



Community and Wellbeing Scrutiny Committee

Tuesday 4 February 2020 at 6.00 pm

Boardrooms 3, 4 & 5 - Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ

Membership:

Members

Councillors:

Ketan Sheth (Chair)
Colwill (Vice-Chair)
Afzal
Ethapemi
Hector
Knight
Shahzad
Stephens
Thakkar

Substitute Members

Councillors:

Aden, S Butt, S Choudhary, Gbajumo, Gill, Johnson, Kabir, Kelcher, Mashari and Nerva

Councillors:

Kansagra and Maurice

Co-opted Members

Helen Askwith, Church of England Schools
Dinah Walker, Parent Governor Representative
Simon Goulden, Jewish Faith Schools
Sayed Jaffar Milani, Muslim Faith Schools
Alloysius Frederick, Roman Catholic Diocese Schools

Observers

Brent Youth Parliament
Brent Teachers Association - John Roche, Jenny Cooper & Azra Haque

For further information contact: Hannah O'Brien, Governance Officer
hannah.o'brien@brent.gov.uk

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The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

- (b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest

Agenda

Introductions, if appropriate.

Item	Page
1 Apologies for absence and clarification of alternate members	
2 Declarations of interests	
Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.	
3 Deputations (if any)	
To hear any deputations received from members of the public in accordance with Standing Order 67.	
4 Minutes of the previous meeting	1 - 8
To approve the minutes of the previous meetings as a correct record:	
<ul style="list-style-type: none">11 June 2019 – Additional Meeting. <i>*These minutes were finalised for approval by the Committee but unfortunately were not included on the agenda for final confirmation at a subsequent meeting. In order to rectify this, they are now being presented for final approval.</i>26 November 2019	
	To follow
5 Matters arising (if any)	
6 Council housing management services	9 - 26
This report provides an overview of Brent Housing Management's (BHM's) operational performance. It focuses on this financial year (2019/20) and provides data for the period since the service came in-house (October 2016) for comparison. The report also identifies actions that are designed to further transform resident experience	
7 Selective and Additional Licensing in Private Rented Sector	27 - 106
This report updates the scrutiny committee about the performance of Additional and Selective Licensing for the Private Rented Sector and the effect of renewing or extending these schemes during 2020.	

8 Single Homeless Prevention Service 107 - 118

This report updates the Community and Wellbeing Scrutiny committee about the performance and outcomes of the Single Homeless Prevention Service (SHPS) since it came into effect operationally in September 2017.

9 Community and Wellbeing Scrutiny Committee Work Programme 2019/20 Update 119 - 134

The report updates Members on the Committee's Work Programme for 2019/20 and captures scrutiny activity which has taken place outside of its formal meetings.

10 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 60.

Date of the next meeting: Monday 16 March 2020



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- The meeting room is accessible by lift and seats will be provided for members of the public.

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MINUTES OF THE COMMUNITY AND WELLBEING SCRUTINY COMMITTEE **Tuesday 11 June 2019 at 6.00 pm**

PRESENT: Councillor Ketan Sheth (Chair), Councillor Colwill (Vice-Chair) and Councillors Afzal, Ethapemi, Hector, Gill, Shahzad, Stephens, Thakkar, Askwith and co-opted members Helen Askwith and Simon Goulden

Also Present: Councillors Farah, Hylton, Mahmood and Nerva.

1. Apologies for absence and clarification of alternate members

Apologies for absence were received from Councillor Promise Knight and Dinah Walker (co-opted member)

2. Declarations of interests

The following interests were declared in relation to item 4:

- Cllr Ketan Sheth declared that he was the Lead Governor/Vice Chair at Central and North West London NHS Foundation Trust Governor and CNWL NHS Trust
- Cllr Shahzad declared that his spouse worked for the NHS
- Cllr Ethapemi declared that his spouse worked for the NHS
- Cllr Thakkar declared that she worked as a care navigator at Brent Mencap
- Cllr Gill declared that he worked as a Consultant Psychiatrist at CNWL NHS Trust

3. Deputations (if any)

There were no deputations received.

4. Adult B Safeguarding Adult Review (SAR): Update on Action Plan and Progress with Recommendations

The Chair opened the discussion by inviting Professor Michael Preston-Shoot (Independent Chair of Brent Safeguarding Adults Board) to introduce the item which provided the Committee with an update on the action plan and progress with recommendations relating to the Adult B Safeguarding Case Review.

Professor Preston-Shoot stated that Adult B's case was an unsettling example, indicative of wider, nationwide issues in social care and conveyed his deep regret of the failure and inadequacy demonstrated by services in relation to Adult B. Nevertheless, he expressed confidence that the report had provided reassurance by drawing upon and disseminating both locally and nationally the lessons learnt.

Members' attention was drawn to the recommendations in the report and the specific changes which had resulted from these in relation to people with learning disabilities and their respective family carers. In particular, Helen Woodland (Operational Director, Social Care) highlighted the review of residential and nursing care provision through commissioning services, which had enabled the Council to have a more holistic view of patients and the quality of care provided to them. Councillor Harbi Farah, Lead Member for Adult Social Care added that the report had been brought to his attention and commended Professor Preston-Shoot and Phil Porter (Strategic Director, Community Wellbeing) for their leadership and commitment to the learning process.

In welcoming the report, the Committee raised a number of questions/lines of enquiries in the subsequent discussion.

Members questioned the lack of knowledge and professional curiosity in Adult B's circumstances at the time of the incident and sought further clarification about the prevention measures undertaken since then by the Council to ensure that mistakes were not repeated.

Professor Preston-Shoot stated that lack of knowledge and professional curiosity was not an isolated, Brent specific problem and was not unusual for services to be experiencing difficulties in recording/following up the chronology of patients they were working with. He explained that the lack of professional curiosity seen in Adult B's case was partly due to changes in care management following the introduction of the Care Act 2014 as well as systemic issues with information sharing between GPs and providers. Furthermore, insufficient emphasis was placed on making safeguarding personal, which had to be rectified within all levels of care. Whilst a challenge task, the expectation was that every time a person moved, their personal information, including any social and GP records, should follow them, gradually leading to the situation where the individual held the information themselves, with each interaction should be added to the record and updated.

Helen Woodland (Operational Director, Social Care) stated that a key part in transforming care, was the development of supported living, which would allow the Council to design care around the individual and ensure full transition and communication between services. Within the context of Adult B's case, Ms Woodland also noted that the communication issues experienced by some individuals which had highlighted the need for further work with providers was required to ensure the patients' needs were understood and met. The Committee was informed of a new initiative in the form of a Communications Passport, which would accompany individuals and assist them when accessing care but also allow emergency services to better understand their needs/communicate better.

Phil Porter (Strategic Director, Community Wellbeing) added that in addition to the structure of the services, existing cultural issues and the level of staff's diligence when carrying out duties should also be considered and addressed going forward.

Discussions moved with the Committee seeking further clarification on the Council's practices in setting a digital infrastructure to allow information sharing between services. Professor Preston-Shoot explained that information sharing was a widespread problem across the whole health economy and despite steps being undertaken to address existing barriers, it was not as widely established as it

should. Whilst physical copies of patients records did exist, the challenge remained in terms of the range of systems operated by different organisations and how they interacted with each other. Duncan Ambrose (Assistant Director, Brent CCG) advised that a potential solution to the problem which was actively promoted was the Whole Systems Integrated Care software which was being used by some organisations and enabled frontline practitioners to safely access and share information, which had been drawn from various databases.

Phil Porter explained that the challenge of information sharing should not be underestimated. Whilst welcoming the use of data sharing software and the communication passport initiative, he stressed the importance of ensuring that core information was included with the Council continuously working with frontline social workers to ensure the records were consistently maintained.

Responding to members' questions on the type and effectiveness of the current monitoring system, Helen Woodland advised that the Council had designated teams in place responsible for monitoring not only providers but also the care recipients. She further explained the process of annual reviews, stating that this was an entitlement to every patient. Annual reviews were traditionally carried out by either reviewing all individuals in a given cohort or on an individual basis through the community review team. However, multiple reviews due to complex conditions had seen an increase due to the increasing complexity of patients' conditions and it was not uncommon for ad hoc annual review requests of care arrangements to be made by patients. In the year to date the Council had carried out more than 7000 reviews.

In welcoming Ms Woodland's comments, Professor Preston-Shoot reminded members that the above approach was fairly new and was a direct result of the recommendations made in the Adult B report. He added that the Brent Safeguarding Adults Board (SAB) had taken an active interest in the commissioning and contract monitoring arrangements towards providers, resulting in the establishment of a fully functioning establishments and providers' concerns working group which was monitoring any issues and served as a mechanism of holding the Care Quality Commission to account. The work of the group itself was subject to regular review, with a discussion planned for the next Board meeting in July 2019.

Members queried what the real life impact of cuts on services had been and what was being done to make council services more efficient. It was explained that despite continuous cuts in services, the care which Adult B currently received was significantly cheaper. Helen Woodland asserted that it was important to consider what represented actual value for money alongside continuous austerity measures and in so doing ensure that the commissioned services delivered what was needed by the patients. She explained that a key aim of the Council's transforming care agenda had been to review the cohort of people with learning disabilities and consider what the best possible provision for them that needs to be commissioned in future was. The cohort was fairly static in terms of numbers, allowing the Council to plan effectively in the long term. A priority of adult social care was also the effective use of day care centres subject to necessary remodelling, alongside working with carers and young people to establish what support was required and commissioning a suitable service accordingly.

A key line of enquiry pursued by the Committee revolved around the role of staff, their recruitment and level of accountability they had. Referencing Section 1 of the Care Act 2014, Professor Preston-Shoot stated that it was important to be mindful of the statutory guidance which set out a general definition of wellbeing. The overall aim was to get as close as possible to delivering patient's wellbeing, while also taking into account available resources and offsetting these against the needs of the individual/family members. In terms of staffing, the Committee was informed that every time a care package was commissioned, the services were responsible for establishing that the staff had the required knowledge and skills to deliver what was needed. Following Adult B's case, there had been a greater emphasis in ensuring that robust staff checks were embedded at the forefront of the council policies.

Phil Porter assured the Committee of the importance of recruiting the right people to the right roles and ensure they offered the appropriate level of supported required by individuals. Following Adult B's case, the Council had adopted a new approach and was seeking to develop a different, more strategic partnership stance in its relationship with providers. Members were informed that the approach was already in place but it would take time before its true impact could be established.

In response to members concerns about quality of care from private providers and whether there was an intention to bring more care services back "in house", Helen Woodland stated that there were a number of very good private providers which have been working well in partnership with the Council. The Committee was reassured that the current schemes had been performing well, drawing upon staff's expertise and sharing of knowledge in delivering personalised care. In term of bringing more services under the control of the Council, Helen Woodland stated that there were a number of "in house" services provided by the Council, including a learning disability care home and a private financing scheme (PFI) already in operation. However, members were advised that bringing all services back in house may not be the most effective option, with no immediate plans set out to do this in the near future.

Referencing the issue of training and professional curiosity as well as the number of outside providers who may be intermittent to provision of care, the Committee enquired about the Council's approach in ensuring mistakes from Adult B's case were not repeated. In noting the need for further regulation, members further questioned the robustness of contract monitoring practices in ensuring that services were held to the highest possible standards.

Professor Preston-Shoot stated that whilst no guarantees could be given, the Brent SAB could seek assurance from agencies that appropriate training be provided for every aspect of the workforce or if necessary, seek to utilise its own resources in doing so. He also noted that a key to avoiding mistakes was ensuring adequate supervision and developing a culture amongst staff of escalating concerns outside of their direct line management. An overarching point was made that there was a national issue that needed to be argued in terms of revamping the training provided for social care staff and pursuing the development of a national accredited system.

In terms of contract monitoring, the Committee heard that a new system was already in place, with a report on details of it to be presented at the Brent SAB meeting in July 2019. Members were also asked to note the frequency of the reviews, which allowed to identify and manage notifications of concerns received accordingly. In addition, members were informed of a recent external audit, which would form part of a wider peer review currently under way. A further approach was to seek to hold the Care Quality Commission (CQC) to account to ensure their decisions were based on evidence in relation to particular providers.

The meeting continued with the Chair inviting Councillor Neil Nerva (committee member, in capacity of an observer for the meeting) to make a contribution to the discussion. Cllr Nerva expressed his concerns from the findings of the report and noted the need to seek further assurance from the CQC in ensuring the adequate provision of continuous service. In his presentation, he sought clarification on the review target for people with learning disabilities as well as a feedback on the risks identified from the Adult B report in terms of patients with complex care needs.

Helen Woodland informed members that there was no specific target for people with learning disabilities but the annual overall target of 84% had been achieved and would be increasing year on year. She clarified that the term “review” was being used loosely and in fact the process involved a much more detailed investigation, on a case by case and depending on the individuals’ circumstances. Reviews also looked at what an individual wanted to achieve as well as into their care plan, any risk factors and respective mitigation measures. In addition, she pointed out that partnerships with providers and people who provide care also played an integral part. It was explained that as a result of Adult B’s case, conversations about identifying complex cases which would benefit from ongoing social care involvement were now taking place and were factored in the priorities within the adult social care transformation for next year.

In addition, Michael Preston-Shoot stated that a number of other opportunities had been explored. These included the raising of the issues/lessons from Adult B’s case at the National Safeguarding Adults Boards Chair’s Network and sharing with commissioning services and providers as well as a project for the Local Government Association under way, focusing on how to make safeguarding personal, the outcome of which would be known in early autumn of 2019.

Members questioned the training structure for frontline staff and what their knowledge of safeguarding and raising concerns was. It was felt that accreditation was not limited to training alone and demanded that more be done through existing commissioning policies. The Committee was assured that the Council was working closely with care homes and looking at the issues they were experiencing in order to provide appropriate training. However, it was explained that provision of training was national problem, resulting in lack of specific structures and in turn posing significant challenges in pursuing further accreditation.

Michael Preston-Shoot stated that social workers, GPs, nurses all needed to be registered to practice which guaranteed some a certain status. In addition, care

packages were legally required to meet individual's needs and Brent had proven successfully in defending its care packages in court on a number of occasions. He further stated that more onus was needed to ensure that the Council was satisfied with the provider's requisite knowledge/skills and existence of appropriate procedures in place to guarantee individuals' protection.

Spotlighting on the content of the report, members questioned the limited references made to care management services as well as their absence from the meeting. The Committee was informed of the difficulties experienced in trying to engage the care providers fully in the serious case review process, their reluctance to accept scrutiny and further learning and the concerns by the Council and Board as a consequence. A judgement call therefore had to be made in preparation of the report to the degree in which the provider voice was required, taking into account their general level of defensiveness.

Further referencing the recommendations in the report, members expressed concerns about the lack of advocacy in Adult B's case and how the council was engaging with parents and carers. They further questioned the lack of uniformity in the training received by advocates as well as the lack of necessary language skills. Helen Woodland stated that there were three key elements to this – how were family members involved; how are people who can't advocate for themselves supported; and how are they supported to advise services of their needs/wishes. The complexity of the process would require a robust assessment and plan which looked at the wider network, strengths and skills of the individual. In some instances, the Council would also consider seeking the help of an independent advocate to help decide what is best for the individual. Where applicable, details of advocates and family/friends network would also be recorded on the Communications Passport. In reminding members and officers of the importance of meeting the obligations set out in the Care Act 2014, Michael Preston-Shoot added that the Brent SAB had looked at a number of referrals with an element of advocacy, highlighting the invaluable role many of them had played.

The Committee was assured that qualification and training standards regarding advocacy were in place. Nevertheless, due to the diverse community in Brent the Council also commissioned a translation service to help advocates in their work when needed. It was explained that there had been difficulties recruiting frontline care staff who spoke certain languages such as Gujarati and that needed to be considered through workforce development in the long term. A further service to assist advocates with assessments was also commissioned and regularly used. No specific numbers could be given to people with advocates but officers agreed to report back to members with more information.

Discussion moved on with the Committee welcoming the Communications Passport scheme and seeking further details on the timescale for progressing it. Officers advised that the scheme was part of a wider review. The Communication Passport would be in addition to the care support plans to which all individuals were entitled to and would be determined following appropriate assessment. Reviews were rolling and started from the date when a person came into the service.

Spotlighting on the recommendations in the report, the Committee enquired about their progress and monitoring. Michael Preston-Shoot confirmed that all recommendations set out in the report had been referred to the relevant Council department. He confirmed that recommendations 1 and 2 had already been completed and recommendation 3 was ongoing, as part of a wider transformation initiative. In relation to recommendation 4 which focused on the new commissioning arrangements, he explained that serious case reviews were now fully included within the arrangements for commissioning and contract monitoring so recommendation 4 was both completed and ongoing.

It was explained that reviews didn't end with action plans and were expected to be regularly revisited and discussed at future meetings. Actions from serious case reviews and lessons were disseminated in a range of ways to ensure they are given sufficient prominence. The review processes included ensuring that every partner agency knew how to make referrals to case review group. Set within the structure of the Brent SAB, a case review group would discuss and review cases, the meetings of which were minuted and attended by a legal representative. In addition, progress updates on the report had been announced via newsletters and the annual SAB report had included an account of the number of cases received and decisions made.

