

# TONBRIDGE & MALLING BOROUGH COUNCIL

## HOUSING and ENVIRONMENT SERVICES ADVISORY BOARD

22 February 2016

### Report of the Director of Planning, Housing and Environmental Health

#### Part 1- Public

#### Matters for Information

#### 1 HOUSING SERVICES UPDATE

##### Summary

**This report updates Members on key issues across the Housing Service.**

#### 1.1 Housing Strategy and Enabling Update

##### 1.1.1 Housing Association Liaison Panel

1.1.2 Members will be aware that the Council regularly holds meetings of the Housing Associations Liaison Panel with selected Registered Provider Preferred Partners. This round of the Panel is being held between January and February with Circle Housing Russet, West Kent Housing Association, Moat, Hyde Housing, Town & Country Housing Group, Golding Homes and Sanctuary Housing.

1.1.3 The meetings are occurring against a context of widespread current and emerging housing, planning, and welfare reforms impacting both on the housing associations, the Council and more importantly our residents. Members of the Liaison Panel are taking the opportunity to discuss a wide ranging agenda with each partner, in relation to their own existing presence and future aspirations in the borough. This included affordability issues, organisational structure, opportunities for future investment in Tonbridge and Malling, along with traditional housing management matters such as the approach to tackling antisocial behaviour.

1.1.4 All of the housing associations we met with are looking to make substantial operational efficiencies in light of recent changes in the sector such as the one per cent rent reduction announced in the Budget. This includes following a channel shift agenda towards digitalisation, where tenants can increasingly access a wider range of services from their landlord through the internet and by using their smart phones. This would naturally include safeguards to ensure more vulnerable tenants or those unable to use the technology required would not be disadvantaged.

1.1.5 With the scale of the funding reductions and the degree of financial pressure being felt by our Registered Provider Partners, many unfortunately described a

likely future that saw a reduction in their organisations capacity to deliver some of the “softer services” historically seen. In the drive to optimise operational efficiencies many saw a need to reimagine the recent specialist housing officer positions into more generic roles. Some housing associations were exploring housing officers that were responsible for a particular patch or area (possibly on rotation), whilst others saw a flexible approach where officers with wider a skill base could visit particular stock on demand.

- 1.1.6 The Panels are revealing some key trends in relation to the development of new homes. Although the housing associations continue to actively seek opportunities for providing new affordable housing in the borough, this has become ever more challenging. The reduction in capital funding overall, with the remaining focus only on Shared Ownership, means a likely significant reduction in the provision of Social Rent and Affordable Rent in the future. Some housing associations see delivery for outright sale as a means to cross subsidise the provision of more units for rent, and form part of a broader offer to meet housing need.
- 1.1.7 One of the main topics discussed was the issue regarding affordability and rent levels of new affordable housing. Members will be aware that the Affordable Rent tenure is causing significant concern within the borough, particularly when implemented at the full 80 per cent of market rents. Discussions at the panel enhanced our Registered Provider partners understanding of the strategic pressures affordability of accommodation presented to the Council and the need to safeguard where possible negative impacts against the most vulnerable households (including economically active households on low income) that could lead to unsustainable tenancies.
- 1.1.8 The Council continues to express a desire to work closely with each of our partners through the ongoing changes, as this will be critical to being able to robustly perform the Council’s statutory functions as well as deliver our strategic priorities.

## **1.2 Kent County Council Consultation on Commissioned Services For Supported Accommodation and Floating Support For Young People**

- 1.2.1 Kent County Council (KCC) is consulting key partners including the Council regarding changes to how supported accommodation and floating support for young people are provided in the future. It is important to note that although the level of available funding for these services is not predicted to be reduced, the level of demand is increasing in ways that require commissioning decisions to be reviewed, which is driving the consultation process.
- 1.2.2 Many of the services under review are not delivered directly by KCC, and instead are funded (partly by unring fenced funding received for the supporting people programme) and commissioned by the County and then provided through other organisations. The current contracts for a number of these services are coming to an end, which has provided the opportunity to KCC to review how accommodation

and support services are provided for young people. These changes relate to how those services are provided, where they are provided; and who is eligible to access the services.

