed at 8pm.



Tenancy Management Vision and Support

Housing Scrutiny Commission: 9th January 2023

Assistant Mayor for Housing: Cllr Cutkelvin

Lead director: Chris Burgin, Director of Housing

Report Author: Gurjit Kaur Minhas (Head of Service - Tenancy Management, STAR and Gypsy and Traveller Services) 0116 454 5144

1. Summary – Purpose of report

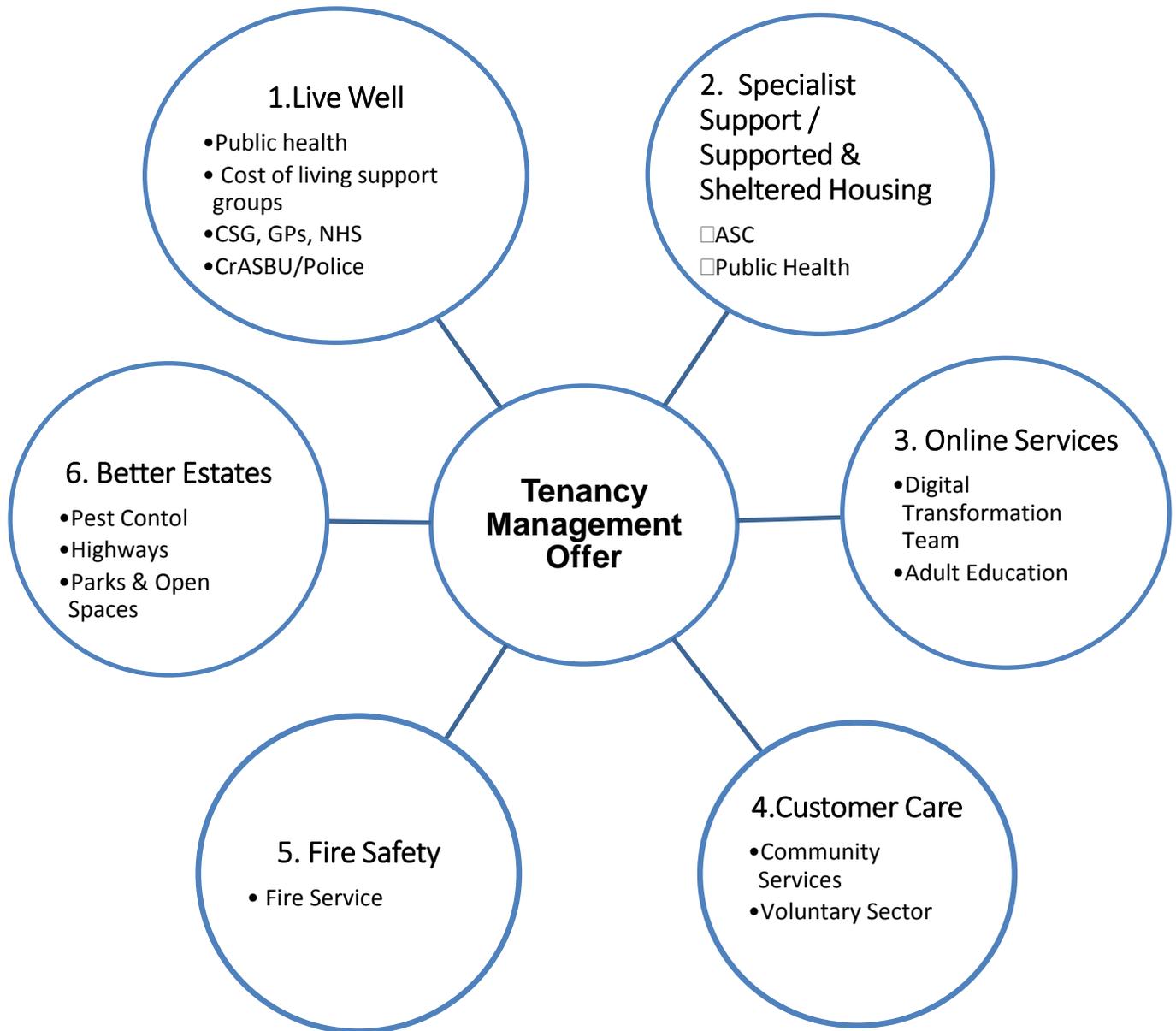
- 1.1 This report sets out a new vision and priorities for the tenancy management service to respond to the changing needs of tenants and residents on our estates.
- 1.2 The report also highlights the support we are providing to our tenants in **Section 6** to help sustain tenancies and prevent homelessness. This is a key responsibility for social landlords as set out in the Tenancy Standard regulated by central government.
- 1.3 Over the last few years, the profile of our estates has changed significantly, with an increase in tenants with complex needs and sometimes chaotic lifestyles. This has been partly due to the “Everyone In” initiative, along with the reduction of services from other support agencies over several years.
- 1.4 With the introduction of the specialist Housing ASB team, we now have an opportunity to realign the tenancy management service to meet the changing needs of our tenants.

Vision:

“A customer focused landlord service that enables tenants to live well and have successful tenancies”

- 1.5 Along with the vision the following priorities have been developed for the service:
 1. Enable tenants to live well and access help and support when required, including addressing ASB on estates
 2. The development of specialist support and accommodation to meet the needs of tenants with multiple complex issues and setting up a dedicated sheltered housing team
 3. Improved online service offer to enable tenants 24/7 access to services
 4. Focus on customer care
 5. Compliance with new fire safety regulations
 6. Make estates places people want to live in by involving tenants and stakeholders in shaping improvements
- 1.6 The vision and priorities are based on what tenants have told us is important to them, this information has been gathered from feedback from services requests and various consultation exercises. We have also identified best practice from other housing organisations and the priorities respond to the changing legislative requirements following the Grenfell Tower Fire and the Social Housing White Paper 2022.

1.7 We will need to work with and in partnership with other agencies and services external to housing to ensure we join up strategically to meet the changing needs of our tenants as shown in the diagram below.