Whilst the report did not identify any additional elements that required routine reporting, Michael Preston-Shoot stated that if there were reasons to believe that care packages were not delivered on, then necessary actions would be taken. Committee members were assured of the continuous work between the Council and care providers to ensure standards were maintained, evident through the Council's combined approach and existence of an Establishment and Provider Concerns working group.

Finally, the Committee questioned the methods used by the Council in holding providers to account and minimise further cases like Adult B from happening in future. Whilst no specifics could be given, Members were assured that the concerns resulting from Adult B's case had been identified and the Council was no longer contracting with the care provider. The Chair of the Brent SAB added that whilst cases like Adult B's were shocking, reviews should be welcomed and seen as a tool for identifying lessons to be learned and revealing good/bad practice. It was noted that where potential concerns could arise from were cases of repeat referrals as these would be seen as indicative of the existence of systemic issues in Brent. In addition to reporting concerns directly to the Chair of the Brent SAB, members were advised of the possibility to seek, where appropriate, legal action. A further argument could also be made as to whether or not the law could be extended to include individual members of staff as a way of holding them to account.

On behalf of the Community and Wellbeing Scrutiny Committee, the Chair asked the Chair of the Brent SAB to pass Adult B and Adult B's mother their best wishes. In conclusion of the meeting, the Chair thanked officers for their contributions to the meeting and invited members to make recommendations.

RESOLVED:


- i. That the Cabinet undertakes to take forward and monitor progress of the Communication Passports Scheme
- ii. That the Cabinet be asked to make representations with regards to providers and their robustness and accreditation of training; and further liaison with the CQC in this area.

5. **Any other urgent business**

None.

The meeting closed at 8.08 pm

Cllr Ketan Sheth
Chair

	<p>Community and Wellbeing Scrutiny Committee 4 February 2020</p>
	<p>Report from the Strategic Director Community and Wellbeing</p>
<p>Brent Housing Management - Performance Report</p>	

Wards Affected:	All
Key or Non-Key Decision:	Non-key
Open or Part/Fully Exempt:	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer:	<p>Emily-Rae Maxwell, Head of Housing and Neighbourhoods Emily-Rae.Maxwell@brent.gov.uk 020 8937 1131</p> <p>Sean Gallagher Head of Housing Property Sean.Gallagher@brent.gov.uk 020 8937 2622</p>

1. Purpose of the report

- 1.1. This report provides an overview of Brent Housing Management's (BHM's) operational performance. It focuses on this financial year (2019/20) and provides data for the period since the service came in-house (October 2016) for comparison. There has been considerable progress, although several areas require further improvement. The report also identifies actions that are designed to further transform resident experience, e.g. embedding the Customer Relationship Management (CRM) system.
- 1.2. BHM is structured around two areas - property and people. The Property service is responsible for repairs, planned works and compliance. The Housing and Neighbourhood Service focuses on the people side and is responsible for the customer contact centre, as well as collecting rent and managing tenancies and leaseholds.
- 1.3. Our overriding ambition is to improve the experience that our residents have. Great performance relies on the property and people service areas working effectively together – the customer contact centre (people) will take a call about a repair but it is the property service that manages the repairs contractor. Further

performance improvements will also be made by people and property services working with other parts of our housing service and with the wider council. For example, we want to fill voids more quickly, which relies on the Housing and Neighbourhood Service notifying that a tenancy is ending, the Property service getting refurbishment works done and the Housing Needs team letting the property.

2. Recommendations

- 2.1. Members of the Community Wellbeing Scrutiny Committee are asked to note and comment on the information in this report.

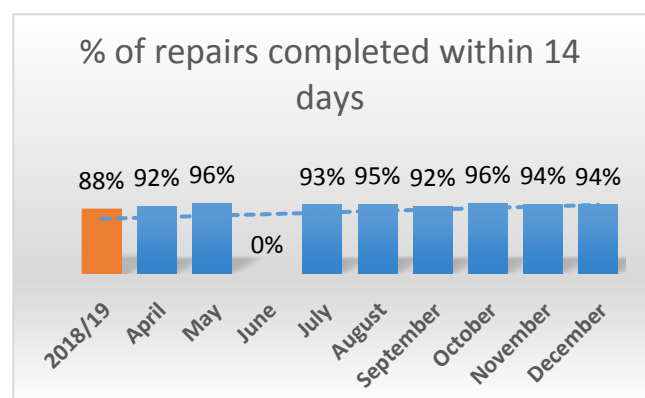
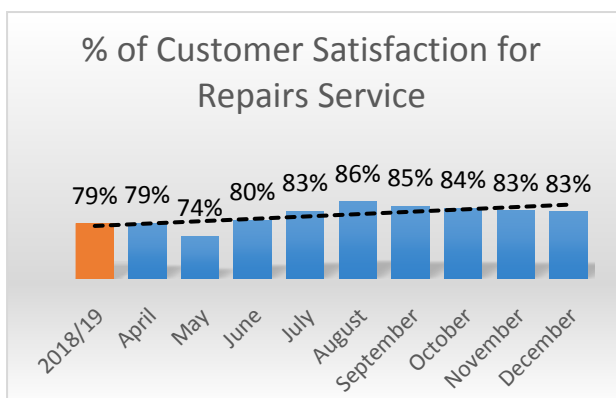
3. Summary

- 3.1. The report details all areas of BHM performance and is structured by priority around the services that residents tell us make the most difference to them, rather than by how the council manages the service:
 - *Responsive repairs* – we carry out nearly 30,000 repairs a year – an average of nearly 3 per property. The service has been a key focus for improvement
 - *Tenancy Management and estate caretaking* - significant changes include bringing the estate cleaning service back in house, preparing to move back to patch based working in response to resident feedback and the introduction of a Tenancy Sustainment Panel to reduce evictions
 - *Housing Contact Centre* - council and BHM technology changes have negatively impacted on performance so our focus is on improvement. Indications in December's data are positive.
 - *Leasehold and home ownership – service charge* collection is performing well and leaseholders now have a say in planned works, but concerns remain about the capacity and ability of the service to respond effectively, particularly to complex queries.
 - *Keeping residents safe* – this is a priority and the services perform well. For example, all property works actions resulting from fire risk assessment (FRA) are complete, with only tenant related actions outstanding
 - *Planned works* – our approach to planned works has improved, with the majority of programmes delivering to time and budget. The Low Rise Fire works programme has been unacceptably delayed and an action plan is in place which will be subject to contract review in 6 months.
 - *Customer experience and engagement* – all teams have worked hard to improve responsiveness and, importantly, to recognise and take responsibility for mistakes that have been made. The number of complaints and Member Enquiries is forecast to reduce this again year as it did in 2018/19, and response times are good and improving.

4. Repairs

- 4.1. The Council contracts Wates to deliver all responsive repairs to BHM tenants, approximately 30,000 per year. The table below shows a significant improvement in both service performance and customer satisfaction. Relevant parts of BHM have worked closely together, and with Wates, to increase accountability of the service through weekly joint meetings that use performance and complaints data to agree priorities and improvements. The current focus is on emergencies, appointments and diagnoses, as detailed in 4.2-4.4 below.

Landlord Management	BHP	BHP	BHP/BHM (Oct 17)	BHM	BHM
KPI	2015/16	2016/17	2017/18	2018/19	2019/20 April - Dec
Customer satisfaction with routine repairs	No data	72%	71%	79%	83%
Repairs completions within 14 days	82%	77%	79%	76%	94%



Emergencies

4.2. A very high percentage of repairs were being coded as requiring emergency or out of hours appointments, which put a huge strain on the service. Analysis was done which included listening to customer calls and getting feedback from Wates operatives undertaking the work. As a result, the percentage of repairs being coded as emergencies (requiring a 4 hour fix) reduced from 29% to the current 11%, in line with benchmark comparators. This improvement has had a positive impact on the service, particularly in freeing up appointments.

Appointments

4.3. Improvements in the way that emergencies are managed (see para 4.2 above) enabled Wates to release an additional 150 appointment slots per week. In addition, Wates committed to doing all routine repairs within 14 days, instead of the previous 28 day commitment. Residents are now asked to identify a slot within the next 2-4 days for routine repairs. The service now delivers 100% of emergency repairs on time, and 80% (up from 41%) of routine repairs within 2-4 days (note not all residents want the repair done within 4 days). As the table in 4.1 shows, 94% of routine repairs were completed in 14 days in 2019/20, compared to 76% the previous year.

Diagnosis

4.4. The diagnosis of the works required for a repair is critical and getting it wrong causes frustration for residents and staff from Brent and Wates. Success relies on contact centre staff requesting the right job and tradesperson from the system, based on their interpretation of what a customer is telling them. Data on diagnosis has been monitored at weekly meetings between Brent and Wates since April 2019 and feedback is being used to improve performance on an ongoing basis.

The management of complex repairs, requiring several different tradespeople are required, is a current area for improvement.

Customer satisfaction

- 4.5. Data suggests that this approach is working. All customers who have had a repair completed are sent a text message survey by BMG Research asking if they were happy with the repair. If they are not satisfied, an officer from Brent calls them to get feedback and progress any outstanding issues. Negative feedback is jointly reviewed by BHM and Wates at joint weekly meetings. Equal focus is put on attitudes and behaviours as well as processes in terms of performance improvement.
- 4.6. The team is aiming to deliver customer satisfaction of 85% (from 82%) consistently during 2020/2021. A joint improvement plan, designed to take us to the next level, is already in place. As well as focusing on the management of complex repairs (see 4.4 above), the plan increases focus on ensuring that Wates' supply chain allows access to the right people and supplies to deliver what we need and improving our own internal communications across teams.

5. Managing tenancies and estates

- 5.1. BHM manages approximately 8,000 tenancies including New Accommodation for Independent living on behalf of Adult Social Care. This section focuses on the three areas of Housing and Neighbourhood Services' work that are fundamental to resident satisfaction – all things tenancy management (such as support for vulnerable residents, anti-social behaviour etc); management of how estates look and feel; and, the collection of rent. These areas are detailed in 5.3-11 below.
- 5.2. Across all of the areas below, we are changing the way we work in response to feedback from residents and members. When the first elements of CRM were introduced in July 2018, we introduced 'patchless' working. However, feedback from residents, partners and the team quickly identified concerns, including officers not being able to see a case through to conclusion and found it harder to build up local knowledge and connections. This has left residents feeling dissatisfied with the service. Whilst it is important to try new ways of working, it is equally important to respond to feedback. We will be reverting to a patch-based model from April 2020, so individual areas have a dedicated housing officer. We believe this will also help elected members manage casework and ensure a consistent and direct point of contact.

Tenancy management

- 5.3. Since April 2019, BHM has resolved 6,291 tenancy management issues. Whilst the majority were raised by tenants, the team is taking an increasingly proactive approach in identifying issues at an early stage and working with partners – whether in the council or outside – to intervene early. For example, we want to become the first Local Authority to achieve the Domestic Abuse Housing Accreditation for Homelessness and Housing Management. We are providing extra training for Housing Officers and Surveyors to help them spot the signs of Domestic Abuse and feel confident about how to raise concerns.
- 5.4. Helping people to sustain their tenancies is at the heart of what we do. To reflect this, we replaced the Eviction Panel with a Tenancy Sustainment Panel, which seeks input from colleagues across the council in order to help resolve specific issues. Ongoing work with the Council's Children and Young People service is focused on helping care leavers to sustain their tenancies. In addition, the leadership team across Community Well-Being have instigated a Complex Case

Panel, which can be used to bring different agencies together to improve support for a tenant, even when there is no risk of eviction.

- 5.5. The table below shows a significant reduction in the number of evictions – from 19 in 2018/19 to 10 between April and September in 2019/20. It also shows a reduction of number of tenancies lost because of rent arrears. We are particularly aware of the increased risks of arrears for tenants on Universal Credit (UC) and make use of the Alternative Payment Arrangement (APA) mechanism. An APA pays the Housing Benefit element of UC directly to the landlord rather than to the tenant. APAs are recommended for people who are in arrears and at risk of homelessness to prevent further arrears accumulating. Tenants who consider themselves vulnerable can request for this arrangement from day one.

Landlord Management	BHP	BHP	BHP/BHM (Oct 17)	BHM	BHM
KPI	2015/16	2016/17	2017/18	2018/19	2019/20 April - Dec
Total number of Evictions carried out	25	41	38	19	10
Total number of Evictions for rent arrears	14	29	17	11	6

- 5.6. Tackling anti-social behaviour remains a priority for our tenants and we work closely with colleagues in Community safety to deliver an increasingly joined up approach to investment in infrastructure such as CCTV and door entry systems on estates. Of the 10 evictions carried out to Dec 2019, 4 were as a result of anti-social behaviour.
- 5.7. We fund estate improvement works and the return to neighbourhood-based staff will help ensure we understand from residents and local Cllrs what work is required. For example, the car park Victoria Mansions attracted anti-social behaviour and residents had lost all confidence in the Council's ability to deliver improvements through BHP. Consultation was held with residents as a number of requests were in conflict, i.e. more space for children to play and more car parking space. We provided residents with options that met these differing demands in order to take the scheme forward. This is the blueprint for how we will approach improvements in the future – working with residents and Cllrs to come up with priorities and an action plan with the dedicated housing officer for that patch tracking delivery.

Estate services

- 5.8. Following the Cabinet decision last April to bring our estate cleaning service in-house, colleagues from Wettons joined Brent in September 2019. We are ambitious for the service – not least because we want to improve the very low (approx. 20%) satisfaction with the service as it was. The service came back on a 'lift and shift' basis, with a focus on some targeted improvements, including the way we respond to issues around deep cleaning, which was specifically raised as a concern. New equipment has been purchased and a full programme of deep cleaning has started, with resident views being sought about the cleaning standards. We have seen a reduction in cleaning complaints, which is positive, albeit we started from a low base.

- 5.9. A full service reconfiguration is imminent, though, due to come into force in April 2020 with a new set of performance indicators. Residents have been at the heart of specifying the new service, including through workshops. A clear priority from this consultation was that cleaning specifications must be bespoke to blocks and tackle issues related to that particular neighbourhood rather than being standard across all areas – this links to the move back to patch based working (see 5.2 above).
- 5.10. The evolution of the service has also created opportunities to address our carbon footprint and a fleet of electric vans will shortly come into use.
- 5.11. Parking on BHM land continues to create a challenge for us. We have commissioned work to analyse all parking facilities on Council estates as we need to consider options for how to manage and enforce residents' parking so that colleagues can take enforcement action against people parking illegally. We anticipate making progress in terms of likely options within this financial year.

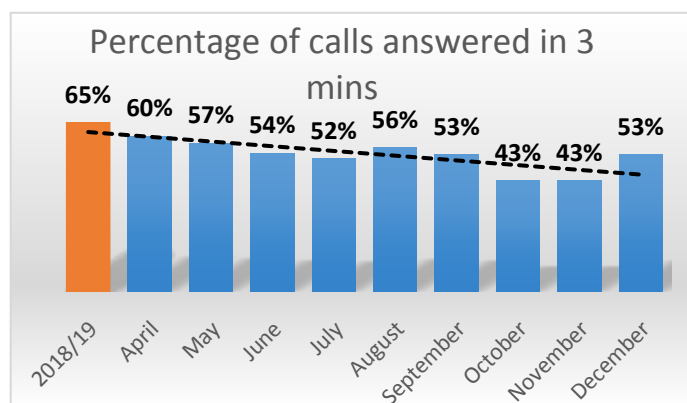
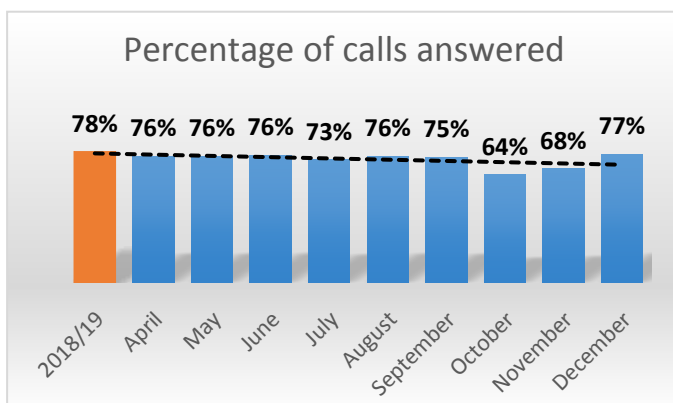
Rent collection

- 5.12. Rent collected goes into the Housing Revenue Account (HRA), which is the budget used for maintenance and management of all council homes. Income from rent collection for last year was £51 million. In 2018/19, the rent collection performance was 98.6%, performance for this year to date is 98.8% showing performance has improved slightly but needs to increase further to meet the performance target of 99.5%. Using analysis of historic trends, the service is confident that this target will be reached in Quarter 4. We recognise the substantial risk to tenants on Universal Credit and para 5.5 above explains how we are working with them to protect them from increased arrears

6. Housing Contact Centre

- 6.1. The Housing Contact Centre is the front door for all housing related enquiries for all tenants and leaseholders, as well as Housing Needs enquiries. The table below shows a decline in performance KPIs since we brought the service in-house and throughout the year with a more significant drop in October and November 2019. December 2019 has shown a significant improvement, as a result of resolution of some systems issues and increased management focus.

