

# Housing and Homelessness Policy and Accountability Committee Agenda

Tuesday 23 July 2024 at 7.00 pm

145 King Street (Ground Floor), Hammersmith, W6 9XY

Watch the meeting live: [youtube.com/hammersmithandfulham](https://www.youtube.com/hammersmithandfulham)

## MEMBERSHIP

| Administration                                                                                                 | Opposition                |
|----------------------------------------------------------------------------------------------------------------|---------------------------|
| Councillor Jacolyn Daly (Chair)<br>Councillor Asif Siddique<br>Councillor Sally Taylor<br>Councillor Omid Miri | Councillor Adronie Alford |

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**This meeting is open to the public and press. The building has disabled access.**

**Residents with an interest in any of the items on the agenda are encouraged to attend and participate in the discussion. If you can't attend in person, you can join remotely. If you would like to attend, please contact: [Debbie.Yau@lbhf.gov.uk](mailto:Debbie.Yau@lbhf.gov.uk)**

Date Issued: 15 July 2024

# Housing and Homelessness Policy and Accountability Committee Agenda

23 July 2024

| <u>Item</u> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <u>Pages</u> |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>1.</b>   | <b>APOLOGIES FOR ABSENCE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |              |
| <b>2.</b>   | <b>DECLARATIONS OF INTEREST</b><br><p>If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.</p> <p>Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.</p> <p>Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Standards Committee.</p> |              |
| <b>3.</b>   | <b>MINUTES</b><br><p>To approve the minutes of the previous meeting.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 4 - 10       |
| <b>4.</b>   | <b>UPDATE ON THE HOMELESSNESS PREVENTION AND ROUGH SLEEPING UNIT</b><br><p>This report provides an update on homelessness and rough sleeping across in the borough and the actions that are in place to manage homelessness demand and improve service delivery.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 11 - 16      |
| <b>5.</b>   | <b>HAMMERSMITH AND FULHAM PRIVATE RENTED SECTOR POLICY</b><br><p>This report presents a draft H&amp;F Private Rented Sector (PRS) Policy (Appendix 1) which sets out a vision for supporting residents to access affordable, secure, and high-quality PRS homes, and to help make standards among the best in London. The amended policy will be submitted to Cabinet for consideration in Autumn 2024.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 17 - 46      |

## **6. DATE OF FUTURE MEETINGS**

To note the dates of future meetings:

- 12 November 2024
- 27 January 2025
- 23 April 2025

# Agenda Item 3

London Borough of Hammersmith & Fulham

## Housing and Homelessness Policy and Accountability Committee Minutes



Tuesday 26 March 2024

### **PRESENT**

**Committee members:** Councillors Jacolyn Daly (Chair), Paul Alexander, Adronie Alford and Sally Taylor

**Other Councillors:**

**Officers:**

#### **1. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Asif Siddique.

#### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **3. MINUTES**

*Matters arising*

The Chair noted having reviewed both the recording and the minutes of the meeting held in November 2023, she was satisfied that no actions were outstanding from it. She reminded members that within the constitution, councillors might request information and updates from Housing and Homelessness officers at any time, and they did not need to be made formally during meetings.

#### **RESOLVED**

That the minutes of the meeting held on 30 January 2024 were agreed as an accurate record.

#### **4. HOUSING OMBUDSMAN P49 REPORT ON HAMMERSMITH AND FULHAM**

Minutes are subject to confirmation at the next meeting as a correct record of the proceedings and any amendments arising will be recorded in the minutes of that subsequent meeting.

Councillor Frances Umeh (Cabinet Member for Housing and Homelessness) apologised on behalf of the Council to residents who had been affected by the issues raised in the Housing Ombudsman report. She said where appropriate, residents who had been let down had been compensated and the Council had worked hard to put things right. Going forward, the Administration would make sure that residents could live in safe and decent homes and get the services they needed, as committed in the Housing Strategy and Manifesto.

Jon Pickstone (Strategic Director of Economy) presented the Housing Ombudsman Special Report on Hammersmith and Fulham (H&F) Council. He noted that the Council's journey of improvement predated the Ombudsman's intervention. As an outcome of the report, the Council was ordered to publish and provide the Ombudsman by May 2024 with an action plan to deal with the issues raised in the Ombudsman's 8 key orders and 10 recommendations. In terms of H&F's response, Jon noted the Council had reiterated its regret in different ways, from meetings and correspondence with affected residents, in the media, and at formal council meetings. H&F's commitment was underlined by the establishment of a Chief Executive-led Taskforce to strengthen housing services and leadership. In going through the wider actions, Jon drew members' attention to the breath of the transformation in Housing, which was wider in scope than the Ombudsman Report. He said that Housing Services should be approached holistically with different teams delivering intended outcomes in synergy. To contextualise the situation amongst other social landlords, he highlighted that H&F had the lowest combined number of key orders and P49 recommendations out of the RSLs that the Housing Ombudsman had reported on.

Councillor Adronie Alford said she had heard the same commitment of listening to residents and making improvements in the past but she was still receiving complaints that council officers were not listening and contractors were not completing work.

Richard Shwe (Director of Housing) offered his sincere apology to the tenants and leaseholders for the Council's poor performance of housing services. Richard recalled shortly after he came on board about a year ago, a brand-new Repairs team was created to embark on a journey of transformational change. During this period, Contract Officers were appointed to work with individual contractors for about 12 hours daily. As a result, the resident satisfaction rates had increased from 60% to 90% and one of the under-performed contractors no longer worked for H&F. Apart from managing contractors, the Repairs team had also enhanced its partnership with the Direct Labour Organisation for Repairs (DLO) and strengthened the in-house team to undertake repair services for sheltered housing. Richard said with the dedicated staff on board, the Housing Services team was now ensuring the right people would deliver their commitment on time.

Jon Pickstone highlighted the Repairs team was conducting over 50,000 repairs a year and that the majority of them were completed to the satisfaction of the residents. For individual cases requiring correction, they would be acknowledged and rectified as soon as possible. The recent substantial

reduction of repair backlog with the number of outstanding repairs over 12 weeks falling by 90% reflected service improvements were happening.

The Chair suggested officers going through the Housing Ombudsman's orders and the actions taken in response to them. John Hayden noted that among the eight key orders, five were related to repairs and repair management while the other three concerned complaint handling. They involved different systems which needed to be connected and handled by a single point of contact for Housing Services team to manage homes rather than individual services. He and Richard Shwe gave a detailed account on what the Housing Ombudsman had said and the corresponding actions taken by the Housing Services, as set out on the tables on pages 14 and 15. John also briefed members on the Ombudsman's 10 recommendations which the Council was committed to deliver.

Councillor Alford referred to the poor performance of previous housing repairs contractors, despite promises from the Cabinet Members at the time, and said she had no faith the next set of contractors would be better.

Jon Pickstone said the Repairs team had managed the current contractors well and it was in the process of replacing one of them. John Hayden (Assistant Director of Repairs) highlighted the need to transform contractor procurement in the coming September. Meanwhile, the Housing Services had made a big step change by requiring contractor to pre-inspect a multiple repair within five days of reporting and sending the agreed work schedules to the resident. The contractor, being the single point of contact, would then arrange multiple traders to conduct the required work with a view to completing the job like a routine repair within 20 days. John also noted the needs of tailoring the services differently for vulnerable residents especially when dealing complicated repairs. Another step change was to require the approved subcontractors who had taken up some of the work from the contractor to attend the team's office to ensure quality delivery.

On communications enhancements, Richard Shwe referred to the new housing depot and housing officers where residents could meet with officers to understand what needed to happen. Councillor Alford asked about the location of the new depot as she had seen one contractor displaying council's logos, including the H&F's, when she travelled across London. John Hayden shared with members the locations of the new depot and other two potential ones. He assured that the Repairs team, by reviewing the van tracker, knew the duration of each job done and the number of jobs completed on that day.

Noting that some residents had taken day off work for repairs appointment which ended up being cancelled/no show, Councillor Sally Taylor was concerned whether the Housing Services team would proactively arrange to book another appointment for them. John Hayden noted for appointments that did not proceed, his team would reschedule them within the 20-day period unless it was booked up. Richard Shwe added that if evidence had showed that the contractor/subcontractor was not there at the appointed time, they might be removed from the contractor list according to the contract terms.

On the Chair's question about contractor transition, John Hayden noted lessons had been learnt from the previous two transitions, i.e. not to leave the historical outstanding repair cases for the new contractor. They would be dealt with by the departing contractor under a contingency plan. When the new contractor started in September, they would work on fresh requests. Meanwhile, the Repairs team, the contractors and DLO would work hard together to clear the backlogs while keeping up with the required standard. Richard Shwe stressed that it was a unique way of contract management involving mobilisation, decommissioning of services, and requiring additional contractors/ subcontractors to be on board to enhance their understanding of the business.

Councillor Umeh said she looked forward to effective contract management and holding contractors accountable to ensure delivery of quality services to the satisfaction of the residents. She also hoped that the ownership and commitment demonstrated by the senior leadership would help meet the challenges of the next contractor transition.

The Chair considered it was important to ensure residents information was recorded correctly. Echoing her view, Councillor Paul Alexander remarked that apart from delivering quality repairs, document control and process management in capturing the problem, plan and outcome were also important. In response, Richard Shwe highlighted the weekly meetings of the Service Improvement Board in the past 12 months through which parties from different work streams understood what needed to be improved. Heads of service were held accountable for their respective areas, from what needed to occur to managing resources at the right pace. Jon Pickstone added that the call centre had also improved record keeping by making sure the right information with the necessary details was accessible by all relevant parties at the start of the process.

In terms of repair quality, Richard Shwe and John Hayden noted there were six distinct types of properties in H&F and information on their conditions was available under the stock condition surveys which sought to standardize the stocks. In this regard, Councillor Umeh noted the Council's record-breaking investment on the stock over 12 years to ensure H&F homes were modernised and fit for purpose. This helped to show the impacts on the number of repair cases. John Hayden also referred to the one-year pilot repair scheme for sheltered housing at the White City. It was intended to replicate the pilot scheme for other estates. He said that 5 to 10 Estate Actions Days would be held whereby councillors and officers would walk around with residents and do MOT reviews of the communal facilities on those estates. The drop-in visits would be repeated every two to three months to obtain direct feedback from the residents on the needs and quality of repairs. John highlighted this was a significant step change in bringing the housing services out.