2. Recommended actions/decision

2.1 To note the vision and priorities for the service set out in this report and to provide any comments and feedback.

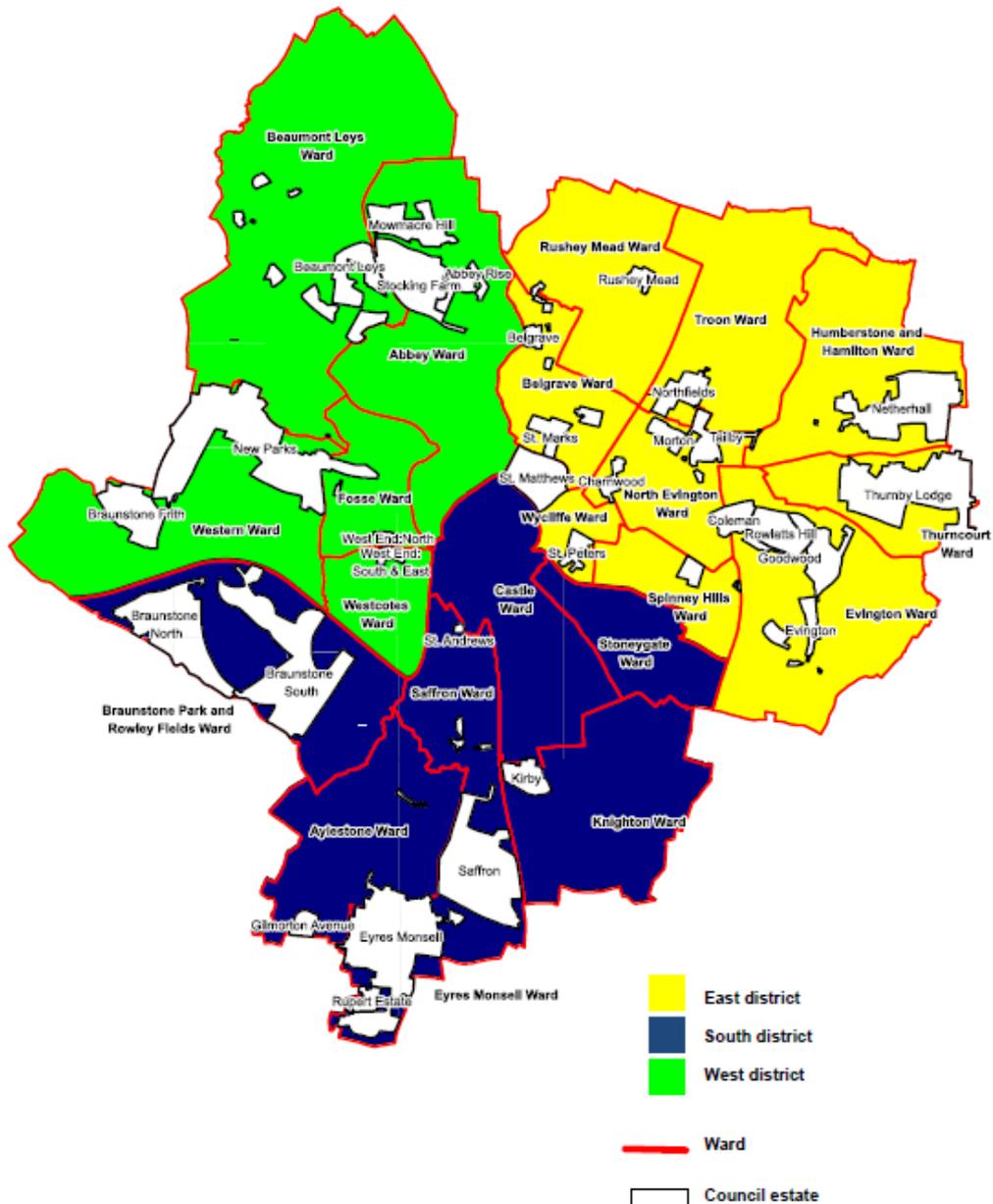
2.2 The vision and priorities contribute toward the overall housing division's aim of

“a decent home within the reach of every citizen.”

2.3 City Mayor's priorities of: **Continue our environmental investment programme on council land and estates**

3 Background

3.1 The tenancy management service fulfils the landlord role for council tenants to just under 20,000 tenancies in the city. The service currently operates on a geographical basis within three districts, West, South and East with 3 District Managers.



3.1.1 Currently services are provided at key hubs across the City including face to face receptions services at:
Beaumont Leys Hub
St Matthews Centre
New Parks Hub
St Barnabus Library
Pork Pie Library

Housing Offices also hold surgeries and interview tenants at a number of local venues across the city. The service also continues to receive high volumes of calls (35,444 in 21/22).

- 3.1.2 The Tenancy Management service currently undertakes a broad range of functions from Fire Safety Inspections and Building Responsible Officer roles for our flatted dwellings, to tackling Anti-Social Behaviour and breaches of tenancy and conditions, managing estate improvement works to supporting and helping vulnerable people to engage with the appropriate help and support from wider agencies.

4 Detailed Report

This section of the report highlights the work we need to take forward to achieve the priorities set out in this report.

4.1 Priority 1 – Live Well Priority

- 4.1.1 A key barrier for many tenants with mental health needs is access to and engagement with support services. We need locality-based health services to be more accessible and work with us to enable people to access the support they need.
- 4.1.2 We are working with Public Health on initiatives such as anti-tobacco campaign, healthy weight conversations and participating in the community food growing pilot, to combat food poverty.
- 4.1.3 We will ensure the Tenancy Management service is very focussed upon working with key internal parties in managing and addressing any reports of mould and ensure where damp and mould is identified, support and assistance is offered to those tenants with vulnerabilities and those with children.
- 4.1.4 We will continue to focus our efforts on addressing pests in Council homes, working closely with pest control services and repairs to ensure that appropriate support and help is given to people facing such issues.
- 4.1.5 We are in the process of developing an adaptations strategy to tackle the current lack of suitable adapted housing to help tenants to live well. Ongoing investment will continue into adapting HRA properties; however, we also need to fund new build adapted properties and bungalows to close the gap in provision in this area.
- 4.1.6 The standard of accommodation for those that are not good at managing a home can have a detrimental effect on their own health. There is a need to ensure properties tenants live in are fit for purpose and do not have a detrimental impact on mental and physical health, to this end risk-based approaches will be refined, and more proactive case management approach will be instigated with those tenants who not managing their tenancies effectively.

Key new actions for tenancy management:

Referrals to food poverty initiatives

Refinement of risk-based approach to property condition and management

Strategic actions to take forward with partners

Progress bid for funding for specialist support from the Housing Support Grant

Develop an adaptations strategy

New build and housing acquisitions to deliver new accommodation for new accommodation offers

Improved partnership working with locality-based health services

Ensure Rat Protocol is followed, and any tenant welfare issue is reported to the Tenancy Management Service at an early stage

4.2 Priority 2 - Specialist Support, Supported and Sheltered Accommodation

- 4.2.1 We have 700 households identified as vulnerable living in our tenancies and we have re-housed 324 people through the direct let process in the last year, in these cases people are in urgent need of re-housing for reasons such as homelessness or harassment.
- 4.2.2 During the height of the pandemic local authorities housed people with complex needs through the “Everyone In” initiative. Typically, over 50% of these have mental health issues and over 20% have drug and/or alcohol issues. Many households have settled in well, however some individuals have caused an increase in ASB, drug related and cuckooing incidents on estates.
- 4.2.3 Existing general needs LCC housing does not meet the needs of the most complex individuals and the current thresholds for supported or extra care accommodation leaves a gap for the right type of accommodation for such individuals.
- 4.2.4 We are therefore working with Adult Social Care to commission supported housing and to submit a bid to the recently launched £300m Housing Transformation Fund and will be developing a 10-year accommodation strategy for people with complex needs.
- 4.2.5 We are jointly bidding with funding with Public Health to support the development of trainer accommodation to provide a supported environment and pre-tenancy training for tenants with a range of needs.
- 4.2.6 Tenancy Management have a Housing Support Procedure and a welfare case management process, to support vulnerable tenants and refer to services such as STAR. Over the last year the service has carried out 5254 welfare visits.
- 4.2.7 Sheltered housing tenants have told us that they want more officer presence at the units. Therefore, a specialist sheltered housing team is to be set up and led by a dedicated team leader. This team will ensure that there is dedicated support for tenants living in our 14 sheltered housing schemes through daily calls and checks, and regular communication and meetings with tenants.
- 4.2.8 This team will also be able to provide information and advice to older tenants living in general needs accommodation as part of our offer to older tenants in the city. We have 1725 tenancies with occupants aged 75 or over.