Landlord Management	BHP	BHP	BHP/BHM (Oct 17)	BHM	BHM
KPI	2015/16	2016/17	2017/18	2018/19	2019/20 April - Dec
Percentage of Housing Management calls answered in the contact centre	88%	86%	71%	78%	73%



6.2. These KPI's remain important but should be considered in context. The service has changed significantly over the last two years. In 2015/16, the contact centre was dealing only with repairs calls and some frontline calls for information. In 2019 it manages all front line calls for all BHM services and since July 2019 it also deals with Housing Needs calls. In addition, the centre now makes outbound calls to residents (1,182 so far) and the complexity of these calls is increasing and taking longer, for example because a resident needs a greater level of support because of mental illness. The team is reviewing the appropriateness of KPI's as a result. The table below shows the numbers of calls and the increase in demand:

2019/2020	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Brent Housing Management	6665	6598	6479	7561	6510	7118	8796	7078	7795
Housing Needs				2249	2050	2265	2265	2087	2089

6.3. The increase in demand for Housing Management calls is one factor in the decline in performance, but another key factor has been the roll out of several systems, including 8x8 (phone system), CRM (electronic case management system) and M3 (a repairs diagnostics tool). These systems are designed to improve performance. For example, CRM is fundamental to joining up the service for complex works, and the resident portal will allow residents to report and diagnose repairs online.

6.4. However, there have been a range of implementation issues. Whilst December's performance is evidence of improvement, we are not complacent. Concerns are now dealt with weekly and visibility of issues has been improved. Challenges included:

- Processing times for calls received increasing because of servers hosting the CRM being slow to confirm information input into the system and progress the action onto the next team required. Officers have to wait and cannot move onto the next call until the system loads
- There is a four-system integration between CRM, M3, Northgate and Impact (Wates in-house system) for repairs. Since the launch date, there were issues with coding between the four integrated systems that were either sharing incorrect or incomplete information. An example of this is the timeslots allocated to specific repairs jobs differing in each system. This had a knock on

effect on the service delivered to residents and Wates ability to plan jobs for operatives to carry out. This has now been resolved

- Whilst the function within the system to send letters is improved, the functionality to streamline debt collections is still being built. This will enable front line officers to take effective rental arrears action, by using predictive analytics and approach tenants before they fall into arrears.

7. Leasehold and Home Ownership

- 7.1. The leasehold service charge collection rate is currently higher as of Quarter 3 (90%) when compared to the previous year's mid-point (78%). The relationship between Leasehold service and Property services is essential to ensure a seamless process for Leaseholders when carrying out works.

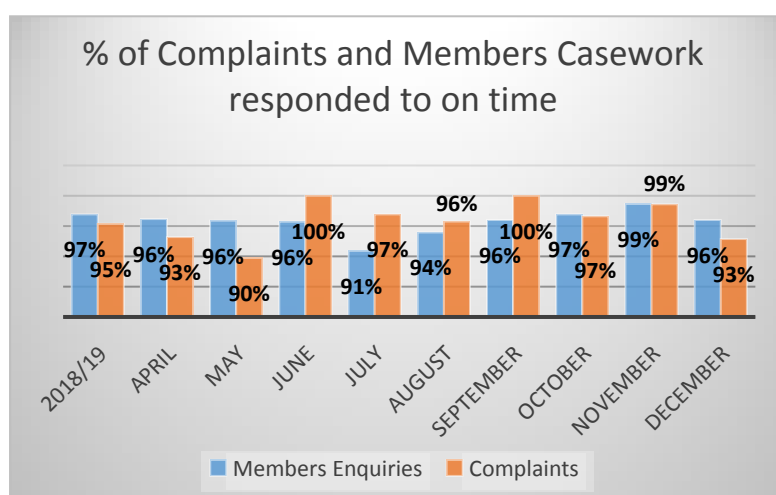
Landlord Management	BHP	BHP	BHP/BH M (Oct 17)	BHM	BHM	Direction of travel
KPI	2015/16	2016/17	2017/18	2018/19	2019/20 April–Dec	
Leasehold Service charge collection rate	107%	119%	110%	103%	90%	□

- 7.2. Significant improvements have been made to how Brent responds to leaseholder queries. Following high levels of complaints about the Section 20 process (planned works which are charged to leaseholders), a Section 20+ process was introduced. This new process meant that both leaseholder and tenants were engaged and consulted at the design stage of all works - before works started, during the delivery and during the snagging stage at the completion of works. This process also involves sending out unpriced specification of works to all residents, regardless of tenure and inviting them to comment on the proposed works, and a site walkabout with Brent and Wates.
- 7.3. This is proving to be a success as residents feel they are involved in drawing up and finalising the works to their properties. The Section 20 notice is prepared after the consultation. Some leaseholders are waiving the 30-day Section 20 notice period, as they have agreed the works, know the cost and want the works to commence, therefore reducing the time taken for the 30-day period and responding to observations.
- 7.4. Ward Councillors are now notified about works in their wards before the Section 20 notices are sent out, so they are aware and know who to contact before leaseholders go to them with the notice and complain to them. In the past Councillors only became aware of these projects when leaseholders went to complain about the cost of the works. This is having a positive impact on communications with ward Councillors.
- 7.5. Whilst stats for service charge collection rates are good and there have been improvement in handling works, there are issues with the Leasehold services capacity and ability to respond to queries and more complex cases where legal advice is required. The service is now exploring options to benchmark vacancies to attract applicants with the right experience and knowledge and build capacity within the service.

8. Customer experience and engagement

8.1. Ensuring BHM is focused on the needs of our residents and improving their experience of the service, is critically important. As this section shows, this focus seems to have had a positive impact both on the number of complaints and members enquiries, and response times, but there is still more to do to ensure this focus on our residents is fully embedded.

Landlord Management	BHP	BHP	BHP/BHM (Oct 17)	BHM	BHM
KPI	2015/16	2016/17	2017/18	2018/19	2019/20 April - Dec
Number of stage 1 complaints received about the housing service	511	613	669	532	470
Percentage of stage 1 complaints responded to on time	80.3%	99.5%	84.0%	95.4%	96.2%
Number of stage one complaints upheld and partly upheld	230	388	334	328	223
Number of Stage 2 cases received	66	75	71	53	73
Number of stage two complaints upheld and partly upheld by the council	35	48	52	39	51
Number of member enquiries received	324	569	1072	1061	627
Percentage of Member Enquiries responded to on time	95%	100%	80%	97%	96%



Complaints

8.2. Year to date BHM has received 470 Stage 1 complaints (96.2% of which were responded to on time) and 627 Member enquiries (96% of which were responded

to on time). Both the numbers and the response times are moving in a consistently positive direction. The following paragraphs set out the particular issues underlying the complaints for Housing and Neighbourhood Services (people) and Property Services.

- 8.3. The service areas that received the most complaints in the Housing and Neighbourhoods service were Tenancy and Public Realm:
- Complaints related to Tenancy were a result of service failure, communication and policy or procedure. The service has decided to revert the management of tenancies back to a patch based system as analysis of these complaints and a backlog of casework evidences that residents want a clear point of contact when they are experiencing issue. Re-introducing patch based working will also support case ownership for officers so they are able to keep a resident informed throughout the process.
 - Complaints related to the Public Realm were predominately a result of missed refuse collections and cleaning standards. Since the cleaning service has transferred back in-house, there has been a reduction in the complaints received relating to cleaning. The Service is now developing a new performance-monitoring framework for all estate services within the public realm. The service is now utilising systems introduced by digital transformation to support this. All activity related to estate services, including; waste collection, tree maintenance, ground maintenance, cleaning and parking will be captured holistically. This information will enable the housing service to cross-reference estate inspections carried out by Homes and Communities or the estate caretaking service with the data captured by contractors such as Veolia.
- 8.4. The repairs service accounts for 70% of complaints in Property Services, followed by Planned Maintenance, which makes up 14%. The root causes for both service areas are service failures (82%) either through delays, service not provided and the service not up to standard; communications (10%) with delays in contacting the customer; or a disagreement with policy or procedure (5%). Having said that, with about an average of 2,500 repairs carried out a month; this represents less than 0.5% of all repairs carried out. The repairs services has embarked on the second phase of the ongoing improvement plan. This will focus on the more complex repairs involving multi-trade work; Wates supply chain performance and internal communications and actions of leasehold, tenancy and property services teams.

Engagement

- 8.5. The service has an established Customer Experience Panel. Panel members are Brent Council tenants. The panel has met formally 5 times since January 2019. During that period, the Panel has been recruited and a scope of interest has been explored initially focusing on customer satisfaction with ASB cases, looking at complaint trends, general property repairs and customer journey. A new chair to the panel who is due to start in Feb 2020.
- 8.6. To date, the panel have conducted a review of the greeting and hold policy for the contact centre, assisted with the redesign of the telephony quality scoring metrics, feedback regarding scaffolding and communications regarding duration and this directly assisted us in our contract negotiations with Wates around scaffolding rules and measures.
- 8.7. With the Social Housing Green Paper committing to tackling stigma and ensuring tenants and leaseholders have a voice in how their homes are managed, the

service is committed to developing a wider engagement offer. This will include recruiting additional panel members and working together to create a new strategy for engagement. The service will also improve its approach to measuring the influence tenants and leaseholders have in decision-making.

- 8.8. The service has already held a number of survey engagements and consultations this year, which have and are still informing decision-making. This includes:
- Changes to Rent Proposals
 - Estate cleaning standards and specifications
 - Tenancy Management Policy

The development of the Asset Management Strategy will also be subject to an eight-week resident consultation process to commence in April this year.

Keeping residents safe

- 8.9. The table below highlights the consistent performance in relation to key compliance and health and safety KPIs. This was a focus for BHP and it remains a strong focus for BHM. BHM has increased the focus on fire safety, for example, undertaking Level 4 Fire Risk Assessments (FRA4) for all high rise buildings to provide further assurance about the safety of those buildings (previously only FRA1s were undertaken).

Landlord Management	BHP	BHP	BHP/BHM (Oct 17)	BHM	BHM
KPI	2015/16	2016/17	2017/18	2018/19	2019/20 April - Dec
Percentage of properties which currently have a valid gas safety certificate	99.98%	99.98%	99.99%	99.43%	99.72%*
Percentage of high rise blocks (6 floors +) with Fire Risk Assessment (FRA) in last 12 months	No data	100%	100%	100%	100%
FRA - Completed Recommendations for high rise blocks	No data	No data	No data	100%	94%

*Gas figures up to Nov 19 provided as unable to get Dec data.

Fire risk assessments

- 8.10. When any FRA is undertaken (FRA level 1 to 4) it results in an action plan, which sets out the required remedial actions. These are classified as: fire safety works, mechanical and electrical maintenance, and management actions (actions relating to policies and resident behaviour for example), and they are further categorised as 'urgent works' or as 'programmed works'. The urgent works have all been undertaken in line with required deadlines.

- 8.11. The FRA4s undertaken for the high rise blocks are intrusive checks into the structure of the building, and in particular the compartmentation of the building. Although these assessments have led to a range of programmed works, they have not raised any significant concerns, which provides BHM management with

greater assurance about the safety of those buildings, and the appropriateness of the 'stay put' policy.

8.12. The 6% of outstanding actions relate to the availability of a Personal Emergency Evacuation Plans (PEEP) in high-rise Premises Information Boxes (PIBs). All high rise buildings now have PIBs, and they all contain the relevant building information. PEEPs are a relatively new requirement of the FRAs, and BHM have now employed a project manager to co-ordinate and speed up the delivery of them. This programme started with a letter to all high rise residents, which was sent in December 2019. A 12 week programme will start in February to include an audit of all homes in high-rise blocks to ensure any resident who is identified has a PEEP developed and information on their needs will be passed to the Compliance team who will review any additional signage or changes required in that block.

8.13. In addition, this work stream also deals with works arising from London Fire Brigade (LFB) enforcement and advisory notices, and other fire safety works that arise such as the works required to NAIL properties. This facility is expected to be required on an ongoing basis to ensure that housing properties are maintained to a good standard. Senior managers meet with LFB on a quarterly basis to ensure that there is positive and proactive joint working.

9. Voids and Lettings

9.1. In the year to date, we have let 119 general needs properties. As stated above, improving re-let times relies on BHM (property and people) working together with Housing Needs. The focus has been on property and people and so there are still some delays in re-letting which need to be ironed out and this will be a focus for 2020/21.

Landlord Management	BHP	BHP	BHP/BHM (Oct 17)	BHM	BHM
KPI	2015/16	2016/17	2017/18	2018/19	2019/20 April– Dec
Average time to re-let standard void properties	31	27	57	39	37
Average time to re-let major void properties	59	49	83	146	62
Rent loss due to voids	0.59%	0.64%	1.50%	0.70%	0.69%

9.2. Forty-three void properties were classified as standard voids with an average turnaround of 36 days against the target of 24 days, 76 properties classed as major voids with an average turnaround of 62 days against the target of 72 days. The definition of a major void is where works could not reasonably be carried out with a tenant in occupation, for example structural works or full heating installations. However, the works in a standard void would involve new kitchens, bathrooms, rewires, boiler replacements and re-plastering and require significant periods to complete.

9.3. The targets for average turnaround time have not been achieved for standard voids so far this year. The main reasons for this are related to challenges within the lettings process. Delays in advertising properties owing to inaccuracies in the

property details such as the number of bedrooms / bed spaces. This information needs to be verified as part of the initial inspection and then any updates to the system are made by the rent accounting team to ensure that properties are advertised with accurate information. This affects our ability to advertise properties early in the process.

- 9.4. The implementation of the new CRM system started the process of overcoming the issues in the voids process. The new process design has resulted in the automation of many of the tasks and has helped communication between teams. However, a merger of the voids and lettings teams into a single services is now being explored to further embed a seamless approach.

10. Planned works

Planned Maintenance

10.1. The Planned maintenance programme is made up of maintenance projects across street properties and blocks. Since the service came back into the Council, there has been a significant amount of work to improve the quality of planned maintenance and residents' experience of these works. Critical to these changes have been the BHM property team taking back control of the programme in order to set the agenda for the works as part of a more proactive approach to asset management. This can be seen in:

- operational matters such as the approach to scaffolding, which has seen a significant reduction in complaints. All scaffold now have signs, which give contractor contact details, reason why the scaffold is up and duration of the works. A scaffold register for scaffolding erected by reactive, planned and other contractors is held and updated and all scaffolds beyond the removal date are investigated weekly
- strategic matters such as the approach to the low-rise fire safety programme. BHM provided the focus, undertook the surveying, design, scoping and works scheduling for each block. Wates were then provided with the necessary instructions, priorities and agreed a programme to commence from November 2018 for one year.

10.2. This change in approach means that the majority of the programme has delivered on time and to defined quality standards. The exception to this is the low-rise fire safety programme, which is delayed due primarily to supply chain issues.

10.3. However, it should also be noted that an increased focus on resident satisfaction in the development of the asset management strategy has also identified a broader challenge: despite 93% of homes meeting the Decent Homes Standard when the service came in-house, resident satisfaction with the quality of their homes is only 63%. Further work has identified that where works were undertaken by BHP, for example, a new kitchen or bathroom installed, residents may be less satisfied with the quality of their home. BHM now undertake surveys with residents after all planned works to understand resident' views on those works, and to ensure the significant amount of money invested also contributes to residents having greater satisfaction with quality of their homes.

Planned programme – conversions and street properties

10.4. Historically conversions and street properties were not included in BHP planned works programmes and there was a backlog of works when the service came in-house. These properties are older, and the lack of maintenance on them has meant that they now need extensive and costly works. In the last two years, we have steadily been working on these properties. To date, the service has carried out works to 147 properties, replaced 132 roofs, a common cause for complaints

and repairs requests. 38 houses had windows replaced with energy efficient double-glazed windows, increasing the thermal efficiency for our stock, reducing fuel bills for residents and contributing to the carbon reduction target for Brent Council. 52 are programmed for works to the end of the financial year. A total of £3.1million was spent on the external fabric works of street properties.

Planned works - blocks

10.5. The service spent £4.06 million on works to 18 blocks. This work included:

- Roofs (13 were replaced)
- Double glazed windows
- Insulation to roof spaces and flat roofs
- External fabric
- Paths, gates, fences outhouses
- Painting
- Eradication of penetrating damp
- Asbestos removal
- Rainwater goods replacement
- Structural Concrete repairs

10.6. Forty-eight flats within these blocks had windows replaced with double glazed energy efficient windows. These measures increased the thermal efficiency of the dwellings within the block leading to lower fuel bills for residents and reducing the carbon footprint for the Council.

Planned programme - Kitchens and Bathrooms

10.7. Last year the service received a high number of complaints and dissatisfied tenants with the kitchen and bathroom programme. This year, a Brent Contract Manager visited each property and carried out a survey before confirming with the resident that they were getting a new kitchen/bathroom. The programme therefore commenced later in the year (October) and we are on track to complete the works in January 2020. There has not been a single complaint this year about the programme, which is nearly completed.

10.8. In addition we assessed each property and where residents asked for an extra WC to be installed in a bathroom with a separate WC, due to the number of family members, where this was practical, we installed the extra WC as per the tenant's request. This is something we have rarely done previously, tenants got like for like without assessing the needs of a modern home. In future, when the property is re-let this will make it more attractive to prospective tenants.