Councillor Alexander considered it was important to record the outcome of all work procurement no matter whether they were invoiced or not. John Hayden gave a detailed account on the phased payment for jobs and paying the completion charge upon the quantity surveyor's satisfactory post-inspection in

terms of quality and value. He also briefed members on how to work out the payment for jobs that had not been invoiced.

As regards Councillor Alford's question on the number of jobs conducting post-inspections, John Hayden advised that it was planned to pre-inspect all multiple complicated repairs which was about 14,000 cases per year and usually took 20 to 60 days to complete. Physical post-inspections would be carried out for about 10% of emergency repairs (which made up some 40% of the 50,000 repairs cases a year) including those costing £500 or more while some others would be done through calls.

On management of repairs to completion, Councillor Alexander suggested categorising the repair cases into communal, tenanted and sheltered housing repairs. John Hayden noted the Repairs team had focused on sheltered housing in terms of feedback and assurances since last September. They attended the sheltered scheme meeting once a month, reviewed the repairs cases with the DLO and followed them up the next month to bring confidence to the residents. The communal repairs shall come under the Estate Action Days. John understood that the new Area Neighbourhood Managers would review with estate residents monthly on the short-, medium- and long-term estate action plans for communal repairs work. He reiterated the post-inspection commitment for tenanted repairs.

Councillor Alford asked about the level of compensations made and the outstanding lump sum. John Hayden said compensations were made according to the compensation guidance. For incomplete cases, the Repairs team might recover part or all of the payment already made to contractor to protect the Services. John undertook to provide the requested information, including the level of compensation.

**ACTION: John Hayden**

The Chair asked how compensation payments would be monitored to ensure consistency, accuracy and transparency in amounts offered, as recommended by the Ombudsman. Jon Pickstone referred to more recent Ombudsman cases and noted the level of compensation made by the Council ahead of the Ombudsman Report was generally fairly consistent with their recommendation.

The Chair was concerned about policy updates that had been devised in response to the Housing Ombudsman's order to comply with their complaints handling code and share learning with them. She asked how members could ensure the new policies were implemented properly.

Richard Shwe noted the policy updates to expressly state that any actions promised in complaint responses would be time tracked through to completion, with a clear escalation pathway if repairs were delayed beyond agreed or expected dates. In addition, the Corporate Complaints policy had been reviewed against the new statutory Complaint Handling Code promulgated by the Housing Ombudsman to take effect from April 2024. The regulatory approach in complaint handling was impactful on the policies and procedures in conducting repairs. Richard noted the Housing Services team



was working hard in the right direction. For example, photographs taken on the completed repairs work might have partly led to the recent reduction of severe maladministration cases (among other decisions including maladministration and service failure). Councillor Umeh agreed with Richard that this Council did put residents first as demonstrated by the auditors' strong assurances on the big 6 building safety compliance areas (gas, asbestos, fire, electric, water hygiene and lifts).

Jon Pickstone remarked that to meet the national standards of the new and evolving regulatory environment, extra staff would be engaged and that the Council would learn the best practices of other local authorities.

The Chair queried the governance of the Chief Executive-led Taskforce and the progress made since its establishment in May 2022. Jon Pickstone remarked that the Taskforce focused on the Housing Services' repairs and complaint-handling work to make sure they were delivered to the required standards. The Taskforce was also concerned about the outcomes of the Service Improvement Board and Damp and Mould Action Group as well as other governance meetings under it. He said the repair statistics demonstrated the process was working. Richard Shwe added that the Taskforce was helpful in challenging the Housing Services appropriately on how to improve service delivery. Councillor Umeh agreed and noted the Taskforce really helped drive changes forward for the Council to live up to its commitment and investment. For example, the Damp and Mould Action Group comprising members from different council teams was a cross-council collaborative approach tackling multiple issues including housing and public health. Jon said it was encouraging to note that the Ombudsman had recognised an 86% reduction in outstanding damp and mould cases in H&F in 2023.

## **RESOLVED**

That the Committee noted the report.

## **5. DATE OF FUTURE MEETINGS**

The Committee noted the dates of future meetings:

- 23 July 2024
- 12 November 2024
- 27 January 2025
- 23 April 2025

The Chair suggested discussing the following items at these meetings:

- Homelessness Prevention and Temporary Accommodation
- Private Rented Sector Policy
- Voids Management

Meeting started: 7.00 pm  
Meeting ended: 8.40 pm

Chair: .....

**Contact officer**    Debbie Yau  
                             Committee Coordinator  
                             Corporate Services  
                             E-mail: Debbie.Yau@lbhf.gov.uk

**Report to:** Housing and Homelessness Policy and Accountability Committee

**Date:** 23/07/2024

**Subject:** Update on the Homelessness Prevention and Rough Sleeping Unit

**Report author:** Richard Shwe, Director of Housing  
Clare Dorning, Head of Homelessness

**Responsible Director:** Sukvinder Kalsi, Executive Director Finance and  
Corporate Services

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### SUMMARY

This report provides an update on homelessness and rough sleeping across in the borough and the actions that are in place to manage homelessness demand and improve service delivery.

As part of the Housing Services Improvement Plan, the service undertook a review of homelessness and temporary accommodation in the last quarter of 2023/24, against a backdrop of: -

increasing homeless approaches,  
changing legislation,  
insufficient supply of accommodation,  
rising costs of temporary accommodation,  
out-dated internal policies, and restricted funding.

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### RECOMMENDATIONS

For the committee to review, feedback and comment on the report of Homelessness Prevention and the Rough Sleeping Unit.

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**Wards Affected:** All

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| <b>Our Values</b>                      | <b>Summary of how this report aligns to the <a href="#">H&amp;F Corporate Plan</a> and the H&amp;F Values</b>          |
|----------------------------------------|------------------------------------------------------------------------------------------------------------------------|
| Building shared prosperity             | A priority for the homelessness service is to work with households to help them maximise their income and independence |
| Creating a compassionate and inclusive | Homelessness can happen to anyone.                                                                                     |

|                                                                 |                                                                                                                                                                                                         |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| council                                                         | Officers work with households to assess their housing needs and identify the housing options which may be available to them based on their individual circumstances.                                    |
| Doing things with local residents, not to them                  | Personal Housing Plans are created with homeless applicants setting out the reasonable steps that the Council will take and the steps the applicants can take to prevent or relieve their homelessness. |
| Being ruthlessly financially efficient                          | The Council aims to prevent homelessness wherever possible to avoid the need to place into expensive temporary accommodation                                                                            |
| Taking pride in H&F                                             | The Council aims to achieve the best outcomes for homeless applicants and to perform well in meeting the Council's homelessness duties                                                                  |
| Rising to the challenge of the climate and ecological emergency | With any property in housing, we are supporting the climate and ecological emergency.                                                                                                                   |

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## Background Papers Used in Preparing This Report

None

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## THE COUNCIL'S HOMELESSNESS DUTIES

1. When a household approaches the homelessness service, the Council has a duty to carry out enquiries to establish whether the household is homeless or threatened with homelessness in 56 days. If a household is threatened with homelessness within 56 days, a Prevention Duty is accepted and officers work with the household to help prevent their homelessness from occurring or to help them find alternative accommodation to enable them to move on in a planned way. If a household is actually homeless or likely to be homeless imminently, a Relief Duty is owed and officers work with the household for 56 days to help relieve their homelessness by helping them find alternative accommodation.
2. Where the Relief Duty is owed, officers also have to consider whether temporary accommodation (TA) should be provided. The Council cannot assist all homeless households with TA, TA is only offered if the household has a priority need such as children, pregnancy, or a serious mental health or physical disability, (this is called the s188 priority need threshold).
3. Most homeless approaches are made by way of households completing an on-line form which is on the Council's web site. Professional bodies such as

Probation, Hospitals, Prisons, DWP also approach the service on behalf of individuals they are working with, using the Homelessness Duty to Refer.

## **DETAILED ANALYSIS**

4. The three main reasons for homelessness are family/friends unwilling to accommodate, end of private sector tenancy and domestic abuse. An average 30% of households approach the service at the Prevention stage when they are at risk of homelessness within 56 days and 70% approach in the Relief stage when homelessness is more imminent.
5. Preventing homelessness is usually the best outcome for households because it avoids the disruption and instability of homelessness. A priority for 2024/25 is to increase the number of successful homelessness prevention and relief outcomes and additional officers have been appointed to focus on this activity. The following case studies provide examples of successful homeless outcomes during the last few months:

### Case study 1:

6. This case study is our support approach to a householder who is experience financial difficulties because of changes in their employed in private rented tenancy. The service always wants to look at such cases in a resident centric approach of making sure we put the resident at the “heart” of our assessment work and more importantly find a solution for the family.
7. In this case, the family was at risk of homelessness from a private rented tenancy, which included a partner and two children. They have been living in the private sector tenancy for the last 18 months but were unfortunately served with a s21 notice because their financial circumstances had changed, and they were unable to afford the tenancy.
8. Working with the family the case officer understood that there had been changes in the family’s finances which had reduced their income for several months which in turn had affected their ability to meet their rent. To support the family, the officer undertook a financial assessment, and look at other fiscal options which led to the family to claim the appropriate benefit that enable them to also receive a Discretionary Housing Payment (DHP) to help them in the short term.
9. The officer assigned to the family, was able to persuade the landlord to allow that the family could remain at the property and was able to reaffirm that the landlord’s rental income was protected. The family stayed at the private sector tenancy and most importantly the risk of homelessness was avoided.

### Case study 2:

10. An asylum seeker living in hotel accommodation provided by the Home Office made a homeless application following the Home Officer granting her asylum and given leave to remain in the UK, the applicant is required to leave her hotel within 2 weeks. The applicant has limited English so her case officer arranged an interpreter to translate during the assessment interview and explanation of the housing options available to the applicant.
11. The case officer identified potential private rented properties and the applicant expressed an interest in viewing a property in the Lewisham area. The case officer advised that applicant that she would need to view the property quickly because there is significant competition for vacancies in the private rented market. The applicant was anxious about finding her way to Lewisham and was still waiting for her benefit payments to be paid following her asylum decision so had no money to travel. To avoid losing the property, the case officer arranged a taxi and went to view the flat with the applicant. They were successful in securing the property and the applicant has signed a 12-month tenancy and will be able to move straight from her Home Office hotel room into her new home.

