



Leicester  
City Council

Minutes of the Meeting of the  
HOUSING SCRUTINY COMMISSION

Held: MONDAY, 11 MARCH 2019 at 5:30 pm

P R E S E N T:

Councillor Westley (Chair)  
Councillor Alfonso (Vice Chair)

Councillor Aqbany  
Councillor Corral

Councillor Newcombe  
Councillor Willmott

In Attendance

Councillor Connelly – Assistant Mayor for Housing

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**68. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Joshi.

**69. CHAIR'S ANNOUNCEMENT**

The Chair thanked the Director of Housing and all officers who had prepared reports, presented them at meetings and answered questions.

The Chair said there were issues that continued to concern the Commission Members, including the erosion of badly-needed affordable social rented housing in a low-wage economy in Leicester. He added there were worries about the impact of Universal Credit. Other issues included repairs and maintenance management and the need to modernise IT systems to make the work more effective and efficient. Also there remained concern over voids and the time taken to get them back into occupation.

**70. DECLARATIONS OF INTEREST**

Members were asked to declare any interests they might have in the business to be discussed.

Members stated their declarations were included on each Councillor's Register of Interests and there were no further declarations to be made.

## **71. MINUTES OF THE PREVIOUS MEETING**

AGREED:

That the minutes of the Housing Scrutiny Commission meeting held on 7 January 2019 be confirmed as a correct record.

## **72. PETITIONS**

The Monitoring Officer reported that no petitions had been received.

## **73. QUESTIONS, REPRESENTATIONS OR STATEMENTS OF CASE**

The Monitoring Officer reported that no questions, representations or statements of case had been received.

## **74. RENT ARREARS PROGRESS REPORT - OCTOBER 2018 TO DECEMBER 2018**

The Director of Housing submitted a report on progress over the third quarter from 1<sup>st</sup> October 2018 to 30<sup>th</sup> December 2018. Scrutiny Commission Members were asked to note the report.

Zenab Valli, Income Collection Manager, presented the report, and the following points were made and Members' questions answered:

- Rent collection was at 99.69% in line with the year-end target.
- The number of cases owing seven weeks rent or more was higher by 23% compared to the third quarter for 2017/18.
- The transfer to Universal Credit (UC) could cause an initial spike in rent arrears due to the 1,270 tenants who had made new claims, 75% of whom had pre-existing rent arrears at an average of £209. It was too early to say if it would be a long-term issue. The team were working with local Job Centre Plus staff to help mitigate the risk of UC on rent arrears. The team have good working relationships with the DWP Service Centre and they were granted the Trusted Partner status which means IMT can verify Housing costs quickly to prevent delays and also allows us to request APA's and deductions from benefits.
- Four Rent Management Advisors had been recruited to support vulnerable tenants, or those with complex needs claiming UC, during which time they received 544 referrals for period June up to Dec 2018 most of which have been short-term and generalist advice. Around 98 council tenants required more long-term support which the Officers are providing. RMA's were supporting tenants with the setup of email accounts, Clockwise Rent payment Accounts and supporting with the UC new claim process and management of claims.
- The team continued to co-locate from the local Job Centre Plus to upskill JCP staff with housing knowledge and also to meet tenants attending their claimant commitment interviews to help mitigate risks of rent arrears. For the period June to Dec 2018 a total of 613 UC Claimants were seen and 44% of those were council tenants. The pilot had been under review and

- monitored for its effectiveness and to help decide on its longevity.
- With regards to one application being refused to Discretionary Housing Payment (DHP) due to regulations, non-dependent deductions relate to an adult living in the household, for example, over 18 in employment, in college or university, or on benefit themselves. There were certain criteria that could result in the deduction of benefit payment. If a non-dependent were a student there would not generally be a charge, but if working it would be dependent on the hours worked and/or wage, and there could be a deduction in HB payment. In exceptional circumstances, DHP could be considered to cover Non-Dep Deduction but HB regulations do not normally cover these types of deductions.
  - The council could request payment to a landlord directly, for example, if a tenant satisfied any of the DWP's Tier 1 or 2 criteria's which listed things like mental health, previous homelessness, previous evictions. Officers would assess if the tenant satisfies any of the criteria and put through requests for payments to come directly to the Landlord via the Landlord Portal. Tenants could also ask the DWP to make direct payments for rent if they preferred. Details of the number of those on managed payments would be forwarded to Members and would be included in future reports.
  - Evictions are of last resort after all attempts at saving the tenancy have been unsuccessful. During quarter three there were seven evictions – six single people and one family. Circumstances leading to an eviction vary and can be due to shortfalls in benefit entitlement that's isn't being paid by tenant, transition from benefits into work and failing to pay rent, unresolved benefit issues due to lack of engagement. Officers did all they could to support a tenancy for example considering referrals to specialist supporting agencies, referring to Social Care & Health and referrals to the Homeless Prevention Team are also completed but if a tenant continues to not comply with a court order for example, it could lead to eviction.
  - The Council would receive notification of council tenants who had applied for UC. The team would be proactive and engage with those tenants to iron out issues in a claim. Difficulties arose when tenants did not engage with the team, which would delay the process and claim for UC; for example, where a tenant had never had to pay rent themselves before, they had forgotten to tick the box to say they pay rent, or there could be history with tenant engagement that could cause issues with UC and impact on the tenant's rent account. A referral to Rent Management Advisor would be considered at new claim stage in the event tenant may require support with their new claim, managing their online journal or referrals for Digital Support.