Key new actions for tenancy management:

Identify buildings for specialist/supported accommodation

Develop trainer accommodation

Set up specialist sheltered housing team

Strategic actions to take forward with partners

Develop 10-year housing accommodation strategy for people with multiple complex needs

Progress bid for the Housing Transformation Fund for specialist support and support attached to accommodation

Review the STAR service offer

4.3 Priority 3 - Improve online service offer

- 4.3.1 Work is underway to improve the online offer to enable tenants to access services 24/7
- 4.3.2 We now need to develop a plan to promote the online offer and monitor and improve take up. Hull City Council have encouraged officers to become champions to encourage residents to take up the self-service offer. This is something we are planning to adopt in Leicester to help people to live more independently. Whist doing

this we will continue to monitor and address the support needs of those residents who cannot or will not engage with digital services.

- 4.3.3 Automating more services will release officer capacity to focus on delivering the face-to-face presence required on estates.

Key new actions for tenancy management:

Automate further service requests to realise further efficiencies and improve the service offer.

Strategic actions to take forward with partners

Promote and champion online services

Set up local housing officer surgeries at hubs and in local community settings

Utilise Corporate IT platforms effectively to increase Housing Managements online presence and self-serve offer

4.4 Priority 4 – Focus on Customer Care

- 4.4.1 We plan to introduce a similar approach to Sovereign Housing Association and train all staff on customer care and take an outcome-based approach to case management.
- 4.4.2 A programme is required to review all tenancy management policies and procedures. It has been highlighted through customer feedback and complaints, that we need clear policies implemented consistently across the service.
- 4.4.3 A tenant feedback mechanism is proposed to be introduced when dealing with service requests. This will link in with the overall work being carried out by Housing Transformation Team to ensure we improve tenants' involvement and satisfaction, in line with the requirements of the Housing White Paper and Social Housing Bill.

Key new actions for tenancy management:

Introduce an outcome-based approach to case management

Introduce a tenant feedback mechanism

Review tenancy management policies

Staff training on customer care

Strategic actions to take forward with partners

Set up local housing officer surgeries at hubs and in local community settings

4.5 Priority 5 – Compliance with Fire Safety

- 4.5.1 To strengthen existing arrangements Assistant Neighbourhood Housing Officers in each district will be managed by one team leader in each district. Assistant Neighbourhood Housing officer work includes fire safety inspections which have now become more regulated, particularly in high rise buildings.
- 4.5.2 Housing Officers will continue to be patch based and will have the Building Responsible Officer role to quality assure fire safety work and take enforcement action. Further enhanced building responsible officer training in residential building settings will be critical for all staff to ensure we comply with new fire safety legislation.
- 4.5.3 A named District Manager has taken on the role of Fire Safety lead for the service to ensure all work in this area is co-ordinated

Key new actions for tenancy management:

Realign reporting lines of Assistant Neighbourhood Housing Officers to report to one team leader in each district

Enhanced building responsible offer training in residential building settings

Strategic proposals to take forward with partners

Monitor compliance with changing fire safety regulations with Technical Services and the Fire Service

Align service offers and staffing skills to meet the Building Safety Bill

4.6 Priority 6 - Make estates better places to live through tenancy engagement

- 4.6.1 Estate improvement work is ongoing through environmental work and the public realm works project. We will need to submit bids for external funding for further estate improvement work.
- 4.6.2 We need to develop more initiatives and schemes to combat food and fuel poverty.
- 4.6.3 We are looking to introduce more managed parking as part of the Public Realm works project in St Peters, installing bike storage and adding electrical charging points on estates, linking up with the Transport Strategy. As part of the Public Realm Works project and Environmental Budget schemes, we are improving green open spaces for residents to enjoy outdoor spaces and play areas.
- 4.6.4 We need to monitor and address estate maintenance issues with Parks to ensure estates are kept clear and tidy. Tenants are also being made aware of the need to play their part to keep estates clear of rubbish and fly tipping

Key new actions for tenancy management:

Set up arrangements for Housing officers to regularly meet with tenants to gain feedback and suggestions for area maintenance and improvement

Identify and bid for external funding to improve estates

Strategic actions to take forward with partners

Improve service level agreements with Parks & Open Spaces, Pest Control and Cleaning Services

Align the service offer to meet the Social Housing white paper and subsequent legislation around tenant involvement and satisfaction

Development of a rat strategy

4.7 Good practice and benchmarking

- 4.7.1 A research exercise was carried out to identify how organisations have improved tenancy services and some of this practice has been used to develop the proposals within this report. Best practice was identified through the Chartered Institute of Housing in the following organisations:
 - Nottingham City Homes – introduced apprenticeships to get the right staff with right skills
 - Hull City Council – who encouraged officers to become champions of self – serve
 - Monmouthshire Housing - Understanding that older and some younger people might not engage with digital services, the aim is to move as many people as possible who can manage onto self-service options, freeing up staff to deal with more complex cases or supporting those with additional needs
 - Sovereign Housing Association – Better management of cases and outcome focused approach
 - Notting Hill Housing – Improved visibility of officers on estates

4.8 Risks

- 4.8.1 Key risks are around resourcing the service, although stock is reducing through Right to Buy, service requests have remained constant. Tenants having more

complex needs, creates more work for housing officers to complete on individual cases. This could lead to an increase in complaints, Housing Ombudsman referrals and cause a reputational risk to the council

- 4.8.2 The social landlord role is to facilitate support and tenancy sustainment, this is reliant on having appropriate support services to refer people to. With the budget pressures on other services their capacity to support our tenants is decreasing, this can leave a gap in service provision, which then makes it more challenging to manage cases.
- 4.8.3 We rely on our inhouse STAR service to provide housing related support to our most vulnerable tenants. Any reduction of the STAR service will impact on tenancy sustainment and tenancy failure rates.

5. Next Steps:

- Develop and action plan based on the action highlighted within this report and communicate changes to staff and stakeholders –Feb/March 2023
- Transfer the ASB function -Feb/March 2023

6. Support provided by Homelessness Services prior to a tenancy

- 6.1.2 An applicant is allocated a support worker after initial assessment when entering temporary accommodation. Dependent upon the assessment this can be a Temporary Accommodation Officer, or a Transitions Worker, who pick up the most complex and difficult to engage service users.
- 6.1.3 Support is provided to coach and navigate through the process of stabilisation and progression at the right time into independent or semi-independent accommodation, dependent upon the applicant's need.
- 6.1.4 Service users are encouraged and supported to register with GP (Inclusion Health Care) and other services relevant to their individual circumstances. This can include, Adult Social Care, Street Lifestyles, Criminal Justice, Homeless Mental Health services, Probation, Turning Point, Department for Works and Pensions, St Mungo's, other Voluntary and Community Sector organisations.
- 6.1.5 Other support offered:
- Support to create Housing Online account
 - Maximisation of income.
 - Liaison/support with relevant agencies involved
 - Next steps and options for re-housing with Applicant
 - Discuss what steps for the service user to move out of homelessness and sustain independent living.
 - Enhanced Letting scheme available to those homeless applicants with the need for more practical support to move on.
- 6.1.6 Support is dependent on applicants' individual requirements and pertinent to their specific needs. This can include, income maximisation, establishment of immigration status, enhanced engagement with services and improving interactions with agencies. A holistic approach is taken to give the greatest opportunity of success in ending an individual's homelessness.