### **Homelessness caseload and outcomes**

12. Homelessness demand has increased over the last 3 years with an average 280 households approaching the homelessness service each month.
13. Homelessness approaches during Q1 2024/25 remain stable with an average 260 households presenting each month.
14. The homelessness service is managing 1,085 open cases at present. We have developed a Temporary Accommodation Action Plan, where the priority is to reduce the backlog of homelessness cases.
15. Homelessness caseloads are high with average officer caseloads of 72 cases. This is partly due to the high volume of homelessness approaches but there has also been a high level of staff turnover and absence which makes it even more challenging for existing officers to progress cases swiftly. One of the difficulties with officers holding high caseloads is completing the casework and decision making with in the Prevention period of 56 days and Relief period of 56 days. A target has been put in place to reduce the age of open cases and to ensure officers have no case older than 6 months by the end of the calendar year. The oldest case at present is 18 months.
16. A target has been set to reduce officer caseloads to 60 by end March 2025. This will reduce the operational caseload to 900 open cases.
17. The number of cases that have been open for more than 6 months is reducing and intensive casework management has been put in place to provide officers the support and direction they need to manage their caseloads, complete their enquiries and issue decisions. It is difficult for officers to achieve successful homelessness prevention and relief outcomes while their caseloads are high because of the time and focus that this work needs. Vacant posts are being recruited to with the target of all posts filled by the end of July.

18. We are changing processes to identify opportunities for preventing homelessness at the first point of contact, and the case studies set out above demonstrate the successful homelessness prevention work that is being achieved. Financial resources are available for officers to help residents meet private sector rent increases, clear arrears and rent shortfalls, and to help with the up-front costs of securing new private rented tenancies. These resources also help with costs such as accompanied viewings which can make a difference when helping applicants manage the stresses of homelessness.
19. It is important that applicants understand that the Council's duty is to work with them to help prevent or relieve their homelessness. It is not possible for the council to directly provide accommodation in all cases, and in many cases the private rented sector is the most realistic housing option. This is particularly important for single applicants to understand because if a single applicant is reluctant to consider a private sector tenancy and doesn't engage with viewing potential properties, at the end of the Relief period, the officer is required to make a main duty decision which includes assessing whether the applicant has a priority need. If there is no priority need, the outcome will be a No Priority Need decision and no further assistance will be provided.
20. Officers are also looking to make best use of the Housing Allocations Scheme by making greater use of the Private Rental Sector Partnership (PRSP) initiative which allows homeless households or those threatened with homelessness to join or retain a place on the Council's housing register if they move into the private rented sector, and by making direct offers of sheltered accommodation to homeless applicants over the age of 60 years whilst in the relief stage.

### **Homeless households in temporary accommodation**

21. As a good landlord the Council, places households into temporary accommodation at crisis point. To support residents at this stage we assess their financial and personal circumstances to help them into medium to long term housing solutions.
22. The supply of temporary accommodation in-borough is limited, households are therefore also accommodated in boroughs across London and outside London. Every effort is made to secure TA in-borough whenever possible, and officers take factors such as medical and support needs into account when sourcing TA. There are 1,457 households in temporary accommodation (TA), of which 99 new placements into TA have been made since 1 April 2024.
23. When a main duty is accepted for a homeless household, they are placed on to the Housing Register and advised about choice-based lettings and how to bid for a home. Since 1 April, 94 homeless households have been rehoused from the housing register.

### **Rough Sleeping Unit**

24. We have a range of measures in place to prevent rough sleeping within Hammersmith & Fulham.

25. We work very closely with local partners within Health – GPs and A&Es in particular and also Department for Works and Pensions, and Metropolitan Police who have a duty to refer anyone suspected of being homeless or rough sleeping.
26. Our Rough Sleeper Outreach team, delivered by Thames Reach act on local intelligence shared by these agencies (and also local people via the Street Link telephone number) to engage with people sleeping rough and refer them to our Rough Sleeper Assessment Hub. From here onward referrals can be made into more settled accommodation and support where needed.
27. We recognise that Housing First (rather than the more traditional supported hostel route) is the most sustainable method of ensuring former rough sleepers don't return to the street.
28. There is a robust assessment and housing pathway in place for rough sleepers. Thames Reach operate the outreach service and provide outreach shift 5 nights a week. There are 20 beds in an assessment Hub which provide a first place of stay while needs assessments are carried out.
29. The move-on pathway from the Hub includes 129 rooms of supported housing across 8 properties. Rough sleepers meeting the homelessness priority need threshold are placed in Temporary Accommodation and rehoused through the mainstream homelessness route. In addition, the Council has made the acquisition of 321 Lillie Road with its strategic ambitions to tackle homelessness and end rough sleeping in the Borough.

## **CONCLUSION**

30. There is a high level of housing need in the borough from households approaching as homeless and rough sleeping.
31. The Homelessness Action Plan is in place to deliver a range of service improvements and developments to ensure homeless applications are assessed in line with statutory duties, homelessness is prevented to reduce pressure on TA and rehousing opportunities are maximised.





**Report to:** Housing and Homelessness PAC

**Date:** 23 July 2024

**Subject:** H&F Private Rented Sector Policy

**Report author:** Stefan Robinson, Head of Policy and Programme Management Office  
Clancy Connolly, Policy Officer

**Lead Officers:** Matthew Sales, Assistant Director, Programmes, Assurance and Analytics  
Ed Shaylor, Assistant Director, Housing Standards

**Responsible Director:** Sukvinder Kalsi, Director of Finance and Corporate Services

**Appendices:** Draft Private Rented Sector Policy

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## SUMMARY

This report presents a draft H&F Private Rented Sector (PRS) Policy for the Housing and Homelessness Policy and Accountability Committee's (PAC) consideration. The Policy (Appendix 1) sets out a vision for supporting residents to access affordable, secure, and high-quality PRS homes, and to help make standards among the best in London. Our policy brings a refreshed and renewed focus to how we will tackle poorly performing parts of the PRS market, setting a clear course of action for the future. This follows a recent wide-ranging public consultation, which included four focus groups and face to face interviews, to complement an online survey which ran for 8 weeks, all of which captured views from 270 participants. Officers are currently working to assess key implications arising from the consultation, to inform revisions to the policy. The amended policy will be submitted to Cabinet for consideration in Autumn 2024.

## RECOMMENDATION

1. That the Housing and Homelessness PAC provide feedback on the draft Private Rented Sector Policy.
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**Wards Affected:** All

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| <b>Our Values</b>                                               | <b>Summary of how this report aligns to the <a href="#">H&amp;F Corporate Plan</a> and the <a href="#">H&amp;F Values</a></b>                                                                                                   |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Building shared prosperity                                      | The policy intends to deliver improved private housing standards for all residents.                                                                                                                                             |
| Creating a compassionate and inclusive council                  | The policy sets out a range of measures to support residents in accessing good quality housing, and commits to help tackle discrimination in the sector, and listen to the needs of residents and landlords.                    |
| Doing things with residents, not to them                        | The policy commits to a programme of both landlord and resident engagement, and these groups have been engaged actively through the development of the policy.                                                                  |
| Being ruthlessly financially efficient                          | The policy primarily identifies targeted support to renters that can be delivered within existing resources. Any additional expenditure in delivery will need to be agreed through the council's normal budget setting process. |
| Taking pride in H&F                                             | The policy sets out the importance of high-quality private rented housing in our borough to our residents.                                                                                                                      |
| Rising to the challenge of the climate and ecological emergency | The policy speaks directly to the importance of the PRS in helping to deliver a net zero future and the need for central government to improve national energy efficiency standards.                                            |

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## Background Papers Used in Preparing This Report

None

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## DETAILED ANALYSIS

### The rise of the PRS

1. The PRS fulfils an important role in H&F providing many residents and families with housing that they want and need. Affordable, accessible, secure, and high-quality private rented housing is essential to ensure that the borough remains a place where people want to live, work, and thrive.
2. The PRS in H&F has grown significantly in the last two decades and now accounts for approximately 30,000 properties. It is now the largest single tenure, accounting for ~37% of homes in H&F and representing one of the highest densities of PRS properties in the country.
3. Since the 1980s, the UK has experienced a shift in tenure composition due to the associated effects of: the introduction of Assured Shorthold Tenancies in 1988 and the end of Protected Tenancies; the introduction of Right to Buy in 1980 and

associated under-investment by central government in new affordable housing; growth in buy-to-let mortgages during a period of low interest rates; and the significant growth in house prices which has made purchasing unaffordable for many people in London.

4. These influences, among others, have contributed to a prolonged contraction in the number of socially rented homes, a reduction in home ownership, with concurrent expansion of the PRS. Growth in the PRS, however, appears to be levelling off with the 2016 introduction of a further stamp duty surcharge on new purchases, an increased tax burden, and high interest rates.<sup>1</sup>

## Issues for the PRS

5. The English Housing Survey has modelled data which suggests that 19% of H&F's homes in the PRS may fall short of the Decent Homes Standard, the minimum legal threshold that must be met by socially rented properties. PRS homes are more likely to fall short when compared to social rented and privately owned homes, 14.5% of which are likely to be falling short on standards.
6. There are likely therefore to be many PRS homes in poor condition. Through our online survey, we found that nearly 40% of private renters were dissatisfied with the quality of their accommodation to some degree. The key issues highlighted by those renters' included leaks, damp and mould, problems with window and/or door fixtures, cosmetic repairs, and poor heating.
7. H&F has many exemplary landlords and letting agencies that provide an important, professional, and dependable service. They are hugely valued, and we want to retain them. Through our online survey, around 50% of private renters confirmed that they were satisfied with their landlord, whilst around 20% said they were neither satisfied nor dissatisfied. Unfortunately, there are minority instances of poorly performing landlords who do not fulfil their obligations and fail to keep their properties in a safe and decent condition. Around 30% of the private renters who completed our online survey confirmed a level of dissatisfaction with their landlord's performance.
8. The high costs of renting is also a concern for residents, and this pressure has intensified recently with rising rents. Through our online survey, around three quarters of private renters told us that high rents were of concern. Figures indicate rental growth on inner London newly let properties peaked at 17% in 2023,<sup>2</sup> with the median monthly rent for a two-bedroom flat in H&F being £2,146 in 2023 – the 6th highest in London.<sup>3</sup> The challenge of affordability has been further exacerbated by the freezing of Local Housing Allowance (LHA) from March 2020 to April 2024.
9. London wide data shows that nearly half of PRS homes (46%) had Energy Performance Certificate (EPC) ratings of "D", which could equate to as many as 14,000 homes in H&F. In autumn 2023, the then government scrapped plans to

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<sup>1</sup> Lloyd, T., Grayston, R., and Hudson, N. (2023). *Reboot: building a housing market that works for all*.