Tenants now have a choice of colours for tiles (we only used to offer white tiles) and a wider choice of kitchen and floor finishes.

- Number of Kitchens renewed 22
- Number of Bathrooms renewed 12
- Estimated total spend £190k

Low Rise Fire Safety Work Programme

10.9. The one area of the planned works programme where progress has been slower than expected is the Low Rise Fire Safety works. This is an important work stream and the scope of works also includes lighting, decoration and floor finishes to increase the overall standard of the stock. The works were mobilised in April 2019 and has been progressing slowly but steadily since then. The programme consists of:

- 654 street properties comprising 1608 dwellings (673 of these dwellings are leasehold), and
- 454 purpose built low and medium rise blocks comprising 4606 dwellings. (1872 of these dwellings are leasehold)

10.10. Approximately 160 street properties, and 40 blocks have now been completed. £2.24m expenditure has currently been certified. It is expected that a further £1m will be certified by the end of March 2020.

10.11. Significant concerns have been raised with Wates during 2019 regarding their management of the programme. At our request Wates have replaced the senior managers on the contract and have introduced two further supply chain contractors, and two further door manufacturers. This is in answer to a lack of resources, which has meant that the programme has not progressed as expected. This significantly increases the resources that have the greatest impact on the programme. The door supply is now being realised and this will result in increased completions going forward. It should be noted that delivery of this programme is carried out in a very challenging market with respect to available resources for fire safety work.

11. Financial implications

11.1. Brent Housing Management Services are funded from the ring-fenced Housing Revenue Account (HRA), which is monitored alongside other Council budgets. Any adverse or favourable variance resulting from management performance is expected to be contained within existing balanced budgets for 2019/20.

12. Legal implications

12.1. Since October 2017, the Council's housing management functions have been carried out by the Council's in-house Housing Management Service after they had previously delegated to its then Arms Length Management Organisation, Brent Housing Partnership between 2002 and 2017.

12.2. Under section 11 of the Landlord and Tenant Act 1985, the Council as the landlord has a duty to keep in repair and proper working order the structure and the exterior of the residential properties it owns as well as certain installations for the supply of water, gas and electricity. Failure to comply with this duty leaves the Council to be liable to legal action from its tenants for being in breach of the tenancy agreement in relation to housing disrepair.

12.3. Tenants also take legal action in relation to housing disrepair against their landlords by issuing proceedings in the Magistrates Court where the premises are in such a state as to be prejudicial to health or a nuisance as set out in section 79 of the Environmental Protection Act 1980. 'Prejudicial to health' is defined as '... injurious, or likely to cause injury, to health'.

12.4. The Regulator of Social Housing has set out standards which registered providers of social housing must meet. The Home Standard which was set by the Regulator of Social Housing deals with quality of accommodation and repairs and maintenance.

12.5. In relation to quality of accommodation, the Home Standard states that registered providers of social housing, which includes local authorities, should do the following:

- (a) ensure that tenants' homes meet the standard set out in section five of the Government's Decent Homes Guidance and continue to maintain their homes to at least this standard;
 - (b) meet the standards of design and quality that applied when the home was built, and were required as a condition of publicly funded financial assistance, if these standards are higher than the Decent Homes Standard; and
 - (c) in agreeing a local offer, ensure that it is set at a level not less than these standards and have regard to section six of the Government's Decent Homes Guidance.
- 12.6. In relation to repairs and maintenance, the Home Standard states that registered providers of social housing, which includes local authorities, should do the following:
- (a) provide a cost-effective repairs and maintenance service to homes and communal areas that responds to the needs of, and offers choices to, tenants, and has the objective of completing repairs and improvements right first time; and (b) meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes.
- 12.7. Under section 105 of the Housing Act 1985, the Council as a local authority landlord has a duty to consult with those of its secure tenants who are likely to be substantially affected by matters of housing management, which includes the management, maintenance and improvement of dwelling houses let by the Council under secure tenancies and the provision of services in connection with such dwelling houses. The consultation requirements under section 105 of the Housing Act 1985 must enable the secure tenants likely to be affected by changes in relation to housing management as mentioned above to be informed of the Council's proposals and to make their views known to the Council within a specified period.
- 12.8. Section 20 of the Landlord and Tenant Act 1985 imposes a requirement on Landlords to consult with Leaseholders (as opposed to secure tenants) in respect of qualifying works (e.g. where leaseholder's contribution is in excess of £250 p.a.) or a qualifying long term agreements (ones entered into by the landlord for a period in excess of 12 months which result in a contribution of a leaseholder in a year is in excess of £100). Failure to comply with the consultation requirements will mean that only £250 per leaseholder per financial year can be recovered by the freehold owner in respect of qualifying works and only £100 per leaseholder per financial year can be recovered by the freehold owner in respect of qualifying long term agreements during the duration of those agreements. These various consultation requirements are set out in the Service Charges (Consultation Requirements) (England) Regulations 2003.
- 12.9. In some circumstances, it will not be possible to meet all the necessary consultation requirements (for example, very urgent works on the grounds of safety) and in those circumstances, the landlord can apply to the First Tier Tribunal (Property Chamber) to apply for dispensation from complying with the consultation requirements pursuant to section 20. The Tribunal has discretion to grant dispensation if it takes the view that it is reasonable to do so.

13. Equality implications


- 13.1. This report is an update on performance, so there are no equality implications to note.

REPORT SIGN-OFF

PHIL PORTER

Strategic Director Community and Wellbeing

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 Brent	Community and Wellbeing Scrutiny Committee 4 February 2020 Report from the Strategic Director of Community Wellbeing
Additional and Selective Licensing for the Private Rented Sector	

Wards Affected:	All
Key or Non-Key Decision:	Non-key
Open or Part/Fully Exempt:	Open
No. of Appendices:	2 Appendix 1 – Conditions for the selective property licensing scheme Appendix 2 - Conditions for the mandatory/additional HMO property licensing scheme
Background Papers:	None
Contact Officer:	Spencer Randolph Head of Private Housing Services Tel: 020 8937 2546 Email: Spencer.Randolph@brent.gov.uk

1.0 Purpose of the Report

- 1.1 To update the scrutiny committee about the performance of Additional and Selective Licensing for the Private Rented Sector and the effect of renewing or extending these schemes during 2020.

2.0 Recommendation

- 2.1 Members of the Community Wellbeing Scrutiny Committee are asked to note the content of this report.

3.0 Background

- 3.1 There are 3 type of property licences; Mandatory licensing for larger HMOs, Additional Licensing for smaller HMOs and Selective Licensing for rented properties that are not HMOs. In Brent, throughout the Borough, all HMOs both large and small need to be licenced but only non-HMO properties in specified wards need a Selective Licence.

- 3.2 Brent has been operating discretionary licencing schemes for 5 years since the introduction of Additional Licensing, for small HMOs across the borough and Selective Licensing within the wards of Harlesden, Willesden Green and Wembley Central in January 2015.
- 3.3 In 2017 Brent made an application to the Government to extend Selective Licensing to other wards in the borough and following that application in June 2018 introduced Selective Licensing to the 5 wards of Dudden Hill, Kensal Green, Kilburn, Queens Park and Mapesbury.
- 3.4 In 2018/19 we commissioned the British Research Establishment (BRE) to undertake a piece of work to assess the condition of the private rented sector (PRS) in Brent and in 2019 undertook a public consultation with the intention of renewing Additional Licensing once the scheme came to an end on 31 December 2019, renewing Selective Licensing in the wards of Harlesden, Willesden Green and Wembley Central once that scheme came to an end on 31 December 2019 and look to extend Selective Licensing to other areas in Brent.
- 3.5 On 14 October 2019, Cabinet agreed to renew Additional and Selective Licensing schemes for the Private Rented Sector in Brent and to extend Selective Licensing to all other wards with the exception of Dollis Hill, Kenton, Stonebridge and the Wembley Park area of Tokyngton in 4 designations. Whilst Additional Licensing was able to be introduced as a consequence of the Cabinets approval, an application has had to be submitted to MHCLG for the introduction of and renewal of Selective Licensing.
- 3.6 This application was submitted to MHCLG on 4th November 2019 and we await the outcome of that application. However, it is worth pointing out that there are no guarantees that the Government will approve all or any of the designated areas in our application. Only last month (January 2020) Liverpool Council had their application to renew their Selective Licensing scheme that had been operating for 5 years, rejected by the government. It is worth noting however, that Liverpool applied for a borough-wide scheme, which Brent has not.
- 3.7 When considering introducing Selective Licensing in to particular areas, certain criteria has to be met. The most fundamental being the percentage of PRS properties within those areas. Dollis Hill, Kenton and Stonebridge fell below this threshold as illustrated below in table 5. In addition to this criteria our application was on the basis that in those areas that had high percentages of PRS properties were affected by high levels of disrepair and/or ASB. In the Wembley Park area of Tokyngton this was clearly not the case. The properties are new, well managed and maintained and we therefore felt it was appropriate to exclude it from our application as to have included it could have jeopardised our application.

3.8 Finally in addition to Selective and Additional Licensing, since 2006 Brent has been operating the mandatory licensing scheme for larger HMOs.

4.0 Detail

Operationally, how the licensing schemes works

4.1 Private Housing Services has ISO 9001:2015 accreditation and this standard applies to our current approach to licence applications. Our approach is recognised for both the experience the applicant has in submitting their application and the way in which the applications are processed by us, bearing in mind the legislative requirements.

4.2 PHS has an online application form with online payment system that is fully integrated with our case management system. The dynamic process automatically assesses the application and depending on certain mandatory criteria being met, a full licence is issued for compliant applications or a one-year licence for non-compliant applications.

4.3 This approach has allowed us to target properties of concern i.e. those issued with a one-year licence, and prioritise these for a compliance inspection. In addition, properties that are of a greater concern, either because of the way an application presents or because of intelligence that we have received are prioritised for an inspection. The factors that would alert us and lead to a prioritised assessment include;

- Missing safety certificates, such as gas safety certificates
- Councillor complaints – statutory duty to inspect
- Referrals from other regulatory bodies e.g. Fire Brigade, Police
- Internal referrals e.g. from the Enforcement Practitioners Group, ASB Action Group or Housing Homelessness Team

4.4 In addition to some properties being prioritised for and inspection due to us having concerns as highlighted in 4.3 above, the Council's inspection commitment is that all HMOs will be checked in line with the requirements of the law, for compliance with the licence conditions, during the life of the licence. As is explained in more detail later in this report, there is not a requirement to routinely inspect Selective licenced properties as part of the application process and, on the whole, they are only inspected on receipt of a request for service (complaint) from tenants, other agencies or residents.

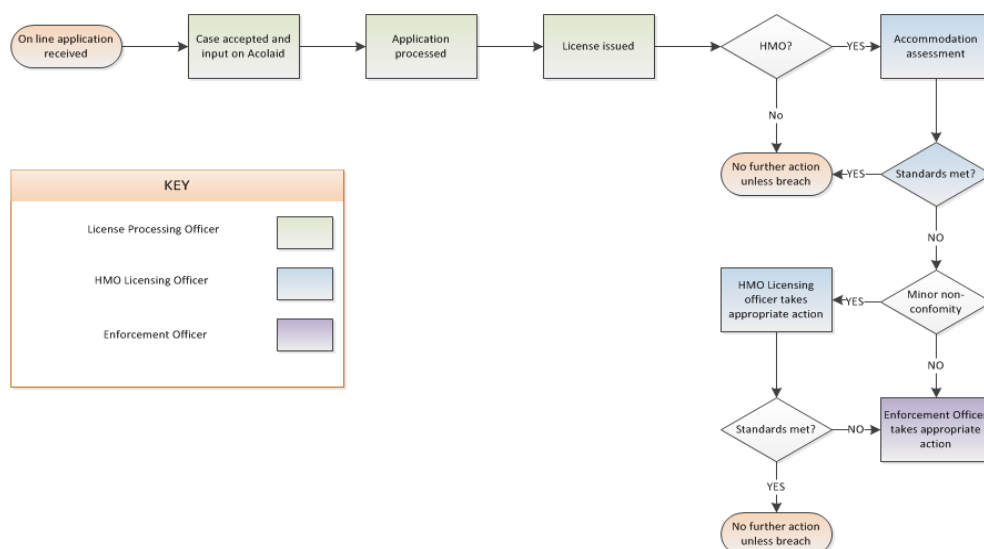
4.5 At present there are 5 PHS Licence Compliance Officers responsible for carrying out HMO compliance inspections. Visits are proactive in the main, via a formal process and are done with the knowledge of the Landlord.

- 4.6 Each application for property licence is required to be accompanied by a licence fee. The fee charged takes into account the Council costs incurred in carrying out all licensing functions under parts 2 and 3 of the Housing Act 2004, and management orders under part 4 of the Housing Act in relation to HMOs. The functions include undertaking physical licence checks but also covers desktop checks, audit inspections and monitoring the licence conditions.
- 4.7 However, it should be made clear that property licensing is not about introducing an inspection regime or the Council taking on the management responsibility of the private rented sector. It is about the designation of areas to help tackle concerns of poor property management, poor property conditions, anti-social behaviour, and high levels of crime, deprivation and migration, and therefore by introducing licencing and licence conditions it gives the Council additional enforcement powers to take action for non-compliance.
- 4.8 The licence contains conditions, which the licence holder and manager must comply with throughout life of the designation. Should the landlord fail to do this the Council has additional powers which we can use in order to make sure that the property is properly managed. Any breaches of the conditions, in particular with regards to HMOs are identified at the compliance inspection and the Landlord is given an opportunity to attend to them or face enforcement or prosecution. If major non-conformities are found, this can lead to immediate enforcement or prosecution. To complement this regime and to make sure there is compliance, our proactive team of Enforcement Officers are key to the licensing scheme in that their unannounced inspections (raids) and robust enforcement ensures that both licences are applied for, held, and PRS properties are improved.
- 4.9 The Act does not require selective licensed properties to be inspected as part of the licence application. However, the Act does require HMO licensed properties to be inspected “as soon as is reasonably practicable” as part of the licence application and granting process. This inspection does not need to take place before the licence is granted.
- 4.10 HMOs are typically occupied by young and lower-income families and single people, including some particularly vulnerable and disadvantaged groups and where maintenance and management standards are often low. HMOs present the following risks which are higher than average in other residential dwellings i.e. Selective Licence properties;
- fire hazard,
 - overcrowding,
 - electrical safety,
 - gas safety and
 - falls between levels

- 4.11 Many authorities operate additional HMO schemes, with fewer because of the implementation criteria and approval consent requirement, having Selective Licensing schemes. As of the 1st of January 2019, 44 local authorities reported operating one or more such schemes. Only four local authorities operate borough-wide schemes, and nine further authorities, including Brent, operate schemes that cover more than 20% of the local area.
- 4.12 The variation in schemes nationally and regionally makes it impossible for local authorities to establish consistency, especially in the absence of Government best practice/guidance. Nevertheless, the differences offer local authorities the facility to provide frameworks to reflect their local circumstances.
- 4.13 In relation to HMOs every local housing authority have the following general duties which include;
- a. to ensure that all applications for licences are determined within a reasonable time; and
 - b. to satisfy themselves, as soon as is reasonably practicable, that there are no Part 1 functions (more traditional housing enforcement) that ought to be exercised by them in relation to HMO applications made.
- 4.14 The Housing Act is clear that we do not need to inspect single household homes covered by Selective Licensing as part of the licence application process. However, as part of our application to MHCLG, for introducing Selective Licensing to specified wards, is on the basis of poor property conditions, we will inspect approximately 10% of selective licensed properties so that we are able to measure general improvements in the PRS stock as a consequence of the scheme.
- 4.15 Key to any scheme and in particular with regards to HMOs is an inspection and enforcement regime that ensures that licences are applied for, valid applications are processed and that there is compliance with the conditions of licences issued. An effective scheme relies on robust enforcement and our powers include prosecution for failure to license or breach of licence conditions, revocation and variation of a licence, rent repayment orders, civil penalties, management and banning orders.
- 4.16 Where enforcement is necessary, the Act allows Councils an element of discretion. Section 67 (4) (a) requires that enforcement under Part 1 should be carried out separately from the licensing procedure (under Parts 2) but Section 67 (4) (b) and (c) does not prevent the authority from dealing with Part 1 issues by including these in licence condition and using this framework to remedy the hazards. It is possible to attach conditions to the licence requiring works to be carried out, but the general position is that the local authority cannot generally take enforcement action in respect of hazards that are discovered during the

course of licensing application inspections. Nevertheless, any breaches identified at a licence inspection will form part of the licence conditions specifying a time for compliance.