6.2 Support provided by Supporting Tenants and Residents (STAR)

6.2.1 The STAR service introduced a new eligibility criteria in May 2021 in response to increase in referrals for tenants with multiple disadvantage and highly complex needs. The revised eligibility criteria aimed to enable the service to target high level resettlement and tenancy support to people with:

- History of Homelessness
- Substance use
- Contact with criminal justice system
- Complex Mental ill health

6.2.2 The service now includes 5 community teams supporting Leicester City Council tenants and 2 refugee teams aimed at resettlement of Afghan and Ukrainian refugees. The STAR service has team members from over 10 different new and established communities in Leicester, including Somalian, Afghanistan, Ukrainian, Polish, Iraqi and Egyptian. This means the service is multilingual and looks and sounds like the communities it aims to support.

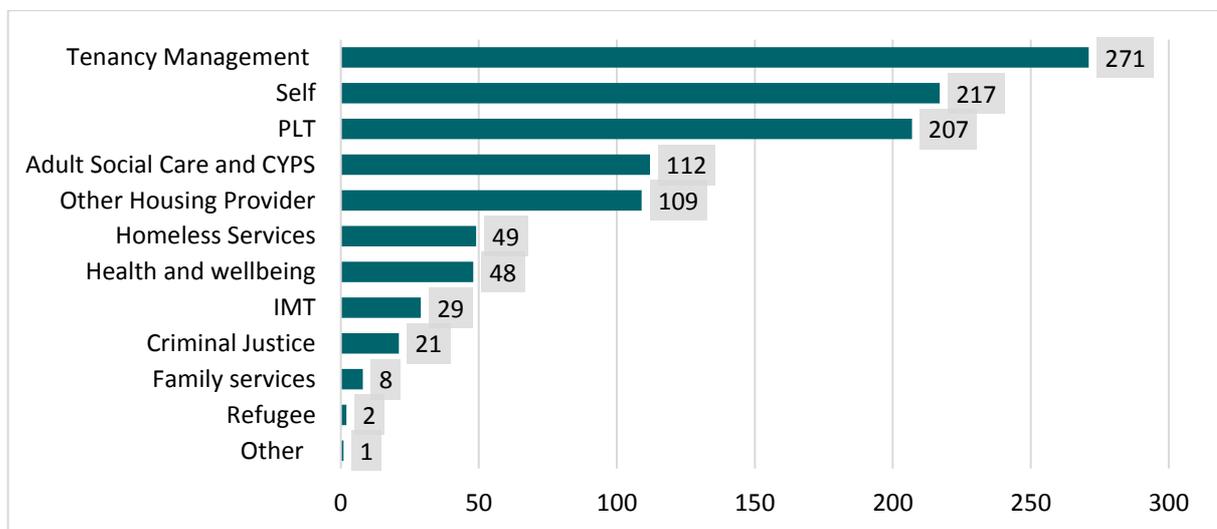
6.2.3 STAR has developed its service around Trauma Informed Practice. This is a strength-based approach, which values the capacity, skills, knowledge, connections and potential in individuals and communities. The aim is to understand and respond to the impact of trauma on people's lives. It emphasises physical, psychological, and emotional safety for everyone, aiming to empower individuals to re-establish control of their lives. The service understands the importance of building trust with individuals, who have experienced trauma-so they feel safe enough to build effective relationships and move forward with their recovery. This means the service should be paying attention to 'how' we engage with people, 'what' we do and encourages thinking, what may have happened to someone rather than judging what is wrong with them. STAR aims to contribute to individuals' recovery through positive interactions, even if they are routine, as this contact can be therapeutic and validating.

6.2.4 The current economic and social climate is impacting disproportionately on those who are the most excluded and vulnerable. The service is expecting a continuing increase in tenants threatening suicide and self-harm. The service initiated the Suicide and Self Harm procedure, with Adult Social care to respond to the increase of presentations of people in acute distress threatening suicide or self-harm. The procedure has enabled team members to have clear guidance on how to deal with people presenting in acute distress and where to refer them too. This has been adopted corporately. Between 2020-2022 STAR has had **57 presentations of suicide or self-harm** where the monitoring form has been completed.

6.2.5 The STAR service provision follows the basic theory of Maslow's Hierarchy of Needs. The theory suggests that people are motivated to fulfil basic needs before moving on to more advanced needs. The STAR service practice reflects this, understanding that before we can support people to affect change in their behaviour, the basic needs of a home, food, warmth, income, security must be met. This is reflected in the holistic approach to support clearly illustrated in the case studies

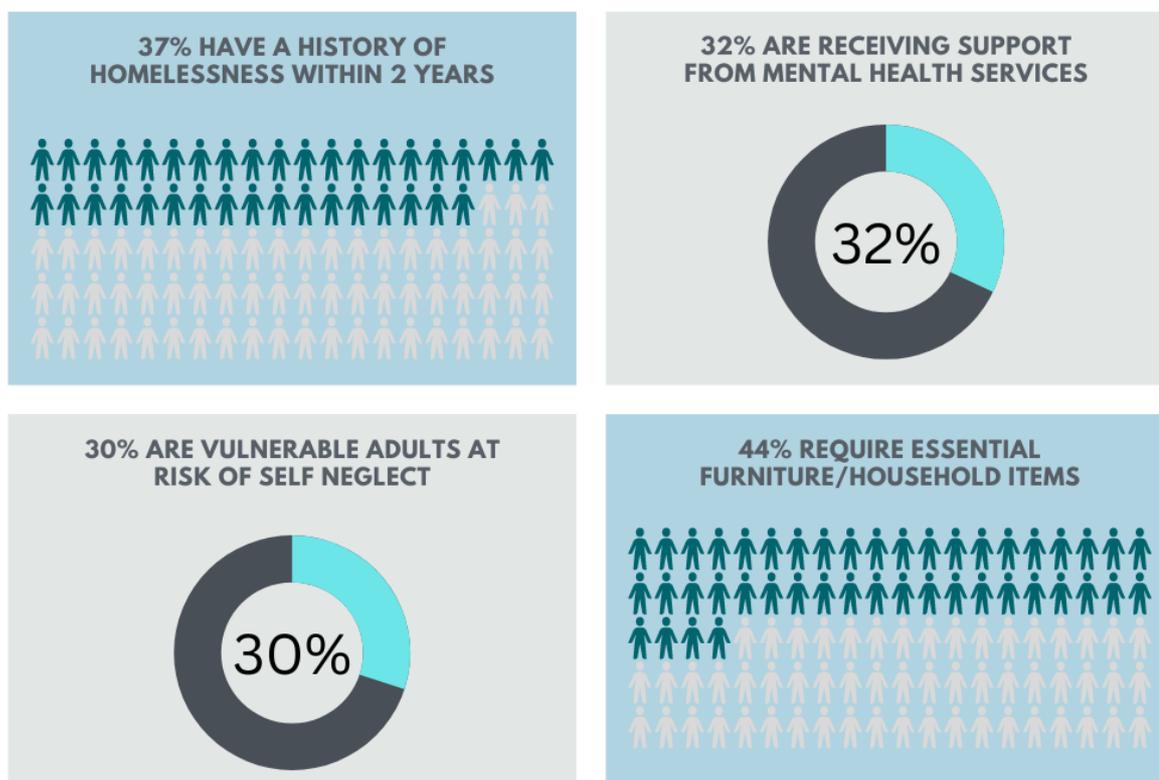
6.2.6 STAR service works tenants where Hoarding is an issue in their property leading to homelessness or risk of harm to the tenant. The service follows the Housing Hoarding Protocol developed by STAR and Leicester Fire Service in 2017. The aim of the protocol was to ensure frontline workers and management teams had a clear consistent process for managing persons with a hoarding disorder. STAR has adopted the 'clutter rating' in the protocol, in the eligibility criteria, to identify the level of hoarding in a photographic measurement tool. This also allows at referral stage to assess if STAR eligibility criteria is met and at case closure to identify the decrease in 'clutter rating' and reflect with the tenant about progress made. Currently, STAR is working with over **20 cases with hoarding issues**. On **average 5-10%** of the STAR caseload is tenants who have issues around Hoarding.