<sup>2</sup> Hamptons (2024). [Rental index data](#).

<sup>3</sup> Office for National Statistics, released 14 December 2022. [Private rental market summary statistics in England: October 2021 to September 2022](#).

introduce a national standard which would require all PRS homes to hold an EPC C rating (or above) by 2028. This is a concern, given the vital contribution of homes to targeting net zero by 2030, the savings that higher energy efficiency gives to residents in their energy bills, and the health benefits to renters when their homes are more resilient to issues such as damp and mould.

### **The role of national government**

10. Central Government holds the largest influence over quality, security, and affordability in the PRS. Accordingly, the H&F policy seeks to target resources in areas where we can have the greatest impact through existing resources. The Department for Levelling Up, Housing & Communities (DLUHC) plays a key role in regulating the private rental sector. While local authorities are responsible for enforcing legal obligations, the department sets the overall policy framework. Independent research often highlights that the PRS is poorly regulated at a national level, especially when compared to social tenures.
11. The recent development of the Renters Reform Bill has helped to illuminate national challenges in the PRS and propose ways forward. The abolition of Section 21 'no fault' evictions was a key commitment in the Bill that would have made a significant difference in protecting renters from eviction. Disappointingly, this was dropped from the Bill before the announcement of the General Election. The then government suggested that Section 21 notices could not yet be abolished until there has been an examination of whether the courts can handle the increased capacity. The Policy at Appendix 1 sets out under theme five the areas H&F would support in the Bill, and weaknesses or gaps that need to be addressed at a national level.

### **The role of the Council**

12. For several years, H&F has been delivering a comprehensive set of measures designed to improve the experience of private renting in our borough, by driving up standards through effective regulation and enforcement. At the heart of this long-standing approach has been our mandatory and selective PRS Licensing schemes which cover 20% of our borough and require landlords to register their properties and offer a decent standard of housing.
13. The Council's Private Sector Housing Team takes a multi-disciplinary approach to improving the PRS, working across Trading Standards, Environmental Health, and Housing and Homelessness services to deliver a range of statutory duties and discretionary work. Their work includes inspecting private homes using the Housing Health & Safety Rating System, managing our licensing schemes, supporting and encouraging good landlord practices and identifying non-compliant landlords. The team also inspects high risk buildings (over 18 metres in height) and has responsibilities to deal with minimum energy efficiency standards, empty properties, and other public health related functions.
14. The Council has various powers and responsibilities to support private renters. This includes a duty (Part 1 of the Housing Act 2004) to keep housing conditions under review and identify action needed. The same act has enabled the Council to adopt mandatory licensing of Houses in Multiple Occupation (HMO) and

selective licensing to help improve standards and conditions. The Council also delivers a duty to certain homeless households with temporary accommodation needs. New penalty powers have been afforded through the Levelling Up and Regeneration Act 2023 to charge a 100% council tax penalty where properties are left empty for 12 months. The Council will need to keep under review the implications of the Renters Reform Bill and respond to any new legal duties arising accordingly.

## THE DRAFT POLICY

15. Appendix 1 sets out the draft policy which has been consulted on. Our policy brings a refreshed and renewed focus to how we will tackle poorly performing parts of the PRS market, setting a clear course of action for the future. The policy supports delivery of the Council's ambition within the [H&F corporate Plan 2023-2026](#) to, "continue to work with residents to provide more affordable, accessible, safe, and sustainable housing... ensuring we have the right mix of affordable housing options that are accessible and of a high standard."
16. The policy should be read in conjunction with our Housing Strategy and Older and Disabled Peoples Housing Strategies<sup>4</sup>, which provides the overarching framework for delivering our housing services and improving the local housing market. The draft consultation policy has five strategic priorities. They are:
  - Theme 1: Working together with residents and landlords
  - Theme 2: Improving private rented quality, safety and energy efficiency
  - Theme 3: Delivering comprehensive enforcement action
  - Theme 4: A fairer, more inclusive, and accessible private rented sector
  - Theme 5: Shaping the national conversation.
17. The policy sets out a series of commitments under the five strategic themes focusing on a range of approaches, including, but not limited to:
  - Improved engagement between the council, landlords and private renters, led by the establishment of a new landlords forum
  - Robust enforcement action through our licensing schemes, and exploring the case for expanding the schemes
  - Continued promotion of London's Landlord Accreditation, National residential Landlord Association membership, the Property Ombudsman scheme, and our own Landlord charter
  - Ensuring developers commit to building more energy efficient homes
  - Robust enforcement against substandard landlords
  - Bringing empty properties back into use
  - Supporting Disabled residents with grants to adapt their homes
  - Tackling discrimination, and supporting those most at risk of homelessness
  - Engaging in national conversations, as we anticipate changes within the PRS - many of which have been outlined in the Renters Reform Bill
  - Challenging HM Government where greater progress could be realised.

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<sup>4</sup> H&F Housing Strategy. Available [on the website](#).

18. The draft policy has been developed by a cross-council working group of officers, drawing on a best practice review commissioned from the New Economics Foundation. The policy has been developed with wide ranging internal consultation, including focus groups with key officers and regular engagements with the Cabinet Member for Housing and Homelessness.

## CONSULTATION FINDINGS

19. H&F is a council that believes in doing things with residents, not to them. We value the views and experiences of our residents and know that we can only deliver effective services if we respond directly to what local people need. We have therefore consulted widely on the draft policy across local renters, residents, landlords, letting agents and other stakeholder organisations.

20. The consultation consisted of an online survey, focus groups, and interviews. The online survey received 234 responses and 34 people took part in our focus groups.

21. Key findings from the consultation are summarised below.

22. **Overall, the draft policy received a good level of support from renters:** The majority (82%) of private renters agreed or somewhat agreed with the five priority themes in our draft policy, whilst only 9% disagreed or strongly disagreed. This was lower for landlords, where 42% either agreed or somewhat agreed with the five priority themes. For those who disagreed, this was typically in relation to concerns over the costs of implementing the policy.

23. **Renters and landlords are concerned about the high cost of renting:** Of the private renters who responded to the survey, 73% mentioned that the cost of living and the high price of renting in the borough was a concern, as did 32% of landlords. This issue was equally prevalent during focus groups and interviews. Some renters wanted rents to be capped, or index linked. Respondents often pointed to the issue of increasing housing supply and national reforms to help stabilise rising costs.

24. **Housing supply and availability is a challenge:** Increasing housing supply across all tenures was noted as a primary way of tackling unaffordability and noted as a key challenge for the sector. Through our survey, 45% of landlords expressed concerns about the rate of housing supply, whilst 22% of private renters also reported similar concerns. Focus groups participants similarly highlighted this issue as a concern.

25. **Quality, maintenance and standards are a renter concern:** Half of the private renters who responded to our survey stated that they were satisfied or very satisfied with their current landlord. However, approximately 30% of private renters stated that they were dissatisfied or very dissatisfied with their landlord (20% were neither satisfied nor dissatisfied). Some key issues were:

- Unsatisfactory or slow repairs or replacements
- Poor housing conditions
- Unresponsive or generally unprofessional landlord conduct.

26. Nearly 40% of private renters responding to the survey said they had recently experienced poor quality or standards in respect of a property they have lived at. Key issues brought to light in this regard included:

- Damp, mould and leaks
- Faulty door and window fixtures
- Poor heating
- Flooding issues
- Decoration / cosmetic repairs and maintenance.

27. **Access to information and support should improve:** Some renters supported the commitments in the draft policy to improve understanding of legal rights, as well as requesting a suitable way in which they could safely complaints about their landlords without fear of repercussion. Some said they were unaware of their legal rights with respect to disputes with their landlords. Equally, around half of landlords surveyed highlighted the need for more support to be offered to landlords, for example in cases of disruptive or non-paying private renters.

28. **Landlord business models are being squeezed – raising rents:** Some landlords have reported the financial pressures they are currently experiencing, stating that the impacts of national tax reforms and rising interest rates (impacting mortgage costs) had squeezed their profit margins and resulted in costs being passed to renters through higher rents.

29. **Some landlords felt the policy was too weighted towards private renters:** Some landlords felt the draft policy, and the public discourse more broadly across the sector, could better reflect landlords' views and concerns, suggesting that the focus of the document is sometimes too weighted towards private renters.

## **NEXT STEPS**

30. The Policy is being updated to reflect feedback received, which will inform how and what we do as part of the policy's commitments. It is then intended that the policy will progress to Cabinet for consideration and adoption.

## **LIST OF APPENDICES**

Appendix 1 – Draft Private Rented Sector Policy.

**ENDS**

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# Improving the Private Rented Sector

## A private rented sector policy for Hammersmith and Fulham

February 2024

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## **FOREWORD**

A safe and affordable home is a fundamental right for everyone. Whether a home is owned, rented privately or from the Council or Housing Association, we know a good, decent and safe home contributes positively to health, wellbeing, stability and society. Having somewhere to call home is a crucial foundation for everyone; providing warmth, comfort, a space to be ourselves, and a place to enjoy with loved ones.

We want H&F to be the best place to live in London. A borough for residents to thrive and fulfil their ambitions.

We believe private renters in the borough should live in safe and secure homes, without the fear of eviction. Renters should rightly expect their homes to be well-maintained and comfortable, with fully functioning amenities and responsive landlords who treat renters fairly and care about creating a pleasant living environment.

To do this, we need to see improvements in the rights and security of renters, a renewed focus on landlord responsiveness, and accountability for the quality and maintenance of their properties. We will achieve this by working with tenants and the many landlords that already provide good quality housing in the borough, enforcing measures against those landlords who don't, to improve homes for renters. We will also continue to pressurise the government to bring about improvements in the private rented sector, and to fix the national housing crisis.

This policy sets out our ambition for private rented housing standards in H&F to be the best in the country. It has been developed with private renters, landlords, officers and stakeholders, and outlines our commitments to ensure everyone has a secure, well maintained rental accommodation to call home in the borough.

**Cllr Frances Umeh**

**Cabinet Member for Housing and Homelessness**

## **OUR VISION**

The private rented housing sector has seen large growth in recent decades, and more H&F residents are living in the Private Rented Sector (PRS) than ever before. The PRS fulfils an important role in the local housing market. Affordable, accessible, secure and high-quality private rented housing is what many of our residents require to ensure that the borough remains a place where people want to live, work, and thrive.