- 1.2.3 For how the service is delivered KCC are considering a “standard offer”, which means that all services would be able to cater for the needs of all young people. The aim would be that access can be prioritised according to need, and that there is more likely to be a suitable service available closer to where young people currently live.
- 1.2.4 For where the service is delivered, KCC are considering either a countywide service or one based on four areas (North, South, East, and West Kent). Currently accommodation based support and floating support services are delivered differently across the County, some areas have a large number of services while other areas do not have any services. If successful this would help young people to continue living locally and to have or retain a “local connection”.
- 1.2.5 For who will be eligible to use these services, three models are suggested. These are to simply retain the status quo, move to prioritise those that KCC have a statutory duty to assist, or make services only available to those to which KCC have a statutory duty. Clearly this final option represents a radical shift in service provision and a position that those not entitled to a statutory duty will receive no support.
- 1.2.6 Whilst we fully acknowledge the need to save money and streamline services we are urging KCC that some of the Options proposed also are at odds with the agreed Kent Young Homeless Persons Protocol, where the needs of the young person are the focus of the process, not the level of resource. Our concern is that some of the future directions would seriously undermine the principles of the joint protocol arrangements to the detriment of homeless young people. There could be a significant increase in rough sleeping for this age group from some of the options presented, with the resultant risks in terms of potential sexual and financial exploitation of these individuals.
- 1.2.7 Our primary observations is that we understand there is to be a further review planned of homeless services that were previously funded by the Supporting People programme in Kent. This review significantly overlaps with arrangements for supported housing for young people, as any young people excluded from specialist projects by new eligibility criteria are likely to end up in services designed for adults that are not suited to their needs, or spend periods of time rough sleeping. We therefore consider that it is essential that these reviews are considered together, so that the broader implications for homelessness services can be considered before any potential new restrictive eligibility criteria are introduced.
- 1.2.8 The Council’s response to KCC’s consultation document describing the local impacts is set out at **[Annex 1]**.

### **1.3 West Kent Housing & Homelessness Strategy**

- 1.3.1 The current five year West Kent Joint Homelessness Strategy 2011-2016 for Tonbridge & Malling Borough Council, Tunbridge Wells Borough Council, and Sevenoaks District Council expires this year. The three councils wish to extend the joint strategy for a further five years, and also expand this to develop a joint Housing Strategy covering the same period.
- 1.3.2 Consequently the authorities have jointly commissioned the consultant Susan French to draft this document, which will be set within and reflect the national, regional, sub-regional and local policy contexts and housing markets. The new Strategy will understand and reflect both similarities and differences in approach across the three authorities and the close partnership working that already exists.
- 1.3.3 The new Strategy will be developed in consultation with key stakeholders, partners and service users, and will start in January 2016, with a first draft of the strategy by summer 2016.

### **1.4 Affordable Housing Delivery in the Borough**

- 1.4.1 Officers continue to work proactively with our Registered Provider Partners to ensure a forward supply of affordable homes in the Borough. Set out at **[Annex 2]** is a monitoring spreadsheet showing the completed schemes for the previous and present financial year, along with the development programme by year up to 2017-18.
- 1.4.2 Members will be pleased to hear that since the last meeting of this Board Abbeyfield Kent Society have obtained planning permission for a 100 per cent Affordable Housing redevelopment of their existing scheme at St Martins Square in Larkfield. This features 54 Affordable Rented homes for Extra Care, and 20 Older Persons Shared Ownership properties.
- 1.4.3 Members will note that despite emerging challenges to the provision of affordable housing described above, for the time being the Borough maintains a healthy and diverse programme of affordable housing supply across varied tenures and through different Housing Associations. However, a note of caution is necessary as it is likely that some of these schemes will be subject to change as a result of the aforementioned changes.