6.2.7 STAR has received over **1074 referrals from more than 30 sources** in the since the adoption of the revised eligibility criteria in May 2021. The Tenancy Management Service made over a quarter of all referrals (26%). The Property Lettings team (19%), which include those allocated properties through the Direct Let process. Self-referrals appear to be the third highest number of referrals (20%). This is recognised as a positive as reflects the positive reputation that the STAR service has amongst tenants and the community, and means the tenant is more likely to engage than if referred by agencies. However, we have evidence that some services, and charities suggest tenants self-refer, which may conceal where they referral may have originated from. Other, referrals sources include Education, Domestic Violence services, Councillors, CrASBU, Refugee agencies, Homeless services, Adult Social Care and Children and Young People services



6.2.8 What vulnerabilities do tenants supported by STAR present with?

VULNERABILITY QUESTIONS - ANSWERS WITH THE HIGHEST FREQUENCY



6.2.9 One of the first priorities of a STAR support worker is to ensure the tenant they are supporting has sufficient income to live and maintain their tenancy. The STAR service records financial gains for tenants on the Northgate system, and use the established calculations used by other Welfare Rights services to reflect income maximised. This means we record how much STAR has increased a tenant's income by backdates of for example benefits, but also the amount rewarded through STAR intervention, presuming the tenant will have the benefit in place for at least 12 months. Since the introduction of the eligibility criteria in May 2021, the highest source of income maximised is welfare benefits related. Disability Living Allowance and Personal Independence Payments totalled **£426,810**. This reflects the vulnerable tenants who have physical and emotional challenges which affect their ability to work, and daily living. The applications are detailed and can often take substantial amounts of time, including appeals for them to be awarded. The STAR service makes an increasing number of applications to charities which totalled over **£203,000**, this reflects the decrease in generic support available to vulnerable tenants and a general increase in poverty. This includes the recent introduction of Housing Support Funds.

6.2.10 In the **12 month period 2021-22 STAR teams provided resettlement and tenancy support to 790 tenants**. In 2022 performance indicators have shown a reduction in total numbers of tenants worked with, matched with an increase from 25% to almost 50% of tenants being supported from temporary accommodation. This reflects the dramatic increase in chaotic and tenants with multi disadvantage who are taking more time and resources to support.

STAR Feedback:

One of our Housing Related Support Workers was given a Turning Point Inspiring Leicestershire Award.

Turning Point is the integrated substance misuse service for Leicester and Leicestershire and Rutland Counties. They've recently introduced an award to recognise outstanding partnership working from the staff of services they work with, and she has been nominated for this prestigious award.

Her nomination said:

She has worked with a service user from Beaumont Leys for many years – this service user who is high risk and vulnerable has had several professionals walk in and out of her life, however the one person who has been consistently there to support her despite her poor engagement is her support worker from STAR. She has worked to a consistently high standard with us throughout the case, working hard to get relevant services engaged with the service user while keeping the client safe and reassured.

Her outstanding recognition reflects the valuable work and dedication of our support services in helping the most vulnerable people in our society maintain their tenancies and improving the quality of their lives.

6.3 Support provided by the Income Management Team

6.3.1 Within Income Management, the teams **8 Rent Management Advisors (RMA)** are responsible for supporting our most vulnerable tenants, or those with complex needs with claiming and maintaining Universal Credit claims. They have been helping tenants set up e-mail accounts, supporting people to make and manage their UC claims, supporting tenants with backdated payments and reconsideration of welfare benefits and encouraging people to consider digital learning courses. Additionally, they are regularly conducting research and sharing information

within the team so we can respond to tenants needs and provide the most appropriate advice.

- 6.3.2 By the end of quarter 2, the RMAs received **440 referrals** which is **63% higher** than at the same point in the last year. From the 440 referrals a total of **167 cases** have now closed due to the support ending and **11 referrals** were refused as they did not meet the criteria for support. The current active caseload is **262 cases**.
- 6.3.3 The cases are separated into two types of support 'Short-Term' usually up to two months and 'Long-Term' up to six months. From the 167 cases that have been closed so far, a total of **65%** of the tenants required **short-term support** in making benefit claims or basic budgeting advice and the remaining **35%** required **longer-term support** to help manage their claims and also, to apply for any additional elements within their claim for example, Limited Capability for Work Related Activity which can take several months to resolve.
- 6.3.4 The average wait time for the referrals to be allocated was **2 working days** and the average time to make the first contact with the tenant was **1 working day**. This demonstrates a waiting list process did not need to be used, as the team effectively managed the workloads and tenants were offered support without any unnecessary delays.
- 6.3.5 The referrals were marked within a priority banding high, medium, and low. **High** defines tenants at immediate risk of homelessness i.e., pending evictions which amounted to **17%** from the 440 referrals received. **Medium** priority referrals where tenants who were at risk of court possession proceedings equated to **64%** of the referrals. **Low** priority referrals where tenants had low level arrears with no legal action being considered were **19%**.
- 6.3.6 The team pursue legal action only as a last resort when all opportunities to sustain tenancies have been exhausted. From the 167 closed cases, 11 cases were pursued with legal actions due to non-engagement or persistent non-payment despite RMA intervention. This demonstrates that 93% of households were supported with tenancy sustainment and any threat of possession proceedings as removed. On current and active cases, it demonstrates there is further scope to provide tenancy sustainment and support. For ongoing eviction cases RMAs provide frequent support and maintain efforts to engage with tenants until such time the eviction is cancelled or goes ahead.
- 6.3.7 RMA's supported tenants to claim welfare benefits, discretionary housing payments (DHP), backdated payments, reconsiderations, and underpayments. In the last 6 months a total value of **£102k** was achieved by supporting **167 households**. This amount includes any potential entitlements for the next 12 months for disability related benefits which are awarded for a minimum of 12 months before reviewed. Decisions on mandatory reconsiderations and backdates can take a few months to resolve and reconsiderations on disability related benefits can take even longer for resolutions.
- 6.3.8 RMAs measured "Soft Outcomes" to help identify tenants confidence levels *after* their support had ended. It also helped to determine if the tenant felt empowered to be able to manage their claims for benefits without support in the future. An

initial assessment gives scores between 1 and 5 based on tenant confidence. When the case is closed the assessment is then carried out again and re-scored to establish any improvement. If the score is higher than when the support initially started, it demonstrates an improvement in tenants confidence. Based on the 167 closed cases, **75%** of tenants confirmed they had a **marked improvement** in their level of confidence. The remaining **25%** were tenants who felt their confidence levels **did not improve** or did not engage with the service

7. Financial and other implications

7.1 Financial Implications

The centralisation of the ASB function is largely cost neutral, with posts transferring between teams. The remaining proposals presented in this report do not have significant financial implications; much of what is described is a reconfiguration of how staff work. Where additional tasks are proposed, this work will be absorbed within the roles of existing staff. The cost of support for Sheltered Housing tenants is recovered through a service charge; any changes will necessitate a recalculation of the service charge and will therefore have a financial impact on those tenants.