PRS homes are properties which are owned by a private landlord and leased to a tenant under a tenancy agreement, either directly from a private landlord or through an intermediary such as an estate agency or management company.

Our aspiration is to tilt the balance of power back into the hands of tenants, and to improve private rented housing standards to make them among the best in London. We will achieve this by working with tenants and landlords, focusing our resources on the market's poorest performing sub-sectors, and delivering robust enforcement action to challenge unfair and illegal landlord behaviour.

We have many exemplary landlords, including local residents, and letting agencies operating across the borough that provide an important, professional, and dependable service. They are hugely valued, and we want to retain them and add to their number to ensure good practice is delivered to our residents.

Under this Administration, we have clamped down on rogue landlords and helped our residents into better housing, using selective licensing powers to drive up private renting standards in areas that need it most. We will remain resolute in not allowing a small minority of poorly performing landlords to exploit residents through illegal and rogue practices.

This policy brings a refreshed and renewed focus to how we will tackle poorly performing parts of the PRS market, setting a clear course of action for the future. Much of this policy highlights the positive work already being undertaken by H&F, but also outlines new work and progress we are seeking to improve the sector going forward. This document should be read in conjunction with our Housing Strategy and Older and Disabled Peoples Housing Strategies<sup>1</sup>, which provides the overarching framework for delivering our housing services and improving the local housing market.

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<sup>1</sup> H&F Housing Strategy.. Available [here](#).

## **THE PRIVATE RENTED SECTOR IN H&F**

For a number of years, we have been delivering a comprehensive set of measures designed to improve the experience of private renting in our borough, by driving up standards through effective regulation and enforcement. At the heart of this long-standing approach has been our Private Rented Sector Licensing schemes, which have required landlords to register their properties and offer a decent standard of housing.

The Council's Private Sector Housing Team takes a multi-disciplinary approach to improving the PRS, working across Trading Standards, Environmental Health, and Housing and Homelessness services to deliver a range of statutory duties and discretionary work to improve our local PRS. Their work includes inspecting private homes using the Housing Health & Safety Rating System and managing our mandatory and discretionary private sector licensing schemes, to help reduce anti-social behaviours and drive up standards. The team also inspect high risk buildings (over 18 metres in height) and have other responsibilities to deal with minimum energy efficiency standards, empty properties and other public health related functions.

Measures driven forward by our Private Sector Housing Team in recent years have included:

- Launching and incentivising sign up to H&F's Landlord's Charter
- Promotion of the London Landlords Accreditation Scheme and membership of recognised landlords' associations
- Enforcement action taken against hazardous housing conditions and failure to comply with legal obligations, including having secured the largest fine we have ever issued to a private landlord
- Securing affordable home ownership and rental products to meet the needs of Home Buy clients
- Clamping down on rogue landlords, including multiple prosecutions against those guilty of housing offences
- Assisting tenants to obtain Rent Repayment Orders.

As part of our current Housing Strategy (2021-26), H&F consulted with residents, seeking to understand their experiences of the PRS. The messages were clear; high rents are the biggest challenge for private renters; there was a call on the Council to help tackle rogue landlords; and tenants want landlords and managing agents to

respond quickly and efficiently to disrepair reports and compliance with their legal obligations such as deposit protection.

We have responded to these concerns in how we have supported the local PRS since the Housing Strategy was published. However, new factors are impacting on the PRS today. This includes renters facing a cost-of-living crisis, exponential rent rises and spikes in the number of tenants seeing their tenancies ended by Section 21 notices. It is this landscape, with growing concerns about poor standards, security, accessibility and affordability within the PRS, which necessitates the development of this Policy.

The following sections detail how the PRS has changed recently, with the growth in the size of the sector and broadening of who rents in H&F; concerns about the standards of private renting for some residents; rising costs; and the need now for reform.

### **The rise of private renting**

The PRS in H&F has grown significantly in the last two decades and now accounts for approximately 30,000 properties. It is now the largest single tenure, accounting for 36% of homes. As a result, H&F has one of the highest densities of private rented properties nationally, with greater concentrations in the central and southern areas of the borough.

A range of national policy decisions have led to exponential growth of the sector. Since 1980, the UK has experienced a shift in tenure composition due to the associated effects of: the introduction of Assured Shorthold Tenancies in 1988 and the end of Protected Tenancies; the introduction of Right to Buy in 1980; growth in buy-to-let mortgages during a period of low interest rates; and the significant growth in house prices which has made purchasing unaffordable for many people in London. These influences have contributed to a prolonged contraction in the number of socially rented homes, a reduction in home ownership, with concurrent expansion of the PRS.

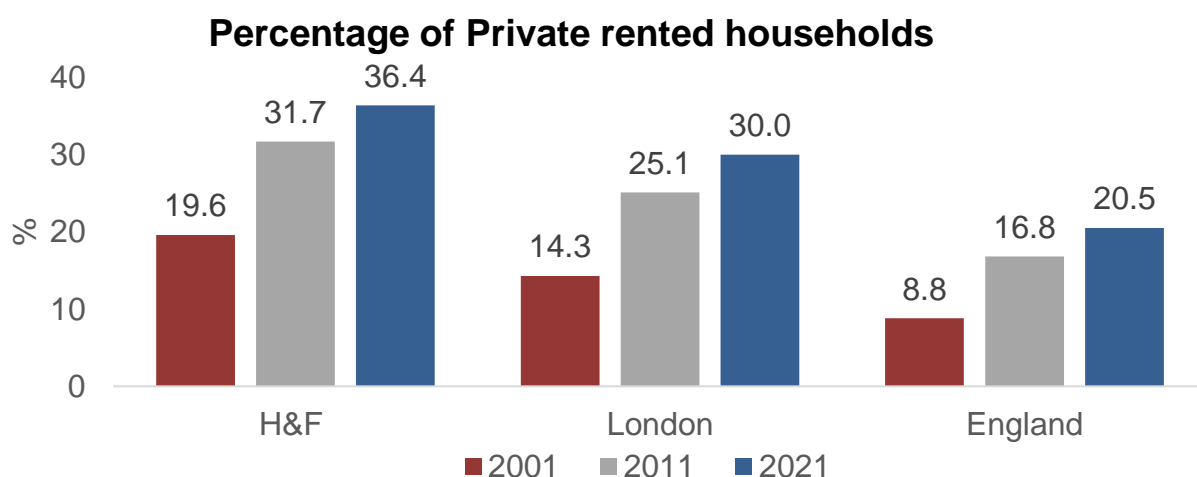
Growth in the PRS, however, may be levelling off with the introduction of a further stamp duty surcharge on new purchases in 2016, increased tax burden and reductions in tax relief, and rising interest rates.<sup>2</sup> However, the New Economics Foundation estimates that between 2021/22 and 2025/26, PRS landlords will be in receipt of over £58bn of local housing allowance and universal credit benefits payments, as there

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<sup>2</sup> Lloyd, T., Grayston, R., and Hudson, N. (2023). *Reboot: building a housing market that works for all*.

remains an insufficient supply of social housing nationally, because of government funding cuts for social housing and policy announcements.

Increasing the number of genuinely affordable and accessible homes in the borough remains a high priority of the Council’s Housing Strategy, with our ambition being for 3,000 new affordable homes to be built or underway by 2026. We are continuing to build genuinely social rented homes through our development programme and will continue to demand that developers build 50% affordable homes on their residential



developments. We believe that some private renters may be better suited to live in social housing, if they meet qualifying criteria.

**Standards in the PRS**

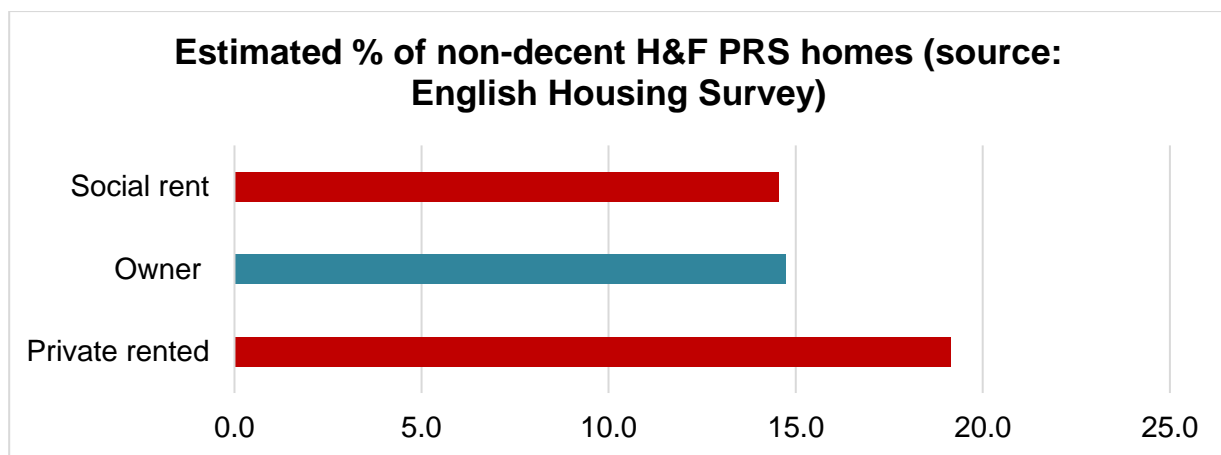
The English Housing Survey has modelled data which suggests that 19% of H&F’s homes in the PRS could fall short of the Decent Homes Standard, the minimum legal threshold that must be met by socially rented properties. PRS homes are more likely to fall short when compared to social rented and privately owned homes (each around 14.5%). There are, therefore, thousands of homes in the borough with either safety hazards, poor heating or insulation, or outdated kitchen or bathroom amenities - issues that recent data suggests are confined principally to flats.

Unfortunately, there are instances of ‘rogue’ landlords who do not fulfil their landlord obligations and fail to keep their properties in a safe and decent condition or manage them properly. In a 2020 survey, we found nearly one third of tenants were not satisfied with the service provided by their landlord, and many were not provided with an

inventory of furnishings.<sup>3</sup> Furthermore, there are instances where homes are deliberately kept empty, that could otherwise be occupied by local people.