- 4.17 The types of officers involved in processing licensed properties and enforcement are as follows;
- 4.18 PHS Licensing & Enforcement Processing Officer – These officers are office based staff tasked with processing the large volumes of license applications but in addition are required to handle service request and other complaints in relation to landlord and tenant issues including property disrepair, arrange appointment between members of the public and visiting officers and to support the service in the large scale implementation and administration of Civil Penalty Notices.
- 4.19 HMO Licensing officers –These officers predominantly tasked with inspecting HMO’s post application although also inspect Selective Licenced properties that only are issued a 1- year licence or an application to renew that licence. These officers are to ensure compliance and are responsible for dealing with minor non-conformities found during the compliance inspection as well as referring major non-conformities on to the enforcement officers.
- 4.20 Enforcement Officers – There is a reactive team of officers who continue with a more traditional enforcement approach with regards to managing standards within the PRS on non-licenced properties (Part 1 Enforcement), Proactive officers who are charged with carrying out unannounced visits and raids predominately on unlicensed HMOs (Part 2 Enforcement) and Enforcement officers responsible for investigating breaches in licence conditions and more complex nonconformities found in compliance inspections (Mostly part 3 but some part 2 enforcement).



- 4.21 The above illustrates the high-level process adopted for the administration and management of licensed properties in Brent

- 4.22 An issue that is regularly raised is when the property compliance inspection should take place. We have looked at various options concerning when this inspection should be undertaken whilst also considering factors such as resourcing these inspections as well as having regard to processing applications without delay.
- 4.23 The following options have been considered;
1. Inspect all properties (HMOs and non-HMOs) before granting licences
 2. Inspect a proportion of all properties before granting licences
 3. Inspect all properties in order of the licence issue date
 4. Inspect all HMOs based on a priority risk rating programme after granting licence
 5. Programmed inspection of a proportion of non-HMO, coupled with a 100% reactive complaint investigation
- 4.24 With the Cabinet approving Additional Licensing borough wide, we know that there will be additional demand on the service as there will be in the region of 2300 HMO licence renewals that will need to be processed and all these properties will need an inspection . We anticipate that we would receive the majority of these applications between December 19 and February 20 as we already have the licence holders' details and have sent them reminder correspondence.
- 4.25 These renewal applications need to be added to other new applications received throughout the year and it is there for incumbent on us to have a regime that makes sure that applications are processed without delay but that properties we think are higher risk are prioritised for an inspection. Licence conditions cannot be imposed and enforced until a Licence is granted. We therefore believe that it is far more advantages to issue a licence, in most cases, rather than delay the issuing of a licence whilst we wait for an inspection.
- 4.26 To illustrate this, compliance officers, who carry out these inspection, complete 25 cases per officer per month or 300 cases per year. We have a duty to process applications without delay yet if we had 8 officers solely working on this initial 2300 renewal applications it would take a year to process them all. In addition, we would expect to receive a further 100 applications per month requiring a further 4 officers to process these applications. It would therefore be best practice to issue all these licences as soon as possible so that all are within the scheme and therefore enforceable under the licence conditions and then prioritise cases for inspection.
- 4.27 Inspecting properties prior to granting a licence also builds in additional delays. Analysis has shown that on average it takes 16 weeks to complete the inspection process. This is the time measured from the officer making the formal request to the landlord to inspect the property

by serving a section 239 notice, to the office being able to confirm that the property is fully compliant with the conditions of the licence.

- 4.28 Over the 5 year duration of the designation, at the current rate of applications, we would anticipate receiving and processing in the region of 8400 HMO licences requiring the equivalent of 28 FTE inspection officers.
- 4.29 We therefore considered how we might recourse inspecting these 8400 HMOs. The table below looked at 2 possible inspection regime, one that inspects all properties in year and a second that makes sure that all properties are inspected within the life time of the licence.

	App. Received	Inspection regime 1		Inspection regime 2	
		HMO Officers	Properties inspected in year	HMO Officers	Properties inspected in year
Year 1	3500	12	3600	5.5	1650
Year 2	1200	4	1200	5.5	1650
Year 3	1200	4	1200	5.5	1650
Year 4	1200	4	1200	5.5	1650
Year 5	1200	4	1200	5.5	1650
Total	8300	28 FTE	8400	27.5 FTE	8250

- 4.30 Both options required near enough the same officer resource to process the inspections over a 5 year period but as is evident, regime 1 required front loading the scheme with 12 inspection officers in year 1 then reducing this to 4 for the remaining 4 years. Regime 2, on the other hand, has an establishment of officers comparable to the current establishment and maintains this over the life of the scheme. It is also worth noting that whilst regime 1 attempts to inspect properties prior to issuing a licence it could take up to 12 months to issue many. Inspection regime 2 would see all applications being processed without delay.
- 4.31 It should be noted that both regionally and nationally qualified/experienced housing enforcement officers are extremely difficult to recruit. HMO inspection officers are officers that are recruited and trained by us to carry out the quite specific function of compliance inspections. This approach has been successful and has seen a number of these officer progress to an enforcement officer role after gaining the relevant knowledge and experience. Nevertheless, it would be impracticable to recruit and train an additional 7 HMO compliance officers on short-term contracts and from experience we know that it is virtually impossible to recruit via an agency. This would therefore make it difficult/impractical to implement inspection regime 1.
- 4.32 As a consequence, we consider inspection regime 2 as the most feasible option, it has to be conceded that it would be impossible to inspect all

HMOs at the time of application without there being significant delays in processing those application and therefore not meeting the requirements of the legislation to ensure that all applications for licences are determined within a reasonable time.

- 4.33 Clearly resourcing timely inspections is critical but more importantly is making sure that HMOs that present a greater risk are inspected before those which do not. For example a converted Victorian, 3 storey HMO with 10 tenants would present a greater risk to the occupants than a HMO in a new development that has 3 friends sharing. Both are HMOs but we would prioritise the first for a visit over the second. Having concluded that it is more advantages to issue HMO licences without delay it is important to make sure that we have a scheme that prioritises those needing to be inspected sooner as they are higher risk HMOs. We therefore aim to prioritise HMOs inspections according to the risk rating system below.

	Category of HMO (P1 Highest risk)	Compliance inspection to be carried out;	Likely time from granting licence to inspection (weeks)	Likely time from app to licence granted (weeks)
P1	Any mandatory HMO that is 3 storeys or more and/or 10 or more occupants	Within 2 Months	8	6
P2	Any other mandatory HMO	Within 4 Months	16	6
P3	Any Additional HMO that is 3 storeys or more	Within 8 Months	32	6
P4	All other HMO applications	Within 12 Months	52	6

- 4.34 As stated previously, licensing is not purely about introducing an inspection regime and whilst inspecting selective licensed properties would give us a greater understanding of the PRS it is not critical to the scheme in terms of securing outcomes. Notwithstanding this, for the reasons highlighted above it would be practically impossible to resource this without considerably increasing fees to cover the cost of employing more officers and that this additional cost would likely to be passed on to the tenants by the landlord. Nevertheless, a regime for these inspections is currently being developed to inspect in the region of 10% of the selective licenced properties within the 2018 scheme and a successful bid to MHCLG will be used to fund the initial stages of this project.

Alternative Options

- 4.35 In terms of the decision taken in October 2019, the Council considered other courses of action and other alternative options available.
- 4.36 In addition, as a consequence of the 2019 public consultation, notably via the written submissions, consideration was given to other alternative courses of action as alternatives to introducing licensing. These suggestions included the;
- introducing a registration scheme,

- reliance on inspection and utilisation of the existing enforcement tools already available
- decision to include/exclude Wembley Park area from the schemes
- neither to renew the additional or selective schemes

4.37 The conclusion was that we do not believe that the alternative courses of action and others such as accreditation, co-regulation, or small scale Selective Licensing are options which will provide an effective method of achieving the objectives that the designations are intended to achieve. By not using the discretionary powers, the Council will need to use other legislation where there is a statutory duty, i.e. *Housing Health and Safety Rating System Part 1*, thus losing (a) the additional powers that licensing gives us, (b) income to fund and support private renting regulation, and (c) the connection achieved with the thousands of licenced landlords.

Number of properties licensed by ward

4.38 At 31st December 2019, 12,421 properties were licensed. Table 1 below compares the count to the number of properties which were estimated to be licensable in the scheme proposal as a whole. The table does not show the total number of properties that have been licenced but a snapshot of the number of properties licenced on 31st December 2019.

		Properties licenced	Est of licensable Properties	As a % of estimate
	Mandatory (Borough wide)	1350	4831	28%
	Additional (Borough wide)	2314	12153	19%
Selective	Dudden Hill	672	4360	92%
	Kensal Green	783		
	Kilburn	807		
	Mapesbury	966		
	Queens Park	768		
	Harlesden	1620	2830	168%
	Willesden Green	1810		
	Wembley Central	1331		

Table 1: Licences per scheme and ward at 31st December 2019

4.39 Before the changes in the definition of a Mandatory HMO it was estimated that there were in the region of 300 licensable mandatory HMOs. Clearly there were more as the figure above shows. Taking into consideration the changes of definition the BRE now estimates that there are 4,831 mandatory HMO and therefore we estimate that 12,153 properties will fall under the Additional Licensing. It is also worth noting that there was no requirement to revoke and reissue properties that had

an additional licence but subsequently became mandatory when the definition changed. We therefore expect to see the number of mandatory licenced properties increase as we start to renew HMO applications with the ending of the additional scheme in December,

4.40 The table shows good achievement made against the targets for the estimated licensable mandatory and selective properties, with over 100% take up for each of the three wards in the 2015 Selective Licensing, and 92% of the 2018 scheme, the latter achieved within 18 months of the June 2018 scheme commencement date.

Enforcement Activity

4.41 Enforcement is only one outcome as a consequence of our intervention and whilst it is important to be able to take enforcement action and send a message to landlords that Brent Council is not a soft touch, our overall aim is to improve the condition of properties within the PRS.

4.42 Tables 2 shows the number or PRS properties improved as a consequence of our direct action in the past 5 years up to 31st December 2019*.

Year	2015	2016	2017	2018	2019*
Totals	1,281	968	1,008	1,167	798

Table 2. The total PRS properties Improved (yearly out-turns)

4.43 What we also know as a consequence of some work we undertook with the London Fire Brigade is that even without our direct intervention properties are improved once a licence is issued and a landlord is clear on what the conditions are and what we expect from them in terms of how the property is managed and maintained.

4.44 Notwithstanding this Table 3 summarises some of the achievements we have had as a result of introducing licencing and the more proactive approach we now take.

Activity	Output	Outcome
Compliance Inspections	2184	<ul style="list-style-type: none"> • Properties improved • Compliance - Part 1 hazards or parts 2-3 breaches • Failure to license compliance • Reduction in ASB
Compliance schedules issued	1830	
Unannounced inspections (raids)	1558	
Planned Inspections	1181	
One year licenses issued as a consequence of concerns at time of	879	10.8% of properties licensed to address mainly gas safety certificates, overcrowding, and terms of tenancy agreement conditions

application		
No. of warning letters sent	>3000	High level confidence of failure to licence
Successful Prosecutions (since 1/1/16)	170	£1.5m in court fines and cost. 2x prison sentences issued
Civil Penalty Notices completed and paid	92	Robust application of the Housing and Planning Act 2016. Income generated for reinvestment in to PRS Enforcement £450,000
Proceeds of Crime Act 2002 awarded	2	£365k in confiscation order, fines and costs In December 2018, Brent became first LA to be granted a Confiscation Order under the H. Act 2004
Linking licensing with Council Tax and Housing Benefits	>£100k reclaimed	Increase in c/tax revenue and HB from landlords
Landlord training and accreditation	857 landlords accredited	8th highest number of accredited landlords of all London boroughs (at January 2019)

Table 3: Enforcement action for housing conditions and minimum standards Jan 2015- December 2019

Supporting good landlords

- 4.45 The scheme has achieved its aims of improving landlord engagement and intelligence. A database of over 4000 landlords and agents operating in Brent has been compiled, supporting better communication and engagement with the sector through a regular PHS e-newsletter and a landlords' forum where over 400 people register and over 250 landlords attend on a twice yearly basis. The knowledge and management skills are being improved by monthly landlord accreditation training courses.

Supporting private rented sector tenants

- 4.46 A key objective of licensing was to change the way the Housing Enforcement Service operated and dealt with disrepair moving away from a reliance on a customer complaints and on reactive work. The service is now set up to deal with the administration of the scheme and processing of licences, teams to achieve compliance and to deal with non-compliance, and to offer advice and support. The team's work is now driven proactively. Landlords are understanding their responsibility to properly manage their properties, and tenants are more aware of their rights. In promoting tenant's rights and responsibilities, the service has carried out action points recommended by the "Impact of Licensing" study which was commissioned in 2017 and reported by Future of London (Brent FoL, 2017).

4.47 Our action, in particular, on grossly overcrowded properties clearly does inevitably lead to some tenants being displaced. However this has not led to an increase in applicants presenting to the council in need of housing. Regrettably, a significant proportion of overcrowded properties we inspect, are occupied by young men who have made a conscious decision to reside on this type of a basis so that they can minimise their expenditure on rent. Whilst this might be their choice, it does present a significant risk to the occupants and causes a substantial nuisance to neighbouring residents.

Working with internal stakeholders

4.48 The introduction of this scheme has not only seen a fundamental change in the way that housing enforcement and regulation has changed in Brent but it has also influenced the way that other services in the Council operate taking a far more robust stance against issues concerning the PRS. Services such as Planning Enforcement, Environmental Health and Trading Standards are now far more proactive and robust in their dealings.

The rationale for renewing Additional Licensing

4.49 The Council has proposed to do so for the entire area of Brent because it considers that a significant proportion of such HMOs in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, particular problems either for those occupying the HMOs or for members of the public. Additional Licensing applies to HMOs only with the aim of improving conditions for local occupiers and the surrounding communities.

4.50 Table 4 below summarises the results of proportion of HMOs, additional and mandatory, found in the private rented stock in Brent at ward level. HMOs account for 38% of the PRS, with smaller, additional licensable properties accounting for 27% of the PRS stock.

4.51 The BRE report 2019 now estimates that there are 4,831 mandatory HMO in Brent under the new definition, and therefore we estimate that 12,153 properties will fall under the Additional Licensing.

Ward	Dwellings - private rented stock	HMOs	Mandatory Licensable HMOs	Additional Licensable HMOs
Alperton	1,776	699	144	555
		(39%	(8%)	(31%)
Barnhill	1,481	798	137	667
		(54%	(9%)	(45%)
Brondesbury Park	2,316	1,063	201	862
		(46%	(9%)	(37%)
Dollis Hill	937	394	152	242

		(42%	(16%)	(26%)
Dudden Hill	2,271	1,058 (47%	432 (19%)	626 (28%)
Fryent	1,088	486 (45%	117 (11%)	369 (34%)
Harlesden	3,433	811 (24%	249 (7%)	562 (17%)
Kensal Green	3,154	1,169 (37%	454 (14%)	715 (23%)
Kenton	776	315 (41%	70 (9%)	245 (32%)
Kilburn	3,871	1,232 (32%	339 (9%)	893 (23%)
Mapesbury	3,948	1,661 (42%	437 (11%)	1224 (32%)
Northwick Park	795	409 (51%	107 (13%)	302 (38%)
Preston	1,660	751 (45%	213 (13%)	538 (32%)
Queens Park	3,334	1,163 (35%	367 (11%)	796 (24%)
Queensbury	1,164	411 (35%	127 (11%)	284 (24%)
Stonebridge	1,106	426 (39%	89 (8%)	337 (31%)
Sudbury	1,869	804 (43%	183 (10%)	621 (33%)
Tokington	2,444	900 (37%	241 (10%)	659 (27%)
Welsh Harp	1,219	527 (43%	177 (15%)	350 (29%)
Wembley Central	2,312	600 (26%	158 (7%)	442 (19%)
Willesden Green	3,962	1,307 (33%	437 (11%)	870 (22%)
Totals	44,916	16,984 (38%	4,831 (11%)	12,153 (27%)

Table 4: Number of HMOs – Additional and mandatory licensable HMOs by ward

4.52 The table shows that HMOs are scattered across the borough in high numbers with a slight tendency towards the south east. The data in the table shows that the wards with the highest percentages of licensable

additional HMOs are Barnhill (45%), Northwick Park (38%), Brondesbury Park (37%), Fryent (34%) and Sudbury (33%).

4.53 Our research found that there was a high level and even distribution of HMO across the borough. It further indicated that ASB and poor property condition are closely correlated. We were able to confirm that HMOs are present in all wards and that many had a high proportions of hazards or were in disrepair. This evidence was instrumental in our proposal for a borough wide Additional HMO licensing scheme.

The rationale for renewing and extending Selective Licensing

4.54 Designation 1: The Selective Licensing scheme to renew the designation in the wards of Harlesden, Wembley Central and Willesden Green is made on the grounds of poor housing (property) conditions and ASB.

4.55 The Application to extend Selective Licensing to the following areas of the borough is for the reasons as follows:

- Designation 2: Queensbury, Fryent and Brondesbury Park – This is along the A5 corridor and on the Grounds; Poor Housing (Property) Conditions and ASB
- Designation 3: Barnhill and Welsh Harp – Grounds; Poor Housing (Property Conditions), Deprivation and ASB
- Designation 4: Northwick Park, Preston, Tokyngton (Excluding Wembley Park), Alperton and Sudbury on the Grounds; Poor Housing (Property) Conditions and ASB

4.56 The four designations are being made together and are partly concurrent with an existing scheme and will cumulatively cover 58.4% of the privately rented homes in Brent, and 80.1% of the Brent’s total geographical area. Both the proportion of PRS properties and the geographical area percentages are greater than the 20% rule, therefore making it necessary to require Secretary of State approval for the designations.