As work to move services online progresses, it is envisaged that savings will emerge; these will need to be identified in due course and released to offset budget pressures elsewhere in the HRA.

Stuart McAvoy – Acting Head of Finance

7.2. Climate Change and Carbon Reduction Implications

Housing-related energy consumption is responsible for 33% of carbon emissions in Leicester. Following the council's climate emergency declaration, carbon neutrality ambition and the development of Leicester's Carbon Neutral Roadmap, addressing housing emissions is a vital part of the council's work. This includes within the council's own housing stock, where it has the greatest level of influence and responsibility. This is acknowledged within this report, where tackling the Climate Emergency is noted within the overall priorities.

Within the council's management of its housing this should include identifying opportunities to reducing emissions from properties. Potential measures could include increased insulation, use of low energy lighting and appliances, the installation of low carbon heating and renewable systems and provision of home energy advice for tenants. These sorts of changes could also improve housing conditions and reduce energy bills for tenants. It should be noted that various schemes have been and continue to be delivered within the council's housing service to deliver such improvements to various properties.

Aidan Davis, Sustainability Officer, Ext 37 2284

7.3 Equality Implications

Under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

If the report recommendations with regard to the new vision, priorities and proposals for the tenancy management service are agreed these should lead to positive outcomes for tenants from across a range of protected characteristics by ensuring their needs are taken into account as appropriate and in doing so will help us to meet our PSED obligations by improving relations between different groups of people.

As part of the ongoing work listed within the Next Steps, we need to ensure equality considerations are taken into account and embedded through the development of the new vision and priorities. It is recommended that Equality Impact Assessments (EIAs) are carried out as appropriate on identified areas, to ensure any impacts are identified and addressed, and mitigating actions put in place, such as the review of tenancy management policies.

The equality impact assessment is an iterative process that should be revisited throughout the decision-making process and updated to reflect any feedback/changes due to consultation/engagement as appropriate. Any proposed consultation/ engagement needs to be fair, accessible and proportionate.

Sukhi Biring, Equalities Officer, 454 4175

Housing Scrutiny Commission

Empty Home Update

Assistant Mayor for Housing: Councillor Elly Cutkelvin

Date: 9th January 2023

Lead director: Chris Burgin

Useful information

- Ward(s) affected: Citywide
- Report author: Joanne Russell/Carole Thompson
- Author contact details: joanne.russell@leicester.gov.uk
- Report version number: V.4

1. Purpose of report

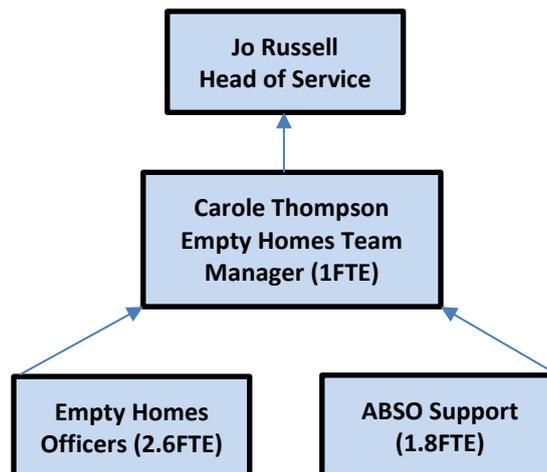
1.1 To update members of the Housing Scrutiny commission on the work that the Empty Homes Team are doing to bring long term private sector homes back into use.

2. Background

2.1 The purpose of the Empty Homes Team is to reduce the total number of private sector properties empty for over 18 months to prevent them becoming empty for the long term. This team brings empty properties back into use focussing on working with Landlords and owners to bring family size properties back to a decent standard so that people can have access to decent homes in which to live.

2.2 Where the team are unable to obtain commitment from owners to bring properties back into use they will negotiate terms for the purchase of properties by agreement or are when unable to locate owners, we will continue to use Compulsory Purchase Powers (CPO) to bring long term empty properties back into use.

2.3 Team Structure:



2.4 Working Smarter

Empty homes officers are all highly experienced with good skills and local knowledge which is shared within the team. We are flexible and negotiate with owners on a wide range of individual and varied property situations, no matter what each empty property presents. We are committed to continually working with each owner to ensure properties are returned into occupation.

2.5 The process of bringing a property back into use:

Informal stage:

- a. Contacting all owners at an early stage, giving first notification of the Empty Homes strategy and opening dialogue enquiring of their plans to bring the properties back into use.
- b. Providing advice & support and information about their options (further information is available on the empty homes' website at: <https://www.leicester.gov.uk/your-community/housing/privately-owned-empty-homes/>)
- c. Sending standard Letters to all properties that have been vacant for 18 months, 5 years and 10 years which become incrementally more formal making the consequences of inaction clear including the potential use of a CPO.
- d. The offer of practical assistance to use leasing schemes such as renting through private agents, HomeCome or LeicesterLet.
- e. The regular contact with Empty Homes Officers is a key part of managing owners be that by letter, phone or face to face so that we are actively supporting and encouraging them to bring their properties back into use.

Formal Stage:

- f. Requesting owners complete an on-line statement of intentions e-form and agreeing Undertakings with timescales to bring properties back into occupation. Once a plan of action with timescales is agreed, each case is regularly reviewed and if no reasonable progress is made it will be progress to the legal stage of the process for consideration of a Compulsory Purchase Order (CPO).

Legal stage

- g. Formal consideration of a Compulsory Purchase Order and a report is prepared for the Executive for approval.
- h. For those 10% of cases proceeding to CPO, usually involving complex cases, a lengthy legal process is inevitable and necessary as these cases will only be resolved with council intervention.

2.6 The success of the Empty Homes process

- 2.7 The Empty Homes process when broken down has a number of stages and our focus on early intervention and prevention results in approximately 90% of cases becoming occupied between the information and formal stages with only 10% reaching Legal action.
- 2.8 The majority of cases are brought back into use by sending letters, actively monitoring and evaluating progress, carrying out regular visits and liaising with owners. Our experience has shown that face to face contact with owners is essential and allows the team to work with the owners to get the property back into use.

- **Over 5 Year Empty Letter** - They are given 6 months to improve and bring back into occupation themselves otherwise a report will go to the Executive seeking approval to proceed with a CPO. This measure has proved successful in reducing our total active caseload for over 5-year empties currently down to 41. Many of these properties have works in progress, an owner in care or the property is at Probate
- **Over 10 Year Empty Letter** - Many of our properties empty over 10 years change owners' multiple times. Every time there is a new owner the process must start again at stage 1. This is because the CPO is against the owner not the property. Most owners are sent our "10-Year Empty Letter" (like the 5-year empty letter) giving them 6 months to improve and occupy these properties. This is an ongoing process. We have also had great success in reducing our total active caseload for over 10-year empties, currently at 11.