PRS is the least secure tenure, and tenants' experience of this is often driven by their relationship with their landlord.<sup>4</sup> Research shows this insecurity can lead to feelings of powerlessness, stigma, financial stress, and anxiety. With so many of the homes in our borough in the PRS, it is vital we respond effectively and swiftly to these problems with a comprehensive plan of action.

London wide data shows that nearly half of PRS homes (46%) had Energy Performance Certificate (EPC) ratings of "D", which could equate to as many as 14,000 homes in H&F. The Government has recently scrapped plans to introduce a national standard from 2025 that would require all PRS homes to hold an EPC C rating (or above) by 2028. For many properties these upgrades could require structural alterations, at significant expense to the property owner, but this would realise significant and material difference to the tenant's standard of living. 2021 Fuel Poverty Statistics showed that 11.3% of households in H&F were fuel poor, having both a low income and low EPC rating, with higher concentrations in the north of the borough. This further penalises private tenants, with EPC 'E' rated properties consuming 48% more gas than those properties with an EPC 'C' rating.<sup>5</sup>



Unlike the social sector, private rented properties are not classified in terms of accessibility. This makes it difficult for Disabled people, who need accessible properties. With a fast-moving PRS market in London, where prospective tenants will out-bid for

<sup>3</sup> Appendix 5, Survey of tenants in H&F PRS. Available [here](#).

<sup>4</sup> Harris, J. 2021. Health and wellbeing in the UK PRS.

<sup>5</sup> Corlett, A. & Marshall, J. (2022). [Shrinking footprints: The impacts of the net zero transition on households and consumption](#). Resolution Foundation.

properties, there is little incentive for landlords to prioritise tenants based on issues such as accessibility, where further commitments to adaptation might be required.

This can compound an issue in which Disabled people will start from a disadvantaged financial base-line. Non-disabled workers earn approximately 17% more than Disabled workers - with Disabled women this increases to 35% - whilst Disabled workers are over twice as likely to be unemployed as non-disabled workers<sup>6</sup>. Where the cost of social care is incurred, households with at least one Disabled person face costs of nearly £1,000 per month<sup>7</sup> – pricing many out of the PRS.

### **The high cost of renting**

The number one issue for private renters as part of the consultation on our Housing Strategy was the prohibitively high costs of renting. This pressure has intensified recently with rapidly rising rents and inflation. Figures indicate rental growth on newly let properties during 2022 was 20% in inner London,<sup>8</sup> with the median monthly rent for a two-bedroom flat in H&F being £1,867 in 2022 – the 7<sup>th</sup> highest in London.<sup>9</sup> Given current trends, to rent a comparable property in H&F will soon exceed £25,000 a year – a prohibitively high figure for many households, driving continuous upheaval and turnover of residents in the borough.

According to Trust for London, private renters spend the highest proportion of their income on housing (51%), well above the London average (44%).<sup>10</sup> Approximately 40% of the sector comprises households in the bottom third of incomes. The challenge of affordability has been further exacerbated by the freezing of Local Housing Allowance (LHA) since March 2020 – the cap used by government to calculate Housing Benefit for low-income residents renting from private landlords. Following the November 2023 autumn statement, LHA is set to be unfrozen and increased to 30<sup>th</sup> percentile of local rents from April 2024. LHA will need to remain in step with living costs going forward if it to remain an effective method of support to renters.

With the high desirability of the borough as a place to live, and unaffordability of home ownership for many, the increased demand for PRS homes means there can be incentives for some landlords to maintain minimum safe housing standards.

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<sup>6</sup> TUC, (2022). [Non-disabled workers paid 17% more than disabled peers – TUC | TUC](#)

<sup>7</sup> Scope, (2023). [Extra Costs | Disability charity Scope UK](#)

<sup>8</sup> Hamptons (2023). [Rental index data](#).

<sup>9</sup> Office for National Statistics, released 14 December 2022. *Private rental market summary statistics in England: October 2021 to September 2022*.

<sup>10</sup> Trust for London, 2023. London rent as a percentage of gross pay. Available [here](#).

Unfortunately, this supply and demand imbalance is particularly pronounced for people living on lower incomes, potentially encouraging unscrupulous landlords operating at the lower end of the market, where people are less likely to complain.<sup>11</sup>

### **Private renters in H&F**

The English Housing Survey shows that the PRS has a much greater diversity of household types than in the past. The PRS is increasingly being relied on by those who require more than mere flexibility, but also affordability, stability and security, which can be challenging in the PRS. The growing sector means that more younger households, lone parents and single-person households are exposed to a lack of secure tenure, unaffordable housing costs and, consequently, are at risk of financial distress and homelessness.<sup>12</sup> Based on 2011 data, 92% of PRS tenants are aged under 50.<sup>13</sup>

In H&F, 'white' groups are overrepresented in the PRS, accounting for 73% of PRS tenants, despite making up only 63% of the population. This is partly attributable to a significant rise in the number of 'white other' (chiefly European born) residents that make up the largest ethnic group in the PRS (36.4%). Conversely, H&F has the 5<sup>th</sup> lowest proportion of Black British, Caribbean or African persons in PRS housing in London (3.7%) – despite these groups making up 12.2% of H&F's population and housing preferences tending to be the same regardless of ethnic group.<sup>14</sup>

We also know that some ethnic groups are overrepresented in overcrowded and poorly insulated homes,<sup>15</sup> and that Disabled residents and residents from overseas can face more challenges in accessing accommodation.<sup>16</sup> The 2022 English Housing Survey showed that of all groups in the PRS, it is struggling families (typically low-income lone parents) that suffer most with respect to overcrowding, damp and mould and affordability challenges, with singles most at risk of homelessness.

### **The need for national reform**

There is clear evidence that the PRS has become increasingly problematic for our residents, and we must expand our support offer to raise overall standards across the

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<sup>11</sup> Shelter, 2014. Can't complain. Available [here](#).

<sup>12</sup> Lloyd, T., Grayston, R., and Hudson, N. (2023). *Reboot: building a housing market that works for all*.

<sup>13</sup> Data Viewer - Nomis - Official Census and Labour Market Statistics

<sup>14</sup> Harries, B, Richardson, L & Soteri-Proctor, A (2008) Housing aspirations for a new generation: perspectives from white and south Asian women. London and York, Chartered Institute for Housing and Joseph Rowntree Foundation

<sup>15</sup> Gulliver, K. (2017). *Racial discrimination in UK housing has a long history and deep roots*.

<sup>16</sup> Grant, S., Peel, CH. (2015). "No Passport Equals No Home": *An independent evaluation of the 'Right to Rent' scheme*.



sector and challenge rogue landlords. We want to redress the balance of power back into the hands of tenants and make our PRS standards among London's best.

To do this, however, we need meaningful national reform, beginning with swift implementation of the Renters Reform Bill and other measures to bring regulation of the sector more in line with social housing. H&F supports abolishing section 21 'no fault' evictions and introducing national measures to better regulate property and landlord quality. We must also be vigilant that other proposed grounds on which to seek possession do not become a vehicle for section 21's by proxy.

New regulations must be allied with additional resources and powers for local authorities such as H&F to enforce at a local level, and an ambitious national funding framework that brings PRS homes up to modern energy efficiency and accessibility standards. With these tools, we can work with residents and landlords to ensure that our private rented housing standards become among the best in London.

### **OUR STRATEGIC PRIORITIES**

To ensure the local PRS can deliver for our residents in the long-term, we have adopted five strategic priorities to ensure our housing standards become among the best in London. Our unique approach responds to what residents have told us they need, but also leading thinking and business intelligence insights that provide the evidence we need to bring about change. In many circumstances, our commitments reflect the need to continue with existing support and enforcement action, but also expand and explore new ways to improve what we do, learning from other areas and pioneering our own ideas.

- Theme 1: Working together with residents and landlords.
- Theme 2: Improving private rented quality, safety and energy efficiency.
- Theme 3: Delivering comprehensive enforcement action.
- Theme 4: A fairer, more inclusive, and accessible private rented sector.
- Theme 5: Shaping the national conversation.

## **THEME 1: WORKING TOGETHER WITH RESIDENTS AND LANDLORDS**

We won't achieve an improved PRS without meaningful engagement and coproduction with tenants and landlords. Our first priority is to listen to, and understand, the needs of local people and the challenges faced locally to inform bespoke support and interventions, in the spirit of doing things with residents, not to them. This means amplifying the voice of residents living in the PRS to ensure they are heard and supported by H&F to challenge unsuitable housing conditions and rogue landlords.

We must also engage with, and listen to, the good landlords in our borough – of which there are many. We particularly want to support those landlords who live in the borough to fulfil their important role in our local PRS. It is vital that we understand their perspectives and experiences at a time of significant financial pressure, particularly in the form of higher interest rates. Being a good landlord comes with substantial challenges, and it is important to us to represent that viewpoint.

### **Our Commitments**

Renters' voice and engagement: We are committed to doing things with residents, not to them. We will tilt the balance of power back to residents by implementing our own measures to ensure we hear the views of renters in H&F. Renters Voice will ensure we are hearing about their experience of private renting in the borough and what more we can do to improve our approach. We will also use this to test and challenge our work, ensuring we hold ourselves accountable for delivering commitments. We will put tenant engagement at the heart of our strategic approach, working closer with representative groups and agencies in delivering the commitments set out in this policy.

Better public awareness: We understand that the legislative and regulatory framework around private housing is complex and not all those renting will understand their rights. We will improve our web-based resources and our relationships with estate agents and landlords, to ensure tenants are provided with comprehensive information about what they should expect of their landlords, the grant funding available for energy efficiency improvements, and what the Council can do to help. This will include updating tenants on the implications of the Renters Reform Bill, the right to request an EPC from landlords, how to access disabled facilities grants, and promoting routes for redress in cases of dispute between tenants and landlords.

This advice will be available to Disabled people and in more than 100 languages, and we will aim to have excellent customer service and build a culture of awareness about

the barriers to housing that residents from groups that share protected characteristics and those with additional needs can face.

Landlords forum: We will establish a new H&F Landlords forum to promote high standards, incentivise compliance, and ensure that landlords are aware of their responsibilities. It will also provide a space to listen to barriers they face in providing high quality accommodation, and to tackle practical operational barriers between H&F and landlords in discharging their duties.