### **1.5 Housing Needs Update**

- 1.5.1 The table below gives details of the number of households on the housing register. On average, homeseekers represent 65 per cent of households on the housing register and transferring housing association tenants represent the remaining 35 per cent of the total. Band B now accounts for 53 per cent of registered households, with a further three per cent in Band A, 28 per cent in Band C and 16 per cent in Band D.

Month	1 bed	2 bed	3 bed	4 bed	5+ bed	Total
April 2015	768	457	99	50	18	1,392
May 2015	781	459	108	53	18	1,419
June 2015	784	464	111	54	16	1,429
July 2015	543	342	78	41	7	1,011
August 2015	529	344	80	42	7	1,002
September 2015	549	359	89	43	7	1,047
October 2015	523	340	89	41	7	1,000
November 2015	525	352	89	41	7	1,014
December 2015	527	342	99	44	7	1,019

1.5.2 The following table shows applicants housed via Kent Homechoice during the last nine months, broken down by bed need. Approximately 66 per cent of all lettings were made to homeseekers during this period.

Month	1 bed	2 bed	3 bed	4 bed	5+ bed	Total
April 2015	10	10	10	0	1	31
May 2015	12	6	7	2	0	27
June 2015	28	15	9	2	0	54
July 2015	26	19	13	1	0	59
August 2015	24	5	11	0	0	40
September 2015	15	8	13	0	0	36
October 2015	8	11	16	1	0	36
November 2015	16	10	6	1	0	33
December 2015	13	12	4	0	0	29
<b>Total</b>	<b>152</b>	<b>96</b>	<b>89</b>	<b>7</b>	<b>7</b>	<b>351</b>

1.5.3 The table below shows the waiting times of applicants that have been housed via Kent Homechoice during the six month period between 1 July 2015 and 31 December 2015, broken down by size and type of accommodation. Waiting time is impacted to a large degree by the availability of each property type and bidding behaviours, as some applicants are prepared to wait for particular property types or particular location before placing bids:

Property Type	No. of Lets	Shortest Wait	Longest Wait	Average Wait
Sheltered	18	18 days	14 years	19 months
1 bed flat	79	5 weeks	7 years	12 months
2 bed flat	32	6 months	3 years	16 months
2 bed house	28	7 weeks	9 years	25 months
3 bed flat	2	10 weeks	10 weeks	10 weeks
3 bed house	63	5 weeks	7 years	10 months
4 bed house	4	3 months	12 years	5 years

## 1.6 Housing options

1.6.1 The table below illustrates the number of customers approaching the Housing Options team in the past six months. The majority of our customers contact the team for advice to prevent them from losing their current home or are seeking assistance to find alternative accommodation. The average number of households making a homeless application was 12 per month for 2015, compared to seven per month for 2014. The most common reason for homelessness remains the ending of a private sector assured short-hold tenancy.

Month/Year	No. of approaches	Homeless applications	Advice only	Homelessness Prevented	Open
<b>2015</b>					
April	76	18	33	7	13
May	56	10	27	4	12
June	44	5	13	3	22
July	70	13	37	5	8
August	55	8	26	7	6
September	67	6	33	3	21
October	69	15	32	8	4
November	55	7	33	3	7
December	33	7	15	1	5
<b>2016</b>					
January	60	4	28	0	28
<b>Total</b>	<b>368</b>	<b>60</b>	<b>169</b>	<b>29</b>	<b>82</b>

### 1.6.2 Temporary Accommodation

The following table provides a 'snapshot' number of homeless households living in temporary accommodation at the end of each month. The number remains relatively high reflecting the increased demand for the service. The majority of homeless households require two bedroomed accommodation which is in high demand, meaning that they can be waiting for longer periods to be rehoused.