4.57 Table 5 below gives a breakdown of the elements of poor property conditions (Hazards and Disrepair) for each ward where found. The “√ and Yes” indicates the criteria are met. In indicating ASB at ward level, we have also ranked the ward to the show significance the persistence.

Conditions for licensing			
% of Dwellings in the PRS	Poor Property Conditions	Deprivation	ASB

Ward	Dwellings - private rented stock >20%	All Cat 1 > regional average (9%)	1 no. Cat 1 > regional average for Excess Cold Falls or	High Cat 2 > regional average (42%)	Disrepair > regional 5% average	Has one or more elements of poor property condition	Deprivation % in 20% IMD	Persistent & Significant ASB with wards Ranked	
								YES	
Alperton	YES		√			YES		YES	13
Barnhill	YES		√	√		YES	YES	YES	10
Brondesbury Park	YES	√		√	√	YES		YES	19
Dollis Hill	NO 19%	√		√		YES	YES	YES	17
Dudden Hill	YES	√		√	√	YES	YES	YES	8
Fryent	YES	√		√	√	YES		YES	18
Harlesden	YES	√		√	√	YES	YES	YES	2
Kensal Green	YES	√		√	√	YES	YES	YES	5
Kenton	NO 19%	√		√		YES			21
Kilburn	YES		√	√	√	YES	YES	YES	3
Mapesbury	YES	√		√	√	YES	YES	YES	3
Northwick Park	YES	√		√		YES			20
Preston	YES		√			YES		YES	15
Queens Park	YES	√		√	√	YES		YES	7
Queensbury	YES		√			YES		YES	12
Stonebridge	NO 16%						YES	YES	9
Sudbury	YES		√			YES		YES	14
Tokyington	YES	√			√	YES		YES	11
Welsh Harp	YES	√		√	√	YES	YES	YES	15
Wembley Central	YES	√		√		YES		YES	6
Willesden Green	YES	√		√	√	YES	YES	YES	1

Table 5: Summary of findings for Selective Licensing scheme conditions in Brent

The rationale for adopting a large scale scheme (>20%)

- 4.58 The data is analysed at ward and COA level. Each ward areas contains a high proportion of properties in the private rented sector which (according to the findings of the Brent 2019 Housing Stock Condition (HSCD) provided for Brent by the Building Research Establishment [BRE]) is above the latest national average reported by the English Housing Survey of 20%).
- 4.59 The proposals exclude the wards of Dollis Hill, Kenton, Stonebridge and the Wembley Park area of the Tokyington ward. These areas did not meet the criteria for Selective Licensing in that Dollis Hill, Kenton and Stonebridge were under the 20% average, and that the Wembley Park area could not be shown to fail housing condition, ASB or other conditions required to demonstrate the need for of Selective Licensing.

The number of new properties expected to be brought into the scope of Selective Licensing

Electoral Wards (21)	Dwellings – all stock	Dwellings - Private		HMO Dwellings	Selective Dwellings
		Count	%	Count	Count
Alperton	5,137	1,776	35%	699	1,077
Barnhill	5,824	1,481	25%	798	683
Brondesbury Park	5,759	2,316	40%	1,063	1,253
Dollis Hill	5,009	937	19%	394	543
Dudden Hill	5,684	2,271	40%	1,058	1,213
Fryent	4,622	1,088	24%	486	602
Harlesden	7,069	3,433	49%	811	2,622
Kensal Green	6,243	3,154	51%	1,169	1,985
Kenton	4,170	776	19%	315	461
Kilburn	8,155	3,871	47%	1,232	2,639
Mapesbury	6,779	3,948	58%	1,661	2,287
Northwick Park	3,916	795	20%	409	386
Preston	5,698	1,660	29%	751	909
Queens Park	6,473	3,334	52%	1,163	2,171
Queensbury	5,457	1,164	21%	411	753
Stonebridge	6,983	1,106	16%	426	680
Sudbury	5,439	1,869	34%	804	1,065
Toknygton	6,050	2,444	40%	900	1,544
Welsh Harp	5,106	1,219	24%	527	692
Wembley Central	5,066	2,312	46%	600	1,712
Willesden Green	6,611	3,962	60%	1,307	2,655
	121,250	44,916		16984	27,932

Table 6: Count and Percentage of estimated PRS dwellings across Brent

4.60 Table 6 above give the ward counts for Selective Licensing. Table 7 below confirms the total of **15,983** PRS properties are covered in total by the agreement to **renew (7,019)** and to **extend (8,964)**. Table 5 also shows the counts for each designation.

Designation	Ward Areas	Designation Count / % of PRS	PRS Cumulative % of Brent stock	PRS cumulative % of Brent Area*
2018 Designation	Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queens Park	10,295 / 8.5%	8.5%	15.3%
Designation 1	Harlesden, Wembley Central and Willesden Green	6,989 / 5.8%	14.3%	25.2%
Designation 2	Queensbury, Fryent and Brondesbury Park	2,608 / 2.1%	16.4%	40.0%
Designation 3	Barnhill and Welsh Harp	1,375 / 1.1%	17.5%	52.3%
Designation 4	Northwick Park, Preston, Tokyngton (Excluding Wembley Park*), Alperton and Sudbury	4,981 / 4.1%	21.6%	80.1%
Totals	18/21 Brent wards covered	26,248	21.6%	80.1%

Table 7: Count and Percentage of estimated proposed designated areas

(* The Wembley Park site is 85 acres, or 0.34Km². Approximately 3,000 properties have been completed so far)

Anticipated Improvements as a result of renewal and extension to licensing

4.61 Overall licensing will help us to work with landlords to drive up management standards for private rented properties in the whole borough and in summary we believe that this will:

- Provide an improved strategic approach to managing the sector
- Help us to identify all properties that are rented out privately and to Establish a register of landlords operating in Brent
- Give us the opportunity to inspect the properties to assess living conditions and to advise landlords, managing agents and tenants about their obligations
- Impose the Housing Act mandatory conditions and a set of local conditions as a minimum letting standard in Brent
- Redefine how the service operates by shifting the emphasis from a customer complaints led, reactive service
- Address issues resulting from the movement of new and emerging communities and to preserve or improve the socio-economic conditions of the area
- Ensure that a proper standard of management of privately rented property is maintained and that properties do not become overcrowded
- Reduce the levels of anti-social behaviour in the borough and take action against those whose properties or tenants cause persistent ASB
- Reduce enviro-crime locally including improvement in the management of waste
- Strengthen enforcement action to tackle the small minority of rogue landlords in the sector

4.62 We will focus on poor property conditions and across a wide range of anti-social behaviour, including littering and dirty front gardens, noise nuisance and the use of privately rented homes for illegal activities. We will also address sub-standard conversions of and subletting of homes.

Anticipated Improvements in housing conditions, ASB and Deprivation

4.63 We will focus on poor housing conditions, across a wide range of anti-social behaviour and on deprivation. The annual scheme targets and objectives are summarized below in table 8 below.

Objective	Performance indicator	Outcome
Improvement in Single family dwellings	<ul style="list-style-type: none"> • Improve 1500 properties annually • Undertake compliance inspection in 25% of licences granted 	<ul style="list-style-type: none"> • Achieve 100% licensing • Reduce Cat 1 and high cat 2 hazards • Achieve a general improvement of property conditions in the designated area within the lifetime of the designation.
Reduction in Antisocial behaviour in	<ul style="list-style-type: none"> • Ward level analysis annually • Complete 10 cases annually police reported ASB 	<ul style="list-style-type: none"> • Reduction in ASB incidents • Reduce ASB concerns by residents over 5 years

single family dwellings	<ul style="list-style-type: none"> • Complete 60 cases per year Council reported ASB 	<ul style="list-style-type: none"> • Reduce ASB in 200 licensed properties annually
Combat problems of Deprivation	<ul style="list-style-type: none"> • 25 cases per year regarding excess cold and fuel poverty • 100 incidences of tenant homelessness advice 	<ul style="list-style-type: none"> • Combat deprivation in the 10 most deprived areas • Supporting the most vulnerable tenants e.g. benefits assessments

Table 8: Selective scheme targets and objectives

Licensing conditions

- 4.64 The revised licensing conditions for both selective and HMO licensing have been consulted upon and amended and are attached as an appendix.
- 4.65 It is worth noting that we have amended our licence conditions so that all new licences will contain a mandatory condition requiring the licence holder to “comply with the council’s storage and waste disposal scheme”.
- 4.66 HMOs, occupied by separate and multiple households, generate more waste and rubbish than single family homes and HMO landlords are already under a duty to ensure that adequate refuse facilities are provided, and to ensure that arrangements are made for the disposal of refuse under the HMO Management Regulations. However, the government has expressed their view that HMOs are residential properties and so the council’s waste collection service should be offered free of charge. It would not be appropriate for local authorities to levy commercial waste charging on such residential properties, or seek to impose such charging via any scheme or direction.
- 4.67 A licence holder’s failure to comply with the scheme condition is a breach of the licence and criminal offence. Below we have expanded the condition to state the actions we expect to be taken;
- a. Ensure that there are adequate arrangements for the storage and disposal of waste.
 - b. Ensure that the occupiers of the HMO are given the information in writing about waste and recycling within 7 days of the start of their occupation:
 - c. Ensure that a sufficient number of suitable external rubbish bins for the occupiers to dispose and recycle waste.
 - d. Ensure that any kind of refuse which the Council will not ordinarily collect (e.g. large items of bedding, furniture, hazardous waste etc.) are disposed of responsibly and appropriately.
 - e. Actively respond to complaints of poor waste practices associated with the property. The Licence holder must keep a record of the action taken and provide this to the Council within 14 days on demand. Information on Recycling and waste can be found at <https://www.brent.gov.uk/services-for-residents/recycling-and-waste/>

4.68 We are addressing the waste management problem by increasing working with our Waste Management and Pest Control Services, Veolia, our Enforcement Practitioners Group partners and with tenants and property licence holders. We aim to;

- Promote the waste management policy to landlords by linking Brent's waste collection policies on the licensing webpage, including the recycling procedures.
- Work with partners to address illegal dumping, waste and pest (rats) infestation hotspots e.g. Chichele Road
- Waste teams to inform the housing or licencing department where collection crews suspect a property is being let as an unlicensed HMO; and repeated contravention of collection service rules
- Collaborate with HMOs above high street shops projects e.g. Harlesden and Queensbury
- Tenants education through Veolia and Waste Enforcement Teams e.g. a welcome leaflet tailored to the waste collection service (depending on property type) is sent within a few weeks of notification of Communications a change to the council tax register.
- Communication about dealing with extra waste at the end of a tenancy, and for student HMOs at the end of an academic year
- Engaging with Brent's recent *Alcohol Licensing* and *Article 4 HMO Direction* policies being introduced by the Council.
- Requiring HMO landlords to provide bin stores in certain cases.
- Undertaking dirty and untidy front garden street surveys, which may also be indicative of the state of the rear gardens and communal areas.

Performance management

4.69 Applications, processing and compliance checks are supported by a fully on-line tool. In addition to the licensing performance being part of the corporate KPIs which are reported quarterly, Cabinet have agreed the recommendation for the regular review of licensing. The Community Wellbeing Scrutiny Committee will be provided with update reports as requested.

4.70 The licensing processes and management systems (QMS) receive regular ISO 9001 audits by Lloyds. Between May 2019 and August 2019, the Licensing of Landlords review was carried out by PricewaterhouseCoopers (PwC UK). The review has been undertaken as part of the 2019-20 Audit Plan as agreed by the Council's Audit Committee in March 2019. The Audit Plan was developed following an assessment of the main risks facing the Council.

Measures to ensure compliance with the new designations

4.71 Whilst we are proud of our application processing and enforcement achievements so far, we will seek to adequately resource the new designations and to deal with non-compliance robustly by;

- Having a staffing structure and compliment to deal with application processing and enforcement activities
- Using of data analytics e.g. BRE database
- Having proactive inspection programmes to address housing conditions and deprivation
- Reviewing service targets and objectives
- Revising the IT reporting
- Having an agreed licensing audit programme

Delivery of strategic priorities (in the Borough Plan and Policy Framework).

- 4.72 The Brent Housing Strategy 2017-22 sets out the Council's priorities and objectives. A key aim is for all privately rented properties in the borough to achieve minimum standards of management and condition by 2019, through licensing schemes.
- 4.73 The Licensing schemes have considered the homelessness and housing regeneration strategies

Consultation with Ward Members/Stakeholders

- 4.74 The consultation exercise was undertaken over 11 weeks starting on 10 June 2019 and closing on 25 August 2019 with the assistance of Opinion Research Services (ORS). The consultation received 1,110 responses to its online/paper questionnaire. ORS separately conducted 707 face-to-face interviews with residents between 20th June and 18th July 2019, of which 605 were conducted inside Brent and 102 in neighbouring boroughs.
- 4.75 Other activities completed were: -
- a) Brent Landlord, Investor and Developer Forum. The Forum is co-hosted by Midas Property Group which has a wide reach to the business market in Brent.
 - b) JCDecaux boards were deliberately placed in our high streets and business areas
 - c) Town Centre Manages assisted with the flyers and communications in centres e.g. Harlesden High Street.
 - d) Brent consultation Portal links through to several mailing groups.
 - e) The Consultation linked with the Council's main consultation vehicle - The Brent Connects programme
 - f) The Council carried out a range of publicity and engagement with residents and tenants. ORS recruited and facilitated the two events in different parts of the borough (Willesden Green Library and Brent Civic Centre). We targeted 50 attendees in total across the two events, targeting recruitment across all wards in the borough, and across a mix of demographics including age, ethnicity and tenure [including tenants of HMOs]. Around 170 privately renting tenants were also engaged via the consultation questionnaire.

- g) 2 x Drop-In sessions (Open) – Wembley Civic Centre and Willesden Green Library
- h) Stake holder forum (Closed invitation attended by RLA, NLA, Fire Brigade, Brent CAB, Shelter, Quintain/Tipi) on 14th August 2019, facilitated by ORS and documented in the ORS Findings report
- i) Brent Council Members Learning and Development session, 14th August 2019

4.76 As a recent example of how we have listened to and act on feedback; For landlords and agents as well as other stake holders the level of fees charged is a big issue. As a Council we have reasonably balanced the level of fee so that it covers our cost but that it is not so high that it unreasonably increases rents. At a landlord’s meeting held during the consultation exercise, considerable attention was focused on the perceived unfairness of having to pay full fees when the licence purchased would only cover part of the licensing period, with many landlords applauding to show their agreement with these points:

“When a new landlord enters the market, they have to pay the full amount even if they’re only using it for one year and then you have to pay the same amount to extend the licence”.

“You’re charging me for admin fees whereas for other people admin fees have become illegal, especially for agencies, whereas the Council is still allowed to charge that same amount for a licence that either lasts 5 years or 1 year if you’re in that last year period”.

4.77 The Council has the discretion to grant or vary the licence for a duration of up to the full five years from the date of when a licence is granted.

4.78 Landlords and their representatives have argued in opposition to fees charged for the reduced term when licensing or re-licensing. Some authorities have attempted to circumvent this problem by adopting a pro-rata approach to the enforcement portion of the licence (the cost of processing and application does not change). Obviously, this prorating of the licence fee is only appropriate in cases where there has been no deliberate attempt to avoid or delay application, such as in the case of a property purchased midway through a designation for purposes of rental.

4.79 Taking in to account the representations we have received it is our intention that by the end of the month, under his delegated powers the Strategic Director of Community and Wellbeing will introduce a policy for duration of licences whereby licences will be awarded for up to the maximum 5 years, extending beyond the end of the designation period.

Planning and HMOs

4.80 In pursuing the use of Article 4 Directions, the Planning Service sought Cabinet approval to remove permitted development rights for change of

use from residential dwellings and houses in multiple occupation to the whole borough.

- 4.81 HMO powers under the Housing Act are different to those found under the Town and Country Planning Act. The HMO Licensing and HMO Article 4 Direction will assist in a complementary and co-ordinated approach between the Housing and Planning functions in regulating HMOs in the borough, for which clear policies will be developed.

5.0 Financial considerations and Fees

- 5.1 The Council is entitled to cover the costs associated with the scheme through a fee but is not allowed to make a surplus or to use the fee income for purposes unrelated to licensing. As long as the conditions are complied with, the licence would remain valid for 5 years. To meet these conditions, fees have been costed and set at £840 for an additional HMO licence, and at £540 for five years for a Selective Licence, payable in two parts – Part 1 for the processing and administration, and Part 2 for the enforcement of the scheme. The fees include a discount for certain accredited landlords.
- 5.2 The administration of the scheme is such that it is intended to be self-financing over a five-year period with higher levels of income from years 1 and 2 put into a specific reserve to fund expenditure over the full 5 years.
- 5.3 It is estimated that 7,400 Additional HMO licences will be issued in the 5-year period generating income in the region of £5.98m. This assumes 2,400 licences being processed as renewal licences at a reduced rate of £740.
- 5.4 It is estimated that if MHCLG renew Selective Licensing in Harlesden, Willesden Green and Wembley Central, 4,800 licences will need renewing at a cost of £440 per licence, generating an income in the region of £2.1m.
- 5.5 It is estimated that if MHCLG approve all other areas designated for Selective Licensing a further 6,800 licences will be issued in the 5-year period generating total income of £3.7m over 5 years.
- 5.6 Income will be closely monitored, and management will employ an appropriately sized team to match the demand. The licensing scheme will cover the cost of processing applications, compliance monitoring and enforcement against licensed properties. It will not fund the cost of any enforcement action on non-licensed properties.