Tenancy sustainment: We will work through H&F Link to sustain tenancies in the PRS wherever we can to prevent homelessness, using our full powers to tackle rogue landlords, and supporting the end of no-fault evictions. This includes brokering private rented accommodation for households faced with homelessness, as an alternative to temporary accommodation. Our Dedicated Tenancy Sustainment resource offers up-to 12 weeks resettlement support for any resident placed in the PRS. This includes ensuring that universal credit payments are made swiftly, and providing Discretionary Housing Payments (DHP) in certain circumstances to cover any shortfall in rent.

Residents with additional support needs are provided transport support for viewings and in some cases accompanied viewings will be undertaken with social care officers. The service also acts as intermediary between tenants struggling with their rent arrears and their landlords to mitigate their situation – accessing DHP or other available funds as appropriate to preserve or extend tenancies.

Ethical debt collection: H&F has led the way in local government since 2017 with an ethical debt collection policy. We do not use bailiffs for council tax debts, instead using ethical methods of debt collection. This has helped hundreds of residents to avoid getting into troubling debt situations with the Council. We also offer a range of emergency support options for residents most in need.

Landlords charter and accreditation: We will continue to promote the London Landlords Accreditation Scheme and membership of recognised landlords' associations. We will encourage all landlords in H&F to sign up to a renewed H&F Landlords' Charter, with discounted property licencing fees and prioritised working relations for those estate agents and landlords who sign up. We will seek ways to actively endorse such exemplars to our many residents seeking housing within the borough.

Delivering our statutory duties: We are making use of powers under the Homelessness Reduction Act 2017, discharging our prevention and relief duty by helping applicants access housing in the private sector within 56 days of them coming to us with a housing issue. In 2022/23, we helped to house 245 homeless households into PRS properties that are safe and of decent standard. The service also provides a fast bespoke and efficient landlord vetting and matching service. However, the high cost of renting in H&F means we face more challenges in supporting residents to stay living locally, in no small part due to the government's freezing of LHA, from 2020 to 2024.

Out of the 245 homeless households helped, we could only place 71 residents into properties within the borough. The rest were located in neighbouring West London boroughs, aside from seven residents placed outside of London, by resident choice. We want to work with more local landlords to help more residents to stay in the borough.

Rough sleeping and homelessness: We will deliver on the commitments set out in our Rough Sleeping and Homelessness Strategy, ensuring there is complete support to private tenants at risk of sleeping rough, and working with private landlords and Registered Providers to increase access to housing for rough sleepers.

## **THEME 2: IMPROVING QUALITY, EFFICIENCY AND AFFORDABILITY**

We want the right homes for our residents; homes that are safe, affordable, and of a high standard, and meet our target of 2030 net-zero ambitions. The current state of the PRS presents a serious challenge to achieving this. That's why we are pioneering new licensing schemes to keep residents safe, drive out rogue landlords, and will clamp down on those who flout standards on insulation, and health and safety.

### **Our Commitments**

Private sector licensing: We will continue delivering our ambitious selective and additional PRS licensing schemes. This currently covers 24 streets designated as selective licensing zones until 2027 - meaning that rented properties and the landlords who rent them are under enhanced scrutiny to ensure good housing standards. In 2023/24, 7,863 PRS properties were covered by either selective or additional licensing schemes. This allows substantially greater powers of inspection and enforcement to ensure our residents live in safe and healthy homes. We will build our evidence and intelligence to inform whether the scheme's expansion can deliver further benefits.

Leading in safety: We will deliver safe housing solutions by supporting high standards in the PRS, working with the third sector to support victims of domestic violence, and maintaining our record of no children in Bed and Breakfast accommodation.

Greening the private rented sector: We will innovate to enforce minimum energy efficiency standards and support landlords to go beyond this, to green their properties, taking steps to help tenants at risk from excess cold. To identify non-energy efficient homes, we will take a targeted and intelligence-led approach to informing tenants about their rights to ask their landlord for an EPC. We will ensure landlords are made clear of their obligations to comply with the Energy Act, which requires that rented homes must achieve a minimum of an EPC E, or otherwise spend £3,500 getting closer to this target. At the same time, we will promote uptake of grant schemes and energy audits that encourage tenants to request home improvements, and which also provide financial support to landlords.

More affordable energy efficient homes: We will continue to demand that developers build 50% genuinely affordable homes on their residential developments, and apply the highest possible planning and design standards to ensure all new major developments are as energy efficient as possible. This includes ensuring that 3,000 new energy efficient affordable homes are built or underway by 2026. Delivery of our affordable homes programme will contribute to our affordable housing supply challenges, but this will not meet everyone's needs. We will explore opportunities to increase affordable housing supply, including policy review and untapped arrangements with other social and PRS landlords.

### **THEME 3: DELIVERING COMPREHENSIVE ENFORCEMENT ACTION**

We have many exemplary landlords, including local residents, and estate agencies in the borough. They are hugely valued, and we want to retain them and add to their number to ensure good practice is delivered to our residents. But rogue landlords and some poor letting agencies have been getting away with unacceptable standards for too long, and swift enforcement action is crucial in driving out poor practices. We will be bold in taking tough action to clamp down on those who seek to exploit our residents. Through our [Private Sector Housing Enforcement Policy](#), we are delivering comprehensive enforcement measures to show that sub-standard letting will not be tolerated.

We have also adopted the [London Lettings Enforcement Policy](#) which sets out how we will address issues related to tenancy deposits, letting agency fees and charges and [redress schemes](#). When considering the culpability of letting agents, we will consider the professional status of the sector, alongside any harm caused to our residents or any aggravating factors, to reduce criminality in this sector. Whilst we have issued several penalties for non-compliance, we know there is still much more work to do.

We will continue to work collaboratively with the [National Trading Standards Estate and Letting Agency Team](#) and be supportive of the many good landlords and agents in the borough who demonstrate best practice. We will proactively and specifically seek out additional funding or resources linked to projects that promote the protection of our residents in the PRS. We want estate and letting agents to provide basic essential material information to our residents. By publishing more accurate, material information, we believe this will increase confidence for tenants and facilitate swift, well-informed decisions around property transactions.

## **Our Commitments**

Comprehensive enforcement action: We will continue to enforce robustly against inadequate maintenance, poor management – including where energy efficiency and insulation are poor – and illegal letting, taking measures to improve protections for residents, and enforcing against hazardous housing conditions and compliance failures. This means using the full range of our enforcement powers including the use of civil penalties, and Housing and Planning Act powers.

We will take action to clamp down on rogue landlords and use our enforcement powers to their full effect. Our PRS Housing team have secured convictions against unlicensed HMO landlords, issuing significant fines and recovering legal costs. This work will continue to safeguard our residents from exploitation, put other substandard landlords on notice, and drive-up housing standards. In extreme cases, through our private rented property licensing schemes, we will prohibit landlords from renting out their properties in the borough.

We will use details of complaints received and enforcement action taken as intelligence providing an informed foundation for future advice and interventions. We will also work in partnership with the Mayor of London by investigating complaints generated through the Mayor's Reporting Line which are referred to us.

Delivering 'good' enforcement: We will continue to deliver on the principles of good enforcement, carrying out enforcement action in a transparent, accountable, proportionate and fair way in line with our Private Sector Housing Enforcement Policy. We will actively advise and work with landlords to help them comply with the law and ensure that key policies and messages are set out clearly on our website, and are accessible to all including in different languages. We will take particular care to work with small landlords so that they can meet their legal obligations without unnecessary expense, where practicable.

Accreditation and redress: We will take enforcement action against those landlords and letting agents who are not members of either the property [Ombudsman](#) or the [Property Redress Scheme](#) and those who do not display their fees in accordance with the regulations or provide misleading or inaccurate information. The Renters Reform Bill proposes the introduction of a national redress scheme in the form of an Ombudsman, of which membership will be mandatory for all PRS landlords. Local authorities will have the power to issue civil penalties and/or substantial fines for those PRS landlords who fail to join.

Empty Homes: We will join up our approach across the Council to ensure that privately owned empty dwellings in the borough are brought back into use and use appropriate enforcement powers where owners are not willing to engage. Where dwellings have been vacant for a long time and the owner is failing to restore it within a reasonable time, then officers may start statutory enforcement action if it is not secure or where there are any associated nuisances. Current housing laws (Empty Dwelling Management Orders or Compulsory Purchase Orders) do not provide practical means for dealing with empty homes. More effective strategies include the potential of enforced sale if there are arrears of council tax, and placing a charge on the property to recover costs of works in default by the owner.

Inspections and deterrents: Over the lifespan of our Housing Strategy, we will drive up the level of inspection and enforcement work we undertake to ensure that poor landlords are held to account. We have recently secured the largest fine we have ever issued to a private landlord, and we will publicise our future work to ensure it acts as an effective deterrent to others.

Short-term lets: We will take action against unlawful short-term lets where we become aware of properties being let out beyond the 90-day annual limit without applying to the

Council for permission first. We will campaign for broader, more far-reaching reform to short-term letting rules than that proposed by the government, with higher regulatory standards similar to the rest of the PRS and more funding for enforcement resources. The lack of data available on short-term lets makes enforcement actions challenging, so we are also calling for local councils to be given the tools and policy levers to better understand these properties within their areas, with better cross-borough data sharing.

Letting agencies: Whilst many reputable agents operate within our borough, insufficient national regulations have fuelled a small hidden economy of disreputable letting agents who rarely face justice. Additional government funding in this area would enable us to build on our excellent track record, of clamping down on rip-off letting agents who flout the rules relating to letting agent fees and client money protection schemes. This would help improve accountability on behalf of our residents in rented or shared ownership properties.

#### **THEME 4: A FAIRER, MORE INCLUSIVE AND ACCESSIBLE PRIVATE RENTED SECTOR**

Housing is a key component of the story of inequality in the UK, and there are particularly long-standing inequalities in housing with regards to ethnicity, age, sex, sexual orientation, and disability, among other protected groups identified in the Equalities Act 2010. Housing has the potential to both cause, and be a tool to address, inequalities that exist in today's society.

We will tackle discrimination within the PRS that threatens the ability of some residents to secure accessible, secure and safe housing. Drawing on the lessons learnt from our Disabled and Older People's Resident Commissions, and our pioneering co-production initiatives, we will work to drive out systemic discrimination and unfairness within the PRS, and help people with additional support needs to ensure that the local PRS works for them.

#### **Our Commitments**

Disabled facilities grants (DFGs): Disabled residents face a significant challenge in accessing homes that are suitably adapted to meet their needs, in an already highly competitive housing market. We will continue to offer grants to help eligible Disabled people adapt their home to make it easier for them to continue to live there and/or maintain their independence.