In response to a question as to whether there was evidence of an increase in debt for those not previously in debt, and if it applied to a certain age group, it was reported that there were no new patterns emerging. Tenants might be struggling to keep up with changes in benefits, for example when in receipt of a sickness related benefit such as Employment and Support Allowance (ESA) and if this comes to an end due to failure to meet the work capability assessments then moving across to UC can result in a delay and change for the tenant which can subsequently lead to rent arrears. Those types of changes to benefit entitlement could cause delays but once UC was up and

running the arrears start to stabilise. It was noted further that it would probably be the working age group that found themselves to be in a rent arrears situation.

It was further reported that during the co-location pilot officers were at the Job Centre every day of the week for an initial three months. The team were able to network and develop positive contacts and were able to deal with some complex cases. The pilot was extended for a further three months, and the people seen were more from the private rented sector and often involved issues not necessarily to do with council rent. The situation was reviewed, and a decision made to continue with the pilot, but modified to appointment-based service on specific days of the week and combined with officers from the Homelessness Prevention Service. It was hoped the service would be promoted with posters in DWP for certain days of the week.

The Chair asked if there were any tenants unfortunate to be affected by bedroom tax and UC. It was noted that there can be situations whereby a tenant is under-occupying or have a combination of under occupation and a non-dependant deduction and at the same time claiming Universal Credit. This would leave a shortfall in their Housing Costs entitlement which the tenant would have to pay themselves from their standard allowance. On such cases a Discretionary Housing Payment could be considered for tenants facing hardship. The team can carry out calculations to determine if tenants will be affected by any shortfall in their Universal Credit if their full circumstances have been disclosed and if they are engaging with services.

The Assistant City Mayor for Housing, Councillor Connelly, thanked the officer for the report and comprehensive answers given. He acknowledged that with all of the challenges the team faced, the proportion of rent collected between April to December 2018 of 99.69% was an incredible achievement, and the right decision had been made in employing the four Rent Management Advisors. The Assistant Mayor added that the Income Management Team did an incredibly difficult job and he wished them well for the future.

Members asked if those previously on direct payments could be approached and asked if they wanted to go to an APA. Managed Payment was when the Housing Costs is paid directly to the landlord on behalf of the tenant. It was reported that it was not an automatic right and needed to be requested by the tenant or the landlord if the tenants rent account is in arrears of 8 weeks gross rent or more and if certain other criteria are met i.e. previous homelessness, health reasons (mental health) The purpose of UC was to make tenants more self-sufficient and independent and DWP policy expect we have considered UC claimants manage their own Housing Costs payments unless there are significant vulnerabilities, budgeting issues or previous rent arrears / homelessness situations in which case, APA could be considered but after a period of time this will be reviewed with a view to eventually getting claimants to manage their own UC payments and expenses.

The Chair recommended that APA payment data be included in future reports. The Chair added that he looked forward to receiving an evaluation report on

the success of the co-locating pilot work in job centres.

It was AGREED that:

1. The report be noted;
2. Details of the number of those on managed payments would be forwarded to Members and would be included in future reports.
3. An evaluation report on the success of the pilot work with the DWP be brought to a future meeting of the Commission.

## **75. HOUSING REGISTER REVIEW PHASE 3**

The Director of Housing submitted a report and presentation which sought feedback from the Commission on the proposals and operational changes outlined in the report.

Caroline Carpendale, Head of Service, delivered the presentation included in the report, and highlighted the following points:

- The Housing Allocations Policy framed the priorities around local need and was regularly reviewed to ensure it remained fit for purpose around those in housing need across the city.
- There were 6,178 households on the Register. Overcrowding was the main reason households joined the register.
- The last major review of the Housing Allocations Policy was undertaken in June 2016.