6.0 Legal considerations

The Legal framework for Additional and Selective Licensing schemes

- 6.1 *Additional Licensing:* Section 56 of the Housing Act 2004 provides a power to licence HMOs not covered by mandatory licensing; defined as properties containing 3 or 4 people forming 2 or more households. Under Additional Licensing, local authorities can designate an area for an initial term of up to 5 years but must be satisfied that a significant proportion of the HMOs in the area are being managed sufficiently ineffectively as to give rise to one or more particular problems, either for those occupying the HMOs or for members of the public. The use of Additional Licensing has to be consistent with the local authority's housing strategy and should be co-ordinated with the authority's approach on homelessness, empty properties and antisocial behaviour. In respect of consent from the Secretary of State for the Ministry of Housing, Communities and Local Government, a general approval was issued by the said government department in 2010 to enable local authorities to make such designations for Additional Licensing and to rely on that approval without obtaining the Government's specific consent, provided that there is a minimum 10-week consultation period before the designation is made.
- 6.2 *Selective Licensing:* Under Part 3 of the Housing Act 2004, local authorities can introduce Selective Licensing schemes that focus on improving the management of privately rented housing properties accommodating households under a single tenancy or licence as well as HMOs, which are not subject to additional and mandatory licensing. Before introducing a Selective Licensing scheme, the Council (in this case, the Council's Cabinet) must consider that the area is suffering from and would reduce or eliminate one or more of the following specific housing problems: significant and persistent ASB, low housing demand, poor housing conditions, or high levels of migration, deprivation or crime.
- 6.3 Since 2015, the regulations regarding Selective Licensing stipulate that where a designation in relation to Selective Licensing would cover more than 20% of the local authority area or more than 20% of the private sector stock, consent to a scheme must be sought from the Secretary of State for the Ministry of Housing, Communities and Local Government. The 20% total would include any areas already designated, meaning that any significant extension of Selective Licensing in Brent would require consent. The regulations also stipulate that where a licensing designation in relation to Selective Licensing would cover more than 20% of the local authority area or more than 20% of the privately rented homes in the local authority area, consent to a designation must be sought from the Secretary of State. The 20% total would include any areas already designated, meaning that any significant extension of Selective Licensing in Brent would require consent.

7.0 Equalities considerations

- 7.1 A full Equality Analysis has been undertaken. The findings of the analysis show that the vulnerable groups that are over-represented in PRS.
- 7.2 If the licensing schemes are introduced, all equality groups are likely to benefit from improvements in engagement, communication and signposting information between the Council, landlords and tenants and other service providers. Information would relate to such matters as changes in the law affecting the PRS, energy efficiency measures and grants availability, information on local organisations and agencies which may be able to provide support.
- 7.3 The Equality Analysis, however, has also identified some potential negative consequences for over-represented equality groups in the affected landlord, agent and tenant cohorts. The main risks identified are;
- Landlords may face increased business costs and potential financial penalties.
 - Some landlords – particularly those likely to struggle to comply with licensing conditions – to withdraw from the market and evict their tenants.
 - Tenants may also potentially be affected by enforcement actions against landlords of overcrowded properties
 - Both landlord and tenant groups said that licensing will add to the problems they will face as a result of the Government’s plan to end “no-fault eviction” and have asked that the Council clearly sets how it will act with regard to section 21, should the ban be introduced.

Report sign off:

Phil Porter

Strategic Director of. Community Wellbeing

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CONDITIONS FOR THE SELECTIVE PROPERTY LICENSING SCHEME



London Borough of Brent
Private Housing Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

October 2019

The conditions in this booklet are standard conditions attached to every Selective Licence issued by the London Borough of Brent under Part 3 of the Housing Act 2004.

It is the licence holder's responsibility to ensure that the licensed property complies with all the conditions set out in this booklet. Failure to do so may lead to prosecution for a breach of the licence conditions, a loss of the licence, and an unlimited fine per offence, or the imposition of a civil penalty charge with a maximum of £30,000 per offence.

The licence holder is responsible for ensuring that all licence conditions are complied with at all times whether or not a manager or another person is bound by the conditions.

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CONDITIONS OF THE LICENCE

Tenancy Management

1. Terms of occupation

The licence holder must supply to the occupiers of the house a written statement of the terms on which they occupy the property (this is usually a tenancy or licence agreement).

The licence holder must provide a copy to the Council within 14 days on demand.

2. Tenant references

The licence holder must demand references from persons who wish to occupy the house.

No new occupiers should be allowed to occupy the property if they are unable to provide a suitable reference. When referencing consideration must be given to the tenant's history, credit and right to rent checks.

The licence holder must provide evidence of such reference and checks carried out when requested by the Council within 14 days on demand.

3. Rent payments

The licence holder must ensure that there is a record of all rent payments received in respect of the property.

All occupiers should be given a rent book or similar receipt for payments made, such as a rent statement. This should be provided to the occupiers at weekly or monthly intervals as a minimum.

Evidence of rent records must be provided to the Council within 14 days on demand.

4. Deposits

The licence holder must protect any deposits taken from the occupiers under an assured short-hold tenancy agreement, by placing them in a statutory tenancy deposit scheme.

The licence holder must give information about the scheme being used to the occupier within the statutory time limit (currently 30 days) of the time the deposit is taken. When requested this information must be provided to the Council within 14 days on demand.

5. Complaints

The Licence Holder must ensure that all tenants are given a suitable written complaints procedure at the start of their tenancy.

The procedure must include how complaints of the property conditions will be dealt with.

6. Anti-social behaviour (ASB)

The licence holder must take reasonable and practical action to prevent or reduce anti-social behaviour by the occupiers of the property or their visitors.

The licence holder must ensure that the occupiers of the property receive written confirmation detailing the procedure in place to deal with anti-social behaviour at the start of their tenancy. Please refer to 6a and 6b below.

[For further information on what the Council considers to be anti-social behaviour see appendix 1].

6a. Prevention

To help prevent anti-social behaviour occurring the licence holder must:

- i. Obtain tenant references prior to granting a tenancy as to their previous conduct, and be satisfied that they are not likely to cause any anti-social behaviour.
- ii. Ask anyone wishing to occupy the property to disclose unspent criminal convictions. If unspent criminal convictions are disclosed the licence holder must consider if those convictions indicate a risk that the person is likely to commit acts of anti-social behaviour, before granting a tenancy.
- iii. Respond to any reference requests received for a current or former tenant from another licence holder in writing within 21 days.
- iv. When giving a reference state whether or not they are aware of any allegations of anti-social behaviour made against the tenant. If allegations have been made they must give details, to the best of their knowledge, of whether the allegations have been admitted or have been found proven in any court or tribunal.
- v. Ensure regular inspections of the property are carried out, at least every six (6) months to check on the state of repair of the house and to ensure that the occupiers are not in breach of tenancy terms and conditions.
- vi. Ensure that all tenants are aware that if they or their visitors behave in a way that the licence holder, manager or Council considers to be anti-social they may face eviction.

6b. Action

This is a procedure to be followed if or when a landlord has been made aware of the occurrence of anti-social behaviour. For the purpose of transparency this process should be made available to tenants at the start of their tenancy agreement.

The licence holder must cooperate with the Council, the Police Service and any other agencies in resolving complaints of anti-social behaviour.

The licence holder should address problems of anti-social behaviour resulting from the occupiers or their visitors by following the procedure set out below:

- i. If a complaint is received, or anti-social behaviour is discovered, the licence holder must contact the tenant within 14 days. The tenant must be informed in writing of the allegations made against them and of the consequences of its continuation.
- ii. The licence holder shall monitor any allegations of anti-social behaviour for a period of 28 days, from the date the complaint was received.
- iii. If after 28 days, it is found that the anti-social behaviour is still continuing the licence holder must visit the premises within 7 days and provide the tenant with a warning letter advising them of the possibility of eviction if their behaviour continues.
- iv. If after 14 days of giving a warning letter the tenant has not taken steps to address the anti-social behaviour and it is still continuing, the licence holder shall take action which may include legal eviction proceedings.

v. The licence holder must ensure that written notes are kept of any meetings, telephone conversations or investigations regarding anti-social behaviour for 3 years, and if requested by the Council, provide this information within 28 days on demand.

vi. Any letters, relating to antisocial behaviour, sent or received by the licence holder must be kept for 3 years by the licence holder and if requested by the Council, provide copies of them within 28 days on demand.

vii. Where the licence holder or his agent has reason to believe that the antisocial behaviour involves criminal activity the licence holder shall inform the appropriate authorities.

Property Management

7. Gas

If gas is supplied to the property, the Licence Holder must produce to the local housing authority, within 14 days if requested, an annual gas safety certificate obtained in respect of the house within the last 12 months for the authorities inspection

If gas is supplied to the property, the licence holder must ensure that the gas installation and appliances are tested annually by an approved Gas Safe engineer. Within 14 days of the licence holder being notified by the Council of any safety risk, a new Gas Safe certificate must be submitted to the Council.

The licence holder must provide to the Council, a current Gas Safe Certificate within 14 days on demand.

8. Electrical Appliances

The Licence holder must keep electrical appliances made available by him in the house in a safe condition.

The Licence Holder must supply the authority, on demand, with a declaration by him as to the safety of such appliances. Where requested, test reports on the condition of the electrical appliances in the property must be provided to the Council within 14 days on demand.

9. Furniture and Furnishings

The Licence holder must keep furniture made available by him in the house in a safe condition and comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988.

The Licence Holder must supply the authority, within 14 days on demand, with a declaration by him as to the safety of such furniture.

10. Security

The licence holder is responsible for ensuring adequate precautions are provided for the security of the property and must ensure:

- a. The access to the property, such as locks, latches and entry systems are maintained and in good working order at all times.
- b. The front door of the property is fitted with a mortice lock (thumb turn) or equivalent, to a five-lever security level.
- c. Where window locks are fitted, the keys are provided to the relevant occupants.
- d. Where a burglar alarm is fitted to the property, the occupiers are informed in writing about the circumstances under which the code for the alarm can be changed, and are given details on how this can be arranged.

- e. Where previous occupants have not returned keys, the relevant locks will be changed prior to new occupants moving in.

11. External areas

The licence holder must ensure that they:

- a. carry out regular inspections of the exterior of the property, including the roof, walls, drainage, window and door elements to identify any problems in relating to the maintenance and state of repair.
- b. carry out interim inspections to ensure that gardens, fencing, paths, etc., and other external elements are kept in a clean, clear and/or sound condition.
- c. carry out interim inspections to identify any maintenance problems associated with outbuildings such as garages, sheds and to ensure that such buildings are not used for sleeping purposes.
- d. provide any such inspection report to the Council with 14 days, on demand.

12. Refuse and waste

The Licence Holder must ensure that there are adequate arrangements for the storage and disposal of waste. In particular;

- a. ensure that the occupiers of the house are given the information in writing about waste and recycling within 7 days of the start of their occupation:
- b. ensure that a sufficient number of suitable external rubbish bins for the occupiers to dispose and recycle waste.

- c. ensure that any kind of refuse which the Council will not ordinarily collect (e.g. large items, bedding, furniture, hazardous waste etc.) are disposed of responsibly and appropriately.
- d. actively respond to complaints of poor waste practices associated with the property. The licence holder must keep a record of the action taken and provide this to the Council within 14 days on demand.
- e. The Licence Holder must ensure that the statement, in any tenancy or licence granted contains a clause which stipulates that no refuse or rubbish may be kept in the front or rear gardens of the house, or in any yards, forecourts, alleyways or other spaces within the house curtilage, other than in refuse and rubbish storage facilities provided specifically for that purpose.

13. Repairs

The Licence Holder must ensure that all occupants of the property receive written confirmation detailing arrangements in place to deal with repairs. If requested, this must be provided to the Council within 14 days on demand.

14. Pest Control

The licence holder is responsible for ensuring that the property, including external areas such as gardens, are free from pest infestation e.g. rodents. Any pest infestations must be managed effectively and within a period of 7 days of being reported. Records of treatment and management must be kept and copies of these must be provided to the Council within 14 days on demand.

Fire Safety

15. Smoke Alarms and Carbon Monoxide Alarms

15.1 Smoke alarms

The licence holder must ensure that;

- a. A smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation; and that,
- b. Each such alarm is kept in proper working order; and that,
- c. On demand, the Authority is supplied with a declaration by him or her as to the condition and positioning of any such alarms.
- d. The installed smoke alarms are appropriate to the house

For the purpose of condition 15, a bathroom or lavatory is to be treated as a room used as living accommodation.

15.2 Carbon Monoxide Alarms

The Licence Holder must ensure that:

- a. A carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and that,
- b. Any such alarm is kept in proper working order; and that
- c. The Authority is, on demand, supplied with a declaration by him or her as to the condition and positioning of any such alarm or alarms.

For the purpose of Condition 15.2 “room” includes a hall or landing and a bathroom or lavatory is to be treated as a room used as living accommodation.

16. Means of escape

The licence holder must ensure that all means of escape from fire that adequate fire precautions are maintained.

General

17. Consultation of Changes

The licence holder must consult with the Council before making material changes to the layout of the property, amenity provisions (such as adding or removing bathroom or kitchen facilities), fire precautions or occupation of the accommodation which may affect the licence granted.

18. Notification of changes of circumstances

The licence holder must inform the Council of material changes of circumstances regarding:

- a. Details of any unspent convictions not previously disclosed to the Local Authority involving fraud or dishonesty, violence or drugs, any offence listed in Schedule 3 to the Sexual Offences Act 2003 or any other conviction relevant to the licence holder and/or the property managers fit and proper person status.
- b. Details of any finding by a court or tribunal against the licence holder and/or the manager that they have practiced unlawful discrimination on the grounds of sex, colour, race, ethnic or national origin or disability.
- c. Details of any civil or criminal proceedings against the licence holder or manager, relating to housing, public health,

environmental health or landlord and tenant law, resulting in a judgment or finding or Civil Penalty (under the Housing and Planning Act 2016), being made against them.

- d. Information about any property the licence holder or manager owns or manages or has owned or managed, that has been refused a licence by a local housing authority or has had a licence revoked due to the breaching of the licence conditions.
- e. Information about any property the licence holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004, or of a Banning Order under the Housing and Planning Act 2016.
- f. The property becoming empty for more than 3 months.
- g. Notification of repossession/foreclosure.
- h. Successful claims against the licence holder for default of tenancy deposits.
- i. A change in managing agent or the instruction of a managing agent.
- j. The undertaking of substantial works to the property, including conversions and modernisations or emergency problems relating to fire, flood or disaster.

19. Absence of the Licence Holder

The licence holder is required to have in place suitable emergency management arrangements in the event of their absence.

Should the Licence Holder be unable to fulfil the licence conditions he should appoint a person to manage the house during the period of the licence, he must:

- a. Obtain from the manager a signed declaration identifying the licence conditions by which he agrees to be bound, and that the manager understands the consequences of failing to comply with the licence conditions;
- b. Provide the Council a copy of the signed declaration within 14 days of the said change of circumstance.

20. Compliance inspections

The licence holder must arrange for access to be granted when requested by the Council at any reasonable time.

The Licence Holder must ensure that council officers are not obstructed from carrying out their statutory duties including inspecting and the surveying of the property to ensure compliance with licence conditions and relevant legislation.

[END OF CONDITIONS]

Appendix 1 - USEFUL INFORMATION

1. Definition of terms

- a) “*house*” refers to the building or such part of it as is licensed under Part 3 of the Housing Act 2004;
- b) “*Licence Holder*” refers to: (a) the person to whom the Authority has granted this licence; and (b) from the date of his or her consent, any other person who agrees to comply with the licence restrictions and obligations that follow.
- c) “*Mandatory Licence Conditions*” refers to conditions that the Authority is obliged to impose under any licence granted under Part 2 or Part 3 Housing Act 2004 by virtue of Schedule 4 of Housing Act 2004.

2. Anti-social behaviour

For the purposes of the Housing Act 2004, antisocial behaviour means conduct on the part of occupiers of, or visitors to, residential premises –

- (a) Which or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or
- (b) Which involves or is likely to involve the use of such premises for illegal purposes.

Examples of ASB include:

Crime: tenants engaging in vandalism, criminal damage, burglary, robbery/ theft and car crime

Nuisance neighbours: Intimidation and harassment; noise, rowdy and nuisance behaviour; animal related problems; vehicle related nuisance. Tenants engaged in begging; antisocial drinking; street

prostitution and kerb-crawling; street drugs market within the curtilage of the property.

Enviro-crime: tenants engaged in graffiti and fly-posting; fly-tipping; litter and waste; drugs paraphernalia; fireworks misuse in and around the curtilage of the property.