<b>Date</b>	<b>No. in self-contained temporary accommodation (AST)</b>	<b>No. in self-contained temporary accommodation (nightly paid)</b>	<b>No. in traditional bed &amp; breakfast</b>	<b>Total</b>
30.04.15	3	16	3	22
31.05.15	3	16	3	22
30.06.15	3	13	0	16
31.07.15	3	10	4	17
31.08.15	3	7	3	13
30.09.15	3	12	6	21
31.10.15	3	16	4	23
30.11.15	3	16	4	24
31.12.15	3	16	4	24
28.01.16	3	18	5	26

1.6.3 There are a number of avenues we are pursuing to help reduce the use of and length of stay in temporary accommodation. We are:

- redirecting existing resources to understand the private rented sector in more detail and source properties appropriately;
- working with our Registered Provider Partners, in particular Circle Housing Russet (CHR), to make direct offers of accommodation outside of Choice Based Lettings so that we can move households on to more suitable accommodation in a more timely manner;
- in dialogue with our Registered Provider Partners to reach an agreement for a handful of existing general needs, self-contained properties to be used as emergency accommodation as an alternative to Bed & Breakfast. We have very recently started piloting the use of a general needs property as temporary accommodation within Circle Housing Russet stock.

#### 1.6.4 Rent Deposit Scheme

- 1.6.5 It remains challenging for those on a low income to access the private sector as many private landlords are seeking rent levels considerably higher than the local housing allowance rates, and additionally require tenants to have guarantors who are homeowners and/or have a high income.
- 1.6.6 Whilst numbers of customers accessing the Rent Deposit Scheme remain low, the Housing Options Team are working hard to negotiate with and offer incentives to landlords to work with the Council despite the gap between local housing allowance levels and market rent which remains the biggest obstacle in accessing the private sector.

### **1.7 Private Sector Housing Update**

- 1.7.1 Extending mandatory licensing of Houses in Multiple Occupation (HMOs) and related reforms
- 1.7.2 In November 2015 Government published a technical discussion document for local authorities and others to comment on the planned changes to HMO licensing legislation due in 2016. It is planning to extend the scope of mandatory licensing of HMOs, introduce national minimum room sizes and simplify the process for applying for a HMO or other residential property licence.
- 1.7.3 Currently mandatory licensing applies to HMOs comprising non self-contained accommodation of three or more storeys occupied by five or more people, who do not form a single household. This definition is to be extended to include single and two storey HMOs, and poorly converted blocks of flats. This will have a significant impact on the number of licensable HMOs in Tonbridge and Malling, an estimated additional 25 HMOs, compared to the 12 currently licensed, as predominantly much of our HMO accommodation is two storey. The Council can charge a fee for administering licence applications to recover its costs. To avoid the need to licence, landlords may choose to change the traditional shared house type HMO occupied by single persons to a house for one family. This may have the effect of reducing the availability of affordable accommodation for single persons in the borough.
- 1.7.4 The Government is looking to introduce national minimum room sizes for HMOs rather than local authorities setting their own standards as is currently the case. This will enable consistency across local authorities.
- 1.7.5 Government is looking to simplify the licensing application process particularly where landlords are making multiple applications, so they will only be required to enter their details once. This will make it less time consuming for landlords but the same may not be true for local authorities processing the applications.



## **1.8 Right to Rent**

1.8.1 From 1 February 2016 private landlords including those subletting or taking in lodgers, will need to make right to rent checks. This will mean checking tenants have the right to be in the UK. This will include

- seeing the tenant's documents that allow them to live in the UK;
- checking the documents with the tenant present; and
- copying the documents and keeping on file for the full term of the tenancy and for a year after, including recording the date of the check.

1.8.2 It is the responsibility of the landlord to do the check but this can be assigned to an agent as long as this is in writing. Enforcement will be by the Home Office local Immigration Compliance and Enforcement (ICE) teams. Landlords who don't make the checks could be issued a civil penalty fine of up to £3,000 per tenant if they rent out a property to someone who's in the UK illegally.

1.8.3 The local ICE teams are working with local authorities across Kent to share data and promote the new requirements to landlords through for example social media and landlord forums. Further information about the right to rent checks can be found at [www.gov.uk/righttocheck](http://www.gov.uk/righttocheck).

## **1.9 Legal Implications**

1.9.1 None arising from this report.

## **1.10 Financial and Value for Money Considerations**

1.10.1 None arising from this report.

## **1.11 Risk Assessment**

1.11.1 None arising from this report.

Background papers:

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Nil

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