

# Economic Regeneration, Housing and the Arts Policy and Accountability Committee Minutes

Wednesday 8 November 2017

## **PRESENT**

**Committee members:** Councillors Daryl Brown, Adam Connell, Alan De'Ath (Chair), Harry Phibbs and Donald Johnson

**Other Councillors:** Lisa Homan

**Officers:** Claire Rai - Head of Community Safety, Peter Hannon - Acting Head of Neighbourhood Services, Kath Corbett – Director of Finance and Resources (Housing, Regeneration and Growth), Jana Du Preez – Head of Leasehold Services, Glendine Shepherd - Interim Director of Housing Services, Gerry Crowley – Interim Head of Housing Solutions

## **21. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

## **22. DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **23. MINUTES**

The minutes of the meeting held on 6 September 2017 were agreed to be accurate.

Councillor Phibbs noted that whilst his Freedom of Information request had been responded to, he had understood at the previous meeting that the response would include the Fire Risk Assessments he had requested, which

it had not. Councillor Homan said that she agreed that the Fire Risk Assessments should have been shared with Councillor Phibbs and agreed to raise the issue with relevant officers.

#### **24. WORKING WITH HOUSING PROVIDERS TO TACKLE ANTISOCIAL BEHAVIOUR**

Councillor Homan said that Hammersmith and Fulham Council could be proud of its record in dealing with Anti-Social Behaviour; whilst, due to the nature of this area of work, there would always be very difficult individual cases, the work officers did to resolve issues was very good. Councillor Homan noted she and Councillor Fennimore met with senior officers once a month to ensure that cases were being resolved.

Claire Rai explained that the Anti-Social Behaviour Unit had been established in 2002 to prevent and address ASB and hate crime. She said that the team could only be successful in achieving its aims and objectives by working in partnership with other organisations, in particular, housing officers and the police although the service also worked with housing associations such as Notting Hill Housing Group and Shepherds Bush Housing Group. From January 2018 a new Community Multi Agency Risk Assessment Conference (MARAC) would be considering serious ASB cases which would make partnership working even better.

All reported Anti-Social Behaviour was graded, with 1 being the most dangerous and impactful ASB, which was often linked to criminality, and 4 being less serious ASB such as neighbour disputes. The grading assessment included factors such as history, evidence and the likely impact of the behaviour. ASB graded at 3 or 4 was dealt with by housing officers, whilst the more serious and difficult cases were dealt with by the Anti-Social Behaviour Unit. Officers dealt with each case individually and developed an action plan which was then agreed with the victim before any action was taken. Actions could include tenancy action, acceptable behaviour contracts, and other forms of legal action.

The team also arranged support for victims of ASB. Support might include target hardening measures, reassurance visits from neighbourhood wardens, and referrals to other services including Victim Support. In the most serious cases it might be appropriate to move victims to another property through a management transfer.

Claire Rai told the meeting that securing evictions could be very challenging as the courts expected all alternatives to have been tried before granting permission to end a tenancy; where vulnerable people were perpetrating the ASB this became even more difficult. There were also issues with gathering evidence as victims could be too scared to be prepared to give evidence which was acceptable to courts. Professional witnesses, community impact statements and CCTV evidence could be used, but residents were often key and so support was provided throughout the legal process.

Claire Rai gave a number of statistics on the service, saying that between April 2016 and October 2017 the ASBU had:

- Obtained 16 closure orders, 1 criminal behaviour order and 6 injunctions
- Conducted 10 Acceptable Behaviour Agreements
- Served 35 Notices of Seeking Possession
- Obtained 1 suspended possession order and 8 outright possessions
- Evicted 6 households
- Extended 2 probationary tenancies and served 2 notices to quit
- Written 214 warning letters
- Supported 13 management transfers
- Contributed to 5 adult safeguarding meetings

Peter Hannon explained that housing officers worked closely with residents and the ASBU to resolve lower level issues.

A resident asked whether ASB in Sheltered Accommodation was dealt with in the same way as in general needs housing. Claire Rai said that each case was treated individually; whilst there was a policy which covered all housing types this would be applied appropriately to each set of circumstances. She noted that there was often a need for extra support for more vulnerable residents who were more likely to live in sheltered accommodation.

A resident asked how perpetrators who were themselves vulnerable were dealt with. Claire Rai explained that the Council would try to identify the reasons behind a perpetrator's actions and work to resolve these issues. Peter Hannon said that cases with a vulnerable perpetrator were particularly difficult and could take some considerable length of time to resolve. Where appropriate enforcement action could be taken alongside trying to offer the perpetrator support to stop their ASB. Officers said that practical solutions for the victims of ASB were also offered in these hard to resolve cases.