London Borough of Brent – Anti-social Behaviour Team. Tel: 020 8937 2000

3. Advisory note on Fire Safety – Condition 15.1

a) The smoke alarms provided should be suitable for the type of property. When considering what smoke alarm installation may be appropriate, mains linked smoke alarms are preferred, but battery operated smoke detectors to BS EN 14604:2005 may be provided to houses and purpose built flats that are not above commercial premises. For flats within converted buildings, hard wired mains operated smoke alarms with battery back-up to BS 5446 should be provided.

b) In determining adequate fire precautions reference should be made to the LACORS guidance: HOUSING – FIRE SAFETY, Guidance on fire safety provisions for certain types of existing housing.

4. The London Landlord Accreditation Scheme (LLAS) -

A partnership of landlord organisations, London Councils and university accommodation units who have worked together to set up a development programme which will provide you with the information necessary to improve your business.

www.londonlandlords.org.uk/accreditation Tel: 020 7974 1970

5. The Electrical Safety Council –

The Electrical Safety Council is an independent charity committed to reducing deaths and injuries through electrical accidents at home and at work. They are supported by all sectors of the electrical industry as well as local and central government and work to promote safety and good practice.

Web: <http://www.esc.org.uk> Tel: 0870 040 0561

6. Gas safety – The Health and Safety Executive website

(www.hse.gov.uk/gas/landlords/index.htm) provides guidance in relation to gas safety. By law you must repair and maintain gas pipework, flues and appliances in safe condition, ensure an annual gas safety check on each appliance and flue, and keep a record of each safety check.

7. Tenants Deposit Protection

The Tenancy deposit must be placed in a government-backed tenancy deposit scheme (TDP) if you rent on an assured short-hold tenancy that started after 6 April 2007. In England and Wales your deposits can be registered with:

- Deposit Protection Service
- MyDeposits or
- Tenancy Deposit Scheme

Web: <https://www.gov.uk/tenancy-deposit-protection>

Tel: 020 702 0003

CONDITIONS FOR THE MANDATORY/ADDITIONAL HMO PROPERTY LICENSING SCHEME



London Borough of Brent
Private Housing Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

October 2019

The conditions in this booklet are attached to every Mandatory or Additional Property Licence issued by the London Borough of Brent under Part 2 of the Housing Act 2004.

It is the licence holder's responsibility to ensure that the licensed property complies with all the conditions set out in this booklet. Failure to do so may lead to prosecution for a breach of the licence conditions, a loss of the licence, and an unlimited fine per offence, or the imposition of a civil penalty charge with a maximum of £30,000 per offence.

The licence holder is responsible for ensuring that all licence conditions are complied with at all times whether or not a manager or another person is bound by the conditions.

The property licence must be displayed within a communal area of the property and a copy of the conditions should be made available to all the occupying tenants.

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CONDITIONS OF THE LICENCE

Permitted Occupation

1. Number of occupiers and households

The licence holder must ensure that the number of persons occupying the property and the maximum number of persons who may occupy each room does not exceed the maximum numbers stated on the licence.

1.1 The Licence Holder must ensure that the following minimum space standards are complied with:

- a. the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres;
- b. the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres;
- c. the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres;
- d. any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.

1.2 The Licence Holder must ensure that -

- a. Where any room in the HMO is used as sleeping accommodation by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence;
- b. Where any room in the HMO is used as sleeping accommodation by persons aged under 10 years only, it is

not used as such by more than the maximum number of persons aged under 10 years specified in the licence;

- c. Where any room in the HMO is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified.

1.3 The licence holder must take the necessary steps to rectify the breach within the specified period, where —

- a. any of the Licence conditions imposed above have been breached in relation to the HMO,
- b. the licence holder has not knowingly permitted the breach, and
- c. the local housing authority have notified the licence holder of the breach,

The specified period means the period, of not more than 18 months beginning with the date of the notification, which is specified in the notification.

In this section above;

- a. A reference to a number of persons using a room in an HMO as sleeping accommodation does not include a person doing so as a visitor of an occupier of the HMO.
- b. A room is used as sleeping accommodation if it is normally used as a bedroom, whether or not it is also used for other purposes.
- c. Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be taken

into account in determining the floor area of that room for the purposes of this paragraph.

- d. This paragraph does not apply to an HMO which is managed by a charity registered under the Charities Act 2011 and which—
- (i) is a night shelter, or,
 - (ii) consists of temporary accommodation for persons suffering or recovering from drug or alcohol abuse or a mental disorder

2. Time for compliance with conditions

Note: This applies if the first licence, concerning a HMO, is granted on or after 1st October 2018.

If the local housing authority has notified the Licence Holder, at the time the licence is granted, that the licence holder is not complying with one or more of the conditions imposed under 1.1 and 1.2 above, the licence holder is required to comply with the condition or conditions within the period specified. This period specified by the authority must not exceed 18 months from the date of the notification.

3. Amenity and space (size of rooms) standards

The licence holder must ensure that the number of occupiers and households allowed to occupy the property will relate to the amenities that are provided within the property and the size and layout of the rooms available as decided by the Council at the time of licence approval.

[For further information on Brent Councils Amenity and Space Standards see Appendix 1].

Tenancy Management

4. Terms of occupation

The licence holder must supply to the occupiers of the HMO a written statement of the terms on which they occupy the property (this is usually a tenancy or licence agreement).

The licence holder must provide a copy to the Council within 14 days on demand.

5. Tenant references

The licence holder must demand references from persons who wish to occupy the HMO.

No new occupiers should be allowed to occupy the property if they are unable to provide a suitable reference. When referencing consideration must be given to the tenant's history, credit and right to rent checks.

The licence holder must provide evidence of such reference and checks carried out when requested by the Council within 14 days on demand.

6. Rent payments

The licence holder must protect any deposits taken from the occupiers under an assured short hold tenancy agreement by placing them in a statutory tenancy deposit scheme.

Information about the scheme being used must be given to the occupier at the time the deposit is taken. When requested this information must be provided to the Council within 14 days on demand.

7. Deposits

The licence holder must protect any deposits taken from the occupiers under an assured short hold tenancy agreement by placing them in a statutory tenancy deposit scheme.

Information about the scheme being used must be given to the occupier within 30 days of the time the deposit is taken. When requested this information must be provided to the Council within 14 days on demand.

8. Complaints

The Licence Holder must ensure that all tenants are given a suitable written complaints procedure at the start of their tenancy.

The procedure must include how complaints of the property conditions will be handled.

9. Anti-social behaviour (ASB)

The licence holder must take reasonable and practical action to prevent or reduce anti-social behaviour by the occupiers of the property or their visitors.

The licence holder must ensure that the occupiers of the property receive written confirmation detailing the procedure in place to deal with anti-social behaviour at the start of their tenancy. Please refer to 12a and 12b below.

[For further information on what the Council considers to be anti-social behaviour see useful information below].

9a. Prevention

To help prevent anti-social behaviour occurring the licence holder must:

- I. Obtain tenant references prior to granting a tenancy as to their previous conduct, and be satisfied that they are not likely to cause any anti- social behaviour.
- II. Ask anyone wishing to occupy the property to disclose unspent criminal convictions. If unspent criminal convictions are disclosed the licence holder must consider if those convictions indicate a risk that the person is likely to commit acts of anti-social behaviour, before granting a tenancy.
- III. Respond to any reference requests received for a current or former tenant from another licence holder in writing within 21 days.
- IV. When giving a reference state whether or not they are aware of any allegations of anti-social behaviour made against the tenant. If allegations have been made they must give details, to the best of their knowledge, of whether the allegations have been admitted or have been found proven in any court or tribunal.
- V. Make, a minimum of quarterly inspections of the property to ensure that it is in a decent state of
- VI. repair and that the occupiers are not in breach of tenancy terms and conditions.
- VII. Ensure that all tenants are aware that if they or their visitors behave in a way that the licence holder, manager or Council considers to be anti- social they may face eviction.

9b. Action

This is a procedure to be followed if or when a landlord has been made aware of the occurrence of anti-social behaviour. For the purpose of transparency, this process should be made available to tenants at the start of their tenancy agreement.

The licence holder must cooperate with the Council, the Police Service and any other agencies in resolving complaints of anti-social behaviour.

The licence holder should address problems of anti-social behaviour resulting from the occupiers or their visitors by following the procedure set out below:

I. If a complaint is received, or anti-social behaviour is discovered, the licence holder must contact the tenant within 14 days. The tenant must be informed in writing of the allegations made against them and of the consequences of its continuation.

II. The licence holder shall monitor any allegations of anti-social behaviour for a period of 28 days, from the date the complaint was received.

III. If after 28 days it is found that the anti-social behaviour is still continuing, the licence holder must visit the premises within 7 days and provide the tenant with a warning letter advising them of the possibility of eviction if their behaviour continues.

IV. If after 14 days of giving a warning letter the tenant has not taken steps to address the anti-social behaviour and it is still continuing, the licence holder shall take action which may include legal eviction proceedings.

V. The licence holder must ensure that written notes are kept of any meetings, telephone conversations or investigations regarding anti-social behaviour for 3 years and if requested by the Council, provide this information within 28 days on demand.

VI. Any letters, relating to antisocial behaviour sent or received by the licence holder, must be kept for 3 years by the licence holder and if requested by the Council, provide copies of them within 28 days on demand.

VII. Where the licence holder or his agent has reason to believe

that the anti-social behaviour involves criminal activity, the licence holder shall inform the appropriate authorities.

Property Management

10. Gas

If gas is supplied to the HMO, the Licence Holder must produce to the local housing authority annually for their inspection a gas safety certificate obtained in respect of the HMO within the last 12 months.

If gas is supplied to the property, the licence holder must ensure that the gas installation and appliances are tested annually by an approved Gas Safe engineer. Within 14 days of the licence holder being notified by the Council of any safety risk, a new Gas Safe certificate must be submitted to the Council.

The licence holder must provide to the Council, a current Gas Safe Certificate within 14 days on demand.

11. Electrical Appliances

The licence holder is responsible for the maintenance and safety of all supplied electrical appliances and must ensure:

- a. Electrical appliances are safe and in good working order. A declaration as to their condition must be provided at the point of application.
- b. Test reports on the condition of the electrical appliances in the property must be provided to the Council within 14 days on demand.
- c. All electrical equipment supplied by the landlord must be safe to use. Portable Appliance Test (PAT) report must be provided to the Council within 14 days on demand.

12. Furniture and Furnishings

The Licence holder must keep furniture made available by him in the HMO in a safe condition and comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988.

The Licence Holder must supply the authority, within 14 days on demand, with a declaration by him as to the safety of such furniture.

13. Heating and Insulation

The Licence Holder must provide an adequate and efficient fixed heating system with adjustable controls, which is capable of maintaining an indoor temperature of at least 21°C in habitable rooms.

14. Security

The Licence holder is responsible for the security of the property and must ensure:

- a. The access to the property such as locks, latches and entry systems are maintained and in good working order at all times.
- b. The front door of the property is fitted with a mortice lock (thumb turn) or equivalent, to a five- lever security level.
- c. Where window locks are fitted, the keys are provided to the relevant occupants.
- d. Where a burglar alarm is fitted to the property, the occupiers are informed in writing about the circumstances under which the code for the alarm can be changed, and are given details on how this can be arranged.
- e. Where previous occupants have not returned keys, the

relevant locks will be changed prior to new occupants moving in.

15. Common Parts (shared areas)

The Licence holder must ensure that:

- a. The common parts in the premises are kept free from obstruction, in a clean condition and in good order and repair.
- b. Common areas, including shared living rooms, kitchens, and hallways are not used for sleeping by tenants or their guests.
- c. Smoking is not permitted in any common area and 'no smoking' signs are clearly displayed (Health Act 2006).

For the purposes of this condition "common parts" means—

- (i) the entrance door to the HMO and the entrance doors leading to each unit of living accommodation within the HMO; and
- (ii) all such parts of the HMO as comprise staircases, lifts, passageways, corridors, halls, lobbies, entrances, balconies, porches and steps that are used by the occupiers of the units of living accommodation within the HMO to gain access to the entrance doors of their respective unit of living accommodation.

16. External areas

The licence holder must ensure that:

- a. The exterior of the property including the roof, walls, drainage, window and door elements are maintained in a reasonable decorative order and state of repair.
- b. Gardens, fencing, paths, etc., and other external elements are kept in a clean, clear and/or sound condition.
- c. Outbuildings such as garages, sheds are properly maintained

and are not used for sleeping purposes

17. Refuse and waste

The Licence Holder must comply with the Councils policy on waste. In addition, the Licence holder must;

- a. Ensure that there are adequate arrangements for the storage and disposal of waste.
- b. Ensure that the occupiers of the HMO are given the information in writing about waste and recycling within 7 days of the start of their occupation:
- c. Ensure that a sufficient number of suitable external rubbish bins for the occupiers to dispose and recycle waste.
- d. Ensure that any kind of refuse which the Council will not ordinarily collect (e.g. large items of bedding, furniture, hazardous waste etc.) are disposed of responsibly and appropriately.
- e. Actively respond to complaints of poor waste practices associated with the property. The Licence holder must keep a record of the action taken and provide this to the Council within 14 days on demand.

Information on Recycling and waste can be found at

<https://www.brent.gov.uk/services-for-residents/recycling-and-waste/>

18. Repairs

The Licence Holder must ensure that: -

- a. All occupants of the HMO receive written confirmation detailing arrangements in place to deal with repairs. If requested, this must be provided to the Council within 14 days on demand.
- b. Disrepair and/or defects identified to the landlord by the Council are investigated and adequately addressed within the specified timeframes as may be stipulated by the Council.
- c. All repairs to the property or any installations, facilities or equipment within it are carried out by competent and reputable persons.
- d. They respond positively and within the specified time period given to any mandatory housing related enforcement notices, issued by the Council.
- e. Whilst any works are in progress, the work is carried out to ensure the safety of all persons occupying or visiting the premises.
- f. On completion of any works, the property is left in a clean and tidy condition.

19. Compliance Works

The Licence holder must ensure that any works found to be necessary by the Council to ensure that the property complies with the Council's standards for HMOs, are carried out within the specified time period given.

20. Pest Control

The Licence holder is responsible for ensuring that the property, including external areas such as gardens, are free from pest

infestation e.g. rodents. Any pest infestations must be managed effectively and within a period of 7 days of being reported. Records of treatment and management must be kept and copies of these must be provided to the Council within 14 days on demand.

Fire Safety

21. Smoke Alarms and Carbon Monoxide Alarms

24(1) Smoke alarms

The licence holder must ensure that;

- a. A smoke alarm is installed on each storey of the HMO on which there is a room used wholly or partly as living accommodation; and that,
- b. Each such alarm is kept in proper working order; and that,
- c. On demand, the Authority is supplied with a declaration by him or her as to the condition and positioning of any such alarms.

When considering what smoke alarm installation may be appropriate, hard wired mains operated smoke alarms with battery back-up to BS 5446 should be provided.

For the purpose of condition 24, a bathroom or lavatory is to be treated as a room used as living accommodation.

24(2) Carbon Monoxide Alarms

The Licence Holder must ensure that:

A carbon monoxide alarm is installed in any room in the HMO which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and that,

Any such alarm is kept in proper working order; and that

The Authority is, on demand, supplied with a declaration by him or her as to the condition and positioning of any such alarm or alarms.

For the purpose of Condition 24 (2) “room” includes a hall or landing.

22. Fire precautions

The licence holder must ensure that all fire precautions provided to the property, e.g. fire doors, automatic fire alarm and emergency lighting system(s), etc. are maintained in full working order at all times.

Where the HMO is of a type which falls under the remit of the Fire Safety Order, the licence holder must ensure that a fire risk assessment as required under The Regulatory Reform (Fire Safety) Order 2005 is carried out by a competent person.

23. Servicing and testing of systems and equipment

The licence holder must ensure that all fire detection systems, means of escape and fire- fighting equipment installed in the property must be annually serviced by a registered qualified person and be maintained and tested in accordance with the manufacturer’s instructions. A new test/servicing report must be provided to the Council on demand within 14 days of any identified damage or Disrepair being notified to the landlord by the Council.

24. Electricity supplies and fire safety

The licence holder must ensure that electricity supplies to fire detection and emergency lighting systems are not disconnected, or threatened with disconnection, due to non-payment of monies owed to the relevant provider.

25. Doors

The licence holder must ensure that the main entrance/exit doors and all unit doors leading to common areas are openable from the inside without the use of a key.

26. Fire routine

The licence holder should ensure that all residents are fully aware of the procedures to be followed in the event of a fire.

They should also ensure that the fire routine notice detailing action to be taken in the event of fire, is clearly worded and displayed in a central location e.g. next to the main entrance/exits.

27. Fire blankets

The licence holder must ensure that a fire blanket conforming to current British standards is provided in each kitchen.

28. Means of escape

The licence holder must ensure that all means of escape from fire are free from obstruction and fire precautions are maintained.

29. Compliance with fire safety guidance

The licence holder must ensure that all means of escape from fire are free from obstruction and that adequate fire precautions are maintained.

In determining adequate fire precautions reference should be made to the LACoRS guidance: *HOUSING – FIRE SAFETY, Guidance on fire safety provisions for certain types of existing housing*

NB where the fire safety provisions in place are below the

LACORS recommended standard, the Council must be notified of any amendments/alterations.

[For further information on LACORS, see