2.9 Number of properties brought back into use for financial year 21/22

The outcome of Council Intervention during this period is that 756 properties have been returned back in to use though clearly others have become vacant.

2.10 Workflow in the team/numbers of empty properties for financial year 21/22:

The total active caseload in the Empty Homes Team has increased slightly. It was 359 in 2021 and by March 2022 had increased by 9 to 368. We have seen an increase that has been linked to covid and the ability of owners to carry out works during this time.

2.11 Workflow in the team since inception in 2018:

Time empty	2018 baseline	2019 End of FY	2020 End of FY	2021 End of FY	2022 End of FY	Baseline Difference
18 months	292	319	330	359	368	+76 (26%)
5 years	52	50	47	39	41	-11 (-21%)
10 years	7	7	9	10	11	+4 (57%)

2.12 CPOs Approved by the Executive:

During the last year the Executive have approved 1 CPO. On 31st March 2022 a total of 125 cases have been approved for Compulsory Purchase Orders since the inception of the team. The following is a summary of the use of CPO since the inception of the Empty Homes Team:

Outcome of CPOs agreed by Executive as at 31.03.22	Pre-April 2021	Apr – June 2021	July – Sept 2021	Oct – Dec 2021	Jan – Mar 2022	Total
Total Number of CPOs agreed by the Executive.	121		1	2	1	125
Withdrawn before Public Inquiry ie Occupied	58				2	60
Withdrawn before Public Inquiry ie Restarted, Misinfo. NPH, 2 nd Hm	20			1	1	22
Public Inquiry held - Order Confirmed by DCLG/LCC	8					8
Public Inquiry held - Order Not Confirmed by DCLG/LCC	3					3
Written Representation -	6					6

Order Confirmed by DCLG/LCC						
Written Representation - Order Not Confirmed by DCLG/LCC	4					4
Non contested CPO's Confirmed by DCLG/LCC	13					13
Non contested CPO's Not confirmed by DCLG/LCC						
CPO's in Legal Services						5

2.13 CPO Forum:

Bi-monthly forums are held with Legal Services and Estates and Building Services to review and progress compulsory purchase cases and those undergoing negotiated purchase and sale at auction. The empty homes team also receives advice on CPO cases with complex or individual issues. The forum has proved to be invaluable for joined up thinking, deciding ways forward for complex cases and for sharing information.

2.14 CPO Compensation:

2.15 Following a confirmed CPO, if compensation is not settled by the time the Council sells the empty property at auction, the council will pay it into Court where it is held in case an owner comes forward to claim it. Owners have up to 12 years to claim their compensation. If an owner does not claim their rightful compensation, then after 12 years any monies owing to them will be forfeited and the council can recover the unclaimed compensation back from the Court.

2.16 Summary of compensation if claimed by the Council and is returned to general funds:

Property	Compensation claim date	Amount	Claimed
34 The Slade Greens	27.03.19	£68,608	In progress
45 Twycross Street	31.03.20	£130,446	CLAIMED FY 21/22
1 Merton Avenue	02.12.20	£154,029	CLAIMED FY 21/22
88 Cedar Road	11.04.23	£92,789	In progress

2.17 Negotiated Purchases:

2.18 There were no negotiated purchases completed during the financial year 21/22.

2.19 Valuations for negotiated purchases by the council tend to be lower than the purchase price paid. However, when properties sell at auction the council does not usually lose money.

2.19 Empty Homes Team Data:

2.20 The Council Tax database is the prime data source for newly vacant properties. Each month more houses become vacant whilst some are brought back into use. The team identify those unsuitable for residential use (non-priority housing), misreported (misinformation - MI) or second homes (2nd homes) to locate properties on which they are able to work to bring back into use.

2.21 Data Analysis

Data analysis of the above (2.20) carried out on a monthly and quarterly basis by the team to filter out cases that are not in fact empty (misinformation – MI), second homes (they are not covered by CPO legislation) and non-priority housing (NPH). This exercise ensures the quality of data held by the empty homes team is as accurate as possible with only genuinely empty properties being added to the active caseload.

2.22 Corporate working – Council Tax:

2.23 The Empty Homes Team work closely with the Council Tax teams on our shared goals including Empty Homes Officers sharing information on whether properties are found to be empty or occupied. This enables Council Tax to update their records.

2.24 From April 2019, homes empty for more than two years are charged double the council tax of occupied homes to encourage that they are brought back into use.

2.25 From April 2020, homes empty for more than five years will be charged three times the council tax of occupied homes.

2.26 From April 2021, homes empty for more than 10 years will be charged four times the council tax of occupied homes.

2.27 Council Tax Charging Orders Council Tax now have a system in place to recover council tax arrears by using Enforced Sale or a Bankruptcy Orders. Empty Homes liaise closely with Council Tax, so once an empty property reaches the stage where we are considering CPO, if there are council tax arrears, a management decision will be made on who is best to pursue the case.

2.28 Second Homes - summary

Stage 0 empties	3194
Active Caseload Empty Homes Team	310
Non-Priority (non-family accommodation)	622
Second Homes (furnished but not any persons main home)	1,741
Misinformation (we find they are occupied without the intervention of the Empty Homes Team)	473
Total empties from 0 days empty to over 10 years	6,340

2.29 You will note that the caseload for the team appears comparatively low compared to other figures, but that is because these figures only represent a snap shot rather the flow through the team. The teams work has brought 756 properties back into use in 21/22 as noted in 2.9 above.

2.30 Even with the above in mind, the team have an aspiration and enthusiasm to increase their intervention with non-family sized accommodation during 22/23 because the need for decent homes in the City is so significant.

2.31 The number of second homes in the City is notable, but they cannot be progressed by the Empty Homes Team because:

- a. If a property is defined as a second home under Council Tax legislation then it is not considered legally “empty” and so the team are unable to use their Legal powers.
 - b. Local Authorities have other powers around the amount of Council Tax charged and the normal powers that apply to the condition of “in use” housing such as dangerous structures, overgrown gardens etc but there are no powers to intervene with “use” as a 2nd home as mentioned before. The legislation around abandonment would not apply either unless there were clear or stated evidence of abandonment should owners walk away from any interest in their property.
 - c. Nationally and locally there is an ongoing concern that 2nd homes often mask genuinely empty properties.
 - d. Council tax regulations split unoccupied properties into:
 - i. “vacant” (unoccupied and unfurnished) and
 - ii. unoccupied and furnished (including 2nd homes)
- 2.32 If a property is classed as a second home on Council Tax and presents as boarded-up, inaccessible, overgrown gardens with numerous complaints, such properties can be the cause of much frustration to all concerned. They can bear all the hallmarks of an empty property but if classified as a second home by Council Tax the team are unable to proceed.
- 2.33 Legal position on Second Homes: 16th June 2015 The Secretary of State Confirmed a CPO on a 2-bed detached bungalow following a public inquiry. Empty Homes team were due to take possession of the property. However, based on our site visit reports that confirmed the property was partially furnished, although the house renovation was incomplete, Council Tax updated their records to show the property as a 2nd home. After various meetings and discussions. Council Tax’s decision was that their Guidance from the DCLG states that the property cannot be changed to vacant as it meets the criteria for a 2nd home and so the legal case was unable to be progressed further.
- 2.34 Property owners and Landlords generally prefer their empty properties to be classified as 2nd Homes as they do not attract the additional Council tax premiums noted in 2.24 – 2.26. If a property is classified as a 2nd home the maximum council tax charge that can be levied is 100% of the full charge in it’s band.
- 2.35 We are expecting a revision to council tax legislation about the 2nd home council tax charge in around April 2024 whereby a 2nd home can be charged up to double council tax. This is to encourage landlords and owners to bring them back into use like with empty homes. We are currently awaiting the announcement of the details around this amendment.
- 2.36 The Empty Homes Team are scheduled to review 2nd homes in partnership with the Council Tax and other key stakeholders in 22/23 as we want to better understand the make up of 2nd homes and the scale of potential “hidden” empty homes. We will work corporately using intelligence around rogue landlords and properties linked to Crime and ASB to identify patterns and themes. The aim is to identify a number of homes that with the right intervention could be brought back into use as a decent home for the people of Leicester.