The Chair asked what the Council did if, despite being offered substantial support, a perpetrator did not change their behaviour. Claire Rai said that supported housing might be offered, if a resident was unable to live alone. Tenancy action could be taken, but this was both slow and very difficult as the council had to show evidence of the support given to the perpetrator. The Chair asked whether the Council had sufficient housing stock where challenging residents could be placed. Councillor Homan said that there was a limited supply of housing and that vulnerable residents had priority access so there was an issue with challenging residents being placed in properties which were not ideally suited to their needs. Glendine Shepherd explained that when letting a property a risk assessment was carried out, and that if a person was considered to be unable to manage independent living then supported housing would be tried instead. When properties were re-let after a resident who had committed ASB had moved out these lettings were considered to be a 'sensitive let' with care taken not to place another difficult resident there. A resident suggested that housing officers be consulted on proposed lettings to ensure that allocations were suitable. Glendine Shepherd agreed that this sounded like a sensible idea and agreed to look into it further.

Councillor Phibbs said that there seemed to be a need for more supported housing and suggested that public health budgets could be used to fund this. The Chair noted that public health budgets were already committed to other schemes and that it was not in the committee's remit to scrutinise the spending of that budget. It was agreed that the committee should recommend that the Health and Adult Social Care and Social Inclusion Policy and Accountability Committee scrutinise the spending of the public health budget and consider whether more money could be spent on providing supported housing.

Councillor Connell asked how the ASBU and housing officers worked with Adult Social Care. Claire Rai explained that at present officers would refer residents in need of support to relevant teams in Adult Social Care. The development of the Community MARAC from January 2018 would mean that officers would be able to work more closely together to deal with ASB cases. Councillor Homan noted that where there were particular problems partners were already invited to attend the monthly meetings she and Councillor Fennimore held to review progress made on cases.

Councillor Johnson asked whether there were any trends in the grade 1 and 2 cases dealt with by the ASBU. Claire Rai said that there were actually fewer cases but that these cases were increasingly complex, with lots of specific needs and vulnerabilities amongst perpetrators and victims. Criminals exploiting vulnerable residents to gain access to a property was also becoming more common.

Councillor Phibbs noted that of the 691 cases there had only been 6 evictions and asked whether this was too low. Claire Rai explained that there had been 691 reports of ASB rather than that number of separate cases; there were in fact far fewer perpetrators than that. She also noted that whilst there had only been 6 evictions, there had been 16 closure orders preventing those committing ASB from entering a property for up to 6 months, as well as 2 notices to quit served on those who did not yet have a secure tenancy and 8 possession orders which were likely to lead to an eviction. She said that the Council did not want to see people evicted from their homes if they could change their behaviour and stop causing other residents problems. Councillor Homan said that she felt that the Council should not seek to increase the number of evictions, but to help victims to have their issues resolved; she noted that an eviction was likely simply to move the anti-social behaviour on rather than resolve the problem.

Councillor Phibbs asked whether it was too difficult to secure an eviction through the courts. Claire Rai said that the courts were rightly concerned to see that people were not unnecessarily evicted. The main problem with the court system was the increasing length of time it took for a case to be heard following the closure of Hammersmith's courts. Officers would always take legal action where it was justified, but they did have to consider the likelihood of success and the cost involved.

Councillor Johnson asked whether victims were asked if a case could be closed. Peter Hannon confirmed that victims were always asked if a case

could be closed and that they could ask for it to be reopened for a period of time after the case had been closed.

Councillor Phibbs asked whether the Council still used stills from CCTV to shame residents who had committed Anti-Social Behaviour such as graffiti or urinating in lifts. Claire Rai said that this tactic was still used, but only occasionally as its effect diminished if it was used too often.

Councillor Phibbs asked whether graffiti was removed from properties in Council blocks and whether this policy was different to that for private properties. Peter Hannon confirmed that graffiti was removed from communal areas in council blocks, and that offensive graffiti was removed from anywhere in the borough as quickly as possible. Councillor Homan suggested that Councillor Phibbs ought to raise issues about the policy for removing graffiti from private residences with the responsible Cabinet Member, Councillor Harcourt.

Anthony Wood said that the Communications Group were currently working with the ASBU to improve their communications with residents. Councillor Homan thanked members of the group for their work to improve the way that those delivering housing services communicated with residents.

## **25. IMPROVEMENTS TO LEASEHOLD SERVICES**

Councillor Homan said that the improvements which had been made to Leasehold Services were a good example of how officers and residents working together could make things better. Kath Corbett explained that improvements had been led by Leaseholder Services working with leaseholders to find out what needed to change. The improvements made so far had been around:

- Clearer Communication, with a Leaseholder's Charter being introduced to guide residents and officers on their responsibilities, as well as changes being made to letters and the Council's website to make them easier to understand.
- Better invoicing, with joint inspections for major works and leaseholders checking reactive repairs statements before billing took place which both improved accuracy. Improvements were also made to the layout and content of invoices and consultation notices so that as well as being accurate, financial documents were easy to understand.
- A More Professional Team, with better recruitment, retention and training, a better phone system and better links with other departments.