Nationally there also needs to be better financing of and access to grant funding for these property adaptations. We have found locally that some Disabled residents are not aware of the funding available or are dissatisfied with the process and length of time it takes for adaptations to be undertaken. We will review how we are performing in this area to see what improvements can be made.

Wrap around support: We strive to be a compassionate Council. We will provide wrap around support to residents with additional support needs, helping to negotiate accommodation with private landlords at LHA levels so that the property is affordable to benefit capped households. This includes offering PRS landlords a one-off cash incentive to bridge the gap between the LHA rate and market rents, in addition to carrying out checks to ensure that the property meets decent homes standards.

HM Government freezing the LHA rates, from 2020 to 2024, at a time of unprecedented inflation has been disastrous for many families. We will campaign for the indexing of the LHA from now on - to increase in line with real living costs, to help provide long term security and affordability for our residents.

Refugees and Asylum Seekers: We believe that everyone deserves a safe home, including those fleeing war, persecution and conflict. Refugees and asylum seekers make significant contributions to our community and economy, and we value the diversity they bring. We will continue to work with the UK Home Office to rehouse refugees, and we want to work with local landlords to achieve this.

New housing development: We will continue to ensure that at least 10% of all new housing in the borough meets the London Plan standards on wheelchair accessible housing, and that 90% of new homes meet the M4(2) standards, which require step free access and a range of other design features to enhance home accessibility.

Tackling discrimination: There are long-standing inequalities in housing in the UK with regards to race and disability, and we are committed to making H&F the most inclusive borough in the country. We know some ethnic groups to be overrepresented in overcrowded and poorly insulated PRS homes.<sup>17</sup> Residents from overseas and Disabled residents are also likely to have more challenges in accessing accommodation in the first place.<sup>18</sup> This is something we are already addressing in our [Disabled People's Housing Strategy](#) in which we outline four key underlying tenets; the vital

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<sup>17</sup> Gulliver, K. (2017). [Racial discrimination in UK housing has a long history and deep roots.](#)

<sup>18</sup> Grant, S., Peel, CH. (2015). ["No Passport Equals No Home": An independent evaluation of the 'Right to Rent' scheme.](#)

importance of co-production with residents to shape housing services, improving access to housing information, improving housing services in collaboration with Disabled residents, and seeking out ways to increase accessible and adaptable housing.

We will seek to prevent discrimination by raising awareness of what constitutes discrimination - and related rights and obligations among landlords and tenants - through an information campaign and our landlord forum. Residents from groups sharing protected characteristics, and those with additional needs, can face barriers to housing that, and we will build a culture of awareness to tackle this accordingly.

### **THEME 5: SHAPING THE NATIONAL CONVERSATION**

We want H&F to have some of the best local PRS standards in the country. We need the right funding and powers from HM Government to clamp down on poor private rented standards swiftly and robustly, and additional funding to expand affordable housing.

We also need a national framework and regulations that share the same level of ambition as we have, delivering for our residents and shifting the balance of power back into the hands of tenants. We will take a leading role in shaping the national conversation around the PRS to ensure the voices of our residents are heard at the top. We will advocate for change and improvement to the national framework and actively collaborate with other local authorities and industry experts to bring about the change we need in the sector, together.

Changes to the national framework include important reforms introduced in previous sections, namely indexing the LHA in line with real living costs going forward, additional funding for DFG and more regulation of short-term lets, as well as the commitments below.

#### **Our Commitments**

Home energy efficiency: In December 2020, HM Government consulted on increasing the minimum energy efficiency standards for rented properties to EPC C, with a requirement for landlords to spend up to £10,000 reaching this target or as far towards it as they can. In September 2023, the Government scrapped plans to introduce legislation which would have required PRS landlords to ensure their properties met a minimum standard of EPC C by 2028. We believe that renegeing on this commitment is wrong, on environmental as well as public health and economic grounds. We will

pressure HM Government to legislate for higher energy standards for private renters, which will realise material improvements to renters' energy bills, the warmth of their homes, and mitigate against the huge environmental impacts associated with poorly insulated homes.

We will push for EPC C as the minimum requirement for properties to be let in the longer term to protect our climate for future generations and to keep residents warm and healthy in well-insulated homes. A transparent property portal as proposed by the Renters Reform Bill, in which EPC certificate status is demanded of landlords, would aid the Council in targeting enforcement around those landlords who do not comply with minimum standards. This will, however, still fall short of the Committee on Climate Change's estimates that retrofitting each private rented property to reach carbon neutral levels over the next 30 years would cost £26,000 on average. We will advocate for other actions to accelerate a landlord's responsibilities to green their homes.

Section 21 'no fault' evictions: Section 21 of the 1988 Housing Act enables private landlords to repossess their properties from assured shorthold tenants without having to establish fault on the part of the tenant. In practice, this has meant that some tenants who complain about the standards of their property have been evicted, meaning that tenants are reluctant to exercise their rights due to fear of reprisal. We will support the abolition of Section 21, and lobby for the closure of loopholes that exist in the Renters Reform Bill, where landlords might work around the rules to evict renters by other means, such on anti-social behaviour grounds. For example, more stringent safeguards are needed to protect people whose behaviour may be considered anti-social due to their disability or mental health issues.

The Government has stated that they will not 'commence the abolition of section 21 until stronger possession grounds and a new court process is in place'.<sup>19</sup> We will push the government to ensure that the abolition of section 21 is not reneged upon, or disproportionately delayed, so that tenants can feel safe and can have confidence that their home will not be repossessed.

Universal Credit: Unlike Housing Benefits, claims for Universal Credit Housing Costs are not mandatorily paid direct to private landlords where tenants incur two months' worth of rent arrears. This lack of protection for private landlords wastes public money, makes it harder for landlords to protect themselves against the deliberate withholding of

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<sup>19</sup> House of Commons. Levelling Up, Housing and Communities Committee. 20 Oct 2023. Available [here](#).

rental monies by tenants, and increases the likelihood of failed tenancies – leading to increased homelessness. Existing legislation needs to build in homelessness prevention safeguards when representations are made by landlords or support agencies in this regard.

National Landlord Database: The PRS is the most unregulated housing tenure. We will support the introduction of a landlord register across the borough that provides residents with information about the quality of landlords and properties in the borough, whilst also providing us with the data needed to carry out effective enforcement and regulation against consistently bad landlords. To do this effectively, we require significant additional resource from HM government. Simply bestowing powers of enforcement to local authorities will be ineffective without the funding required to realise these new functions.

PRS Decent Homes Standard: Everybody deserves a decent home, and we will champion the introduction of a decent homes standard for the PRS, including the extension of Awaab's Law to PRS homes; introducing parity across the social and private rented sectors in the standards we can expect. To this end, we believe that updated EPC records are an essential facet going forward and should act as a key pillar in the property portal, which will be transparent to local authorities. We believe this should reflect the EPC status of a property whenever there are substantive changes to the integrity of the property or, in cases where a tenancy has been continuous and unbroken, every five years.

Student accommodation: The PRS provides an important role in housing students locally. The Renters Reform Bill proposes that fixed-term and assured shorthold tenancies should be replaced by periodic rolling tenancies, which will be assured tenancies. This could have the impact of pushing up rents and reducing the availability of student properties. We will lobby HM government to maintain an appropriate exemption for private rented student accommodation that enables students and landlords the flexibility they need to secure a property or tenant in a timely manner aligned to the academic year.

Overseas investors: London has become a hotspot for overseas property investors, many of which remain empty. These homes should be for local people, and we will therefore lobby for an increase in the overseas investor surcharge to stamp duty and the additional rate of stamp duty for multiple homeowners. The number of property

transactions incurring the additional rate paid by owners of multiple homes has increased following its introduction in 2016, suggesting that the tax has not weakened the overall position of all landlords. Today, H&F has the 8<sup>th</sup> highest largest proportion of authorities with additional rate stamp duty receipts, in England.

HMOs accommodating asylum-seekers and refugees: Where HMOs are used in the borough as a form of temporary accommodation, we will seek to ensure they are licensed and monitored so that effective enforcement can be delivered. We strongly oppose any government legislative change to temporarily exempt asylum seeker accommodation from (HMO) licensing requirements.

We are keen to work with HM Government to ensure that accommodation continues to meet the current national minimum HMO standards and that a ‘two-tier’ system, with lower standards of enforcement for accommodation for asylum-seekers, does not occur. We will strive to ensure that refugees and asylum-seekers are not subjected over-crowded, sub-standard or unsafe accommodation when housed in H&F.

Acquiring PRS homes for social rent: Nationally, social rented homes are more than twice as likely to meet the decent homes standard compared to PRS homes. H&F has one of the smallest social housing waiting lists in London, but many people across the UK have no real prospect of ever being allocated a home. We will push for greater powers and resources for councils to acquire private rented homes and let them out at social or affordable rents, and to build more social and affordable homes.

Rent Stabilisation: We believe the PRS can offer tenants secure and affordable good quality accommodation, whilst also providing a good return on investment for landlords who provide a high-quality service. However, recent economic instability and inflation have fuelled record rent rises across London, putting further financial pressure on households. Central Government must review the case for rent stabilisation – such as through an index linking rent rises where rent price pressures exist, to avoid unsustainable rises, and learning from the adoption of these initiatives across Europe and the UK.

## **HOW THIS POLICY WAS DEVELOPED**

This document has drawn on a best practice review and bespoke research commissioned from the New Economics Foundation.

This policy will also respond to important feedback on how we can improve the sector and renters' experiences through a range of consultation and engagement exercises that will be undertaken on this policy from February 2024. The consultation will be widely promoted to local residents, local landlords and letting agents, students, local employers, subject matter experts and councillors. The consultation programme includes a six-week online consultation survey, which is open to all to respond to; focus groups with residents, landlords and letting agencies, students and employers; and in-depth interviews.

The findings of the consultation will be summarised and reported and will inform a further final version of the policy.

## **MONITORING AND REVIEW**

Developing this policy has strengthened our local PRS evidence, but also provides a clear and comprehensive account of our aspirations to improve the quality, affordability, and security of local PRS accommodation.

A Council delivery group will monitor progress against the commitments in this policy, some of which are reliant on more HM Government funding. This will be led by a senior officer within H&F, who will carry out a review after one year of the policy being adopted, to ensure our actions are having the desired impact.