- 2.37 As part of this we will look to introduce a Complex Property Management Model (CPMM) to develop a multi-agency approach to the management and bringing back into use of complex homes which are not lived in full time.
- 2.38 The Empty Homes team are key to supporting the declared Housing Crisis by bringing Empty Homes back in to use and focussing their efforts of family sized accommodations. The work of the team not only brings properties back into use, but where compensation under the CPO legislation is not claimed, these funds are returned to the General Fund to support Council services.

3. Details of Scrutiny

Report prepared for Housing Scrutiny Commission.

4. Financial, legal and other implications

4.1 Financial implications

By bringing properties back into use, the Council benefits financially through increased collection of Council Tax and additional income through the New Homes Bonus.

Ben Matthews – Chief Accountant (37 4840)

4.2 Legal implications

The Council is entitled to acquire land and property for the purpose of providing housing in accordance with Sections 9 and 17 of the Housing Act 1985 (as amended). This includes acquisition by or if considered appropriate by the use of compulsory purchase powers. As explained in this Report the Council will need to ensure that any acquisition or other action (including use of Compulsory Purchase powers) is in accordance with the Council's adopted Empty Homes Strategy and is compliance with both the legal basis and criteria for compulsory purchase (including published guidance), namely the Guidance of Compulsory Purchase issued by the Department for Communities, Local Government and Housing). In contemplating action to acquire by way of a CPO the Council must ensure that it is able to demonstrate a compelling case in the public interest to acquire the property in accordance with the guidance, and to also ensure that it has the necessary resources (including financial resources) to proceed with a compulsory purchase.

Julian Crowle, Principal Lawyer, ext. 37-1496

4.3 Climate change and carbon reduction implications

Homes are responsible for a third of Leicester's carbon emissions and tackling these emissions is a vital following the council's declaration of a climate emergency in 2019 and its ambition to reach carbon neutrality. Where refurbishment work is carried out to bring empty properties back into use, this may provide opportunities to improve their energy efficiency and reduce their carbon emissions. For example, this could include

fitting insulation, draught proofing, low energy lighting and new heating systems, including low carbon options such as heat pumps. By reducing the need for new housing to be built, the service also helps to reduce the carbon emissions from the building of new homes, including the 'embodied' emissions of construction materials.

Aidan Davis, Sustainability, Officer, Ext 37 2284

4.4 Equalities implications

In carrying out its duties the Council must comply with the Public Sector Equality Duty (PSED) (Equality Act 2010) by paying due regard, when carrying out their functions, to the need to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, to advance equality of opportunity and foster good relations between people who share a 'protected characteristic' and those who do not. In doing so, the council must consider the possible impact on those who are likely to be affected by the recommendation and their protected characteristics.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

There are no direct equality implications arising from the report as it is to provide an update. However, it is important to remember that bringing empty homes back into use can help to meet demand for affordable housing in the city and potentially households on the housing register and provide housing for people in need of a home. Empty homes brought back into use can help to meet the diverse housing needs of all sections of our communities

The benefits of returning an empty home into use can impact on the wider community, homes that are lived in help to support safer communities.

The impacts of returning empty homes into use would be positive on people from across all protected characteristics.

Surinder Singh Equalities Officer 37 4148

5. Background information and other papers:

LCC Citywide Empty Homes strategy

<https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants>

<https://www.gov.uk/government/collections/council-taxbase-statistics>

6. Summary of appendices:

7. Is this a private report (If so, please indicated the reasons and state why it is not in the public interest to be dealt with publicly)? No

8. Is this a "key decision"? No

HOUSING SCRUTINY COMMISSION WORK PROGRAMME 2022/23			
MEETING DATE	MEETING ITEMS	LEAD OFFICER	ACTION AGREED
6 th June 2022	Housing Crisis (working group update) Rent arrears report – Year-end report Who gets Social Housing? Homelessness Strategy Update Executive Response to the scrutiny review into “Examining the role and effectiveness of the proposal to establish a central housing Anti-Social Behaviour Team”. Discretionary licensing of private sector rented housing (new)	Cllr Westley / Chris Burgin Charlotte McGraw Caroline Carpendale / Justin Haywood Caroline Carpendale / Justin Haywood Cllr Cutkelvin/Chris Burgin Cllr Cutkelvin /Tony Cawthorne	Rescheduled
1 August 2022	Rent arrears report – Year-end report Housing manifesto Delivery update Update on House Building Repairs, Gas & Voids performance Report Disabled Facilities Grant / Housing Adaptation	Charlotte McGraw Chris Burgin Simon Nicholls Kevin Doyle Simon Nicholls	

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<p>22 September</p>	<p>'Housing Crisis in Leicester' review draft final report</p> <p>Local Plan consultation (with members of EDTC invited)</p>	<p>Jerry Connolly</p> <p>Fabian DCosta</p>	
<p>7 November</p>	<p>Income Collection Performance update</p> <p>Housing Capital Programme & Housing Delivery update</p> <p>Homelessness Strategy Update</p> <p>District Heating charges,</p> <p>PRS Strategy update</p>	<p>Charlotte McGraw</p> <p>Simon Nicholls</p> <p>Caroline Carpendale/Justin Haywood</p> <p>Chris Burgin</p> <p>Joanne Russell</p>	
<p>9 January</p>	<p>HRA Budget</p> <p>District heating</p> <p>Tenancy Support</p> <p>Empty homes across the city</p>	<p>Chris Burgin</p> <p>Richard Sword</p> <p>Gurjit Minhas</p> <p>Jo Russell</p> <p>Chris Burgin</p>	
<p>27 February</p>	<p>Environmental Budget & Public Realm Project update</p> <p>Repairs, Gas and Voids performance and update report</p> <p>Who gets Social Housing</p> <p>Overcrowding Strategy update</p> <p>Channel Shift update</p>	<p>Gurjit Minhas</p> <p>Kevin Doyle</p> <p>Caroline Carpendale / Justin Haywood</p> <p>Caroline Carpendale / Justin Haywood</p> <p>Charlotte McGraw</p>	

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To be allocated	Progress report for Goscote House & Sprinklers update Retrofitting & Climate Emergency update Empty Homes update Refugee Resettlement Programme - Update	Simon Nicholls Chris Burgin Simon Nicholls Caroline Carpendale/Justin Haywood	
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