The proposed review and summary of proposals highlighted in the report were:

- Giving increased priority to people who were owed a homeless duty (including those at risk of losing their home in the near future, and those already homeless).
- Giving increased priority to those affected by the most severe levels of overcrowding.
- A review of households needing wheelchair accessible accommodation and initiatives to assist them to resolve their needs.
- A review of all applications with Band 1 priorities.
- A change to the Access, Health, Care & Support criteria to specifically include ill mental health as a result of service in the Armed Forces, and a relaxation of the local connection criteria for divorced or separated spouses or civil partners of Service personnel.
- Changing local connection rules to exempt people who were victims of domestic abuse, fleeing from another local authority area.

The Chair welcomed the report and acknowledged the need to build more social housing. He also welcomed the review on overcrowding.

In response to Commission Members' questions, the following information was given and noted:

- Members queried the need to move those overcrowded from Band 2 to Band 1, as the same number of people would be chasing housing. It was answered that the policy reflected those in the greatest housing need, for example, those families living in flats, and would reduce the average length of time that those in overcrowded accommodation would have to wait.
- Priority for veterans was placed in Band 2, but for those with medical need would be placed in Band 1 – there would be additional criteria for veterans. It was acknowledged that it could take 10-15 years for PTSD to manifest, and that veterans would be assessed for an award in Band 1 irrespective of time.
- It was noted that Housing Associations were registered providers who have nomination agreements with the Council through which they offered a percentage of vacant stock to let through Leicester Home Choice. Typically this was 50% to 75% of their vacant stock as Housing Associations also had direct waiting lists. The agreements were regularly reviewed. Housing Associations could request a reduction in their nomination requirements but the Council could challenge the request. Officers endeavoured to meet with registered providers on a regular basis. The Chair requested a future paper on housing associations and their impact on tenants in the city be brought to a future meeting of the Commission.
- Band 1 has many different categories and the Homeless category will be time limited. Band 3 had the lowest need, and the offers achieved in Band 3 are low and need to be managed in terms of customer expectations, for example, those on Band 3 would be provided with information on the length of waiting times. Demand outstripped supply and those in band 3 did have a housing need but at a lower level.
- In the report the Equalities Manager had given a recommendation that an Equality Impact Assessment (EIA) be undertaken and used to inform a decision on adopting proposals. The assessment would be available once consultation had been undertaken with registered suppliers over a four-week period, following which the report would be updated and a full EIA completed at that time.
- For people requiring 4-5 bedrooms it was acknowledged there was limited availability. The Housing Register was for those who had applied to move and could be complex. The number of bedrooms in the house and numbers in the household, age of people / numbers and age of children would be amongst other considerations taken into account. The tenant could also be asked to consider four-bedroom accommodation even if they wanted five bedrooms due to the limited availability.
- With regards to four or five-bedroom houses where there was a specific need two houses had been converted into one in the past, but this was not done as a matter of course.
- Officers tried very hard not to have families in bed and breakfast accommodation for any length of time – legislation stated for no more than six weeks. The cost of those placed in temporary accommodation would be circulated to Members.

Members stated that a version of the Banding Table would be useful for councillors to explain to residents. Officers would include a version on the six-month report 'Who Gets Social Housing'.

The Assistant Mayor for Housing stated there was a need to review the Housing Register. He said that the 1% rent reduction would cease in 2020 and the council would be in a better position to address the issue of the loss of housing stock, but it would always remain an issue that as quickly as houses were built, the tenant would have the right-to-buy after five years. He continued that council housing would only become available to those most in need, and it was a requirement for any society to provide housing for their citizens, for their health, and to prevent a detrimental effect to their children. The Assistant Mayor stated that Right to Buy should cease to allow councils to invest in their housing stock.

The Chair asked Members to approve a resolution that a letter from the Housing Scrutiny Commission be sent to the Assistant Mayor of Housing, summarising the Commission's observations and recommendations, to be fed into the review process. The letter would be circulated to all Members of the Commission for approval.

It was AGREED that:

1. The report and presentation be noted.
2. A paper on housing associations and their impact on tenants in the city be brought to a future meeting of the Commission.
3. A version of the Banding Table would be included in the six-month report 'Who Gets Social Housing'.
4. A letter from the Housing Scrutiny Commission be sent to the Assistant Mayor of Housing, summarising the Commission's observations and recommendations, to be fed into the review process.

## **76. WORK PROGRAMME**

The Housing Scrutiny Commission work programme was noted.

## **77. ANY OTHER URGENT BUSINESS**

The Tenants' and Leaseholders' Forum Action and Decision Log 14<sup>th</sup> February 2019 was circulated to Members at the meeting and is attached for information.

There being no other items of urgent business, the meeting closed at 7.01pm.