Councillor Johnson noted that Hammersmith and Fulham had comparatively low service charges and asked whether the services provided were comparable. Kath Corbett said that there were of course some differences in the services but that they were broadly similar. Councillor Homan said that the level of service charges in some private developments were extremely high and that whilst Hammersmith and Fulham's charges were not the cheapest in London they were both affordable and good value.

Councillor Phibbs said that he felt leaseholders should be offered a shared freehold more readily by the Council. Councillor Homan said that where all of

the flats in a building were now owned by leaseholders the Council did encourage the leaseholders to take on the freehold. However, where a building continued to contain Council tenants it was very difficult to transfer the building. A resident said that in her experience leaseholders were unwilling to carry out necessary works and so she would not want to be a tenant in a block owned by leaseholders.

Councillor Phibbs asked whether the level of detail in the Council's S.125 notices were sufficiently detailed. Jana Du Preez explained that the Council provided very detailed legal notices but agreed to look into whether more needed to be done and respond to Councillor Phibbs outside of the meeting.

Councillor Connell asked what residents reaction had been to the Leaseholders Charter. Councillor Homan said that the document had been well received and was proving useful in discussions with leaseholders; the document was not particularly exciting and so had not provoked much of a response when it had first been launched.

## **26. PROPOSED AMENDMENTS TO THE COUNCIL'S HOUSING ALLOCATION SCHEME**

Glendine Shepherd explained that the Council had last amended its Scheme of Allocation in November 2015. Officers had reviewed the operation of the scheme and feedback from residents and Councillors and had proposed a number of possible changes.

Gerry Crowley explained that the principal changes proposed were:

**Bedroom Standard** – To include an 18-21 year old member of a household when calculating the number of bedrooms required by existing Council tenants.

**Local Residency Qualification (Existing Tenants)** – To exempt those currently with a Council tenancy from the five year local residency qualification.

**Local Residency Qualification (Joint Applicants)** – Where a joint application is made, to require only one member of the household to meet the five year local residency qualification.

**Under-Occupation/Downsizing** – To give a preference to a household which is seeking to downsize even if the household is seeking to downsize to a property up to 1 bedroom larger than their assessed need.

**Service Tenancies** – To clarify the existing wording.

**Disability** – To add details of the existing assessment process to make this clearer.

Councillor Phibbs said that he felt the proposed change to the policy on under-occupation was a good idea. Anthony Wood noted that there was a financial incentive for those who wished to downsize and asked whether this was having the desired effect. Gerry Crowley said that there were 200 people looking to downsize. There were however insufficient properties for residents to downsize into, especially as those looking to move were often also more demanding about where they would move; giving downsizing residents

greater priority and the ability to keep an extra bedroom would help to resolve this and release some of the Council's larger properties.

Councillor Phibbs asked whether the proposed change to bedroom standards would increase demand on larger properties. Gerry Crowley said that there would be an increase in demand for larger properties but that, if limited to existing Council tenants, this was a manageable increase. A resident said that the Council could consider whether the young person could afford to live alone in the borough before including them in the assessment of the number of bedrooms needed.

Councillor Johnson asked whether the potential for fraudulent applications would increase if only one of the people making a joint application needed to meet the residency criteria. Glendine Shepherd explained that officers would check that the relationship was bona fide as part of the assessment process. Councillor Johnson said that he felt it might be easier for officers to manage if this situation was managed through director's discretion.

Schemes for allowing leaseholders to downsize to a Council property and for giving tenants support to buy a property in parts of the country with lower housing costs were discussed and Councillor Homan confirmed that officers were already looking at these ideas.

Councillor Connell asked, with reference to the proposed exemption to the local residency qualification, how Council tenants might have been allocated a property in Hammersmith and Fulham if they did not meet the current criteria. Gerry Crowley said that some residents had moved into the borough through the old Locata based scheme, whilst others might have used a mutual exchange.

## **27. DATE OF THE NEXT MEETING AND WORK PROGRAMME**

Councillor Connell asked whether the item on Housing for Disabled People could be considered before the end of the municipal year. Councillor Homan suggested that, as the Disabled People's Commission was due to report very shortly, it would be better to leave the item until the Council had had a chance to consider and respond to their recommendations.

Meeting started: 7.00 pm

Meeting ended: 9.15 pm

Chair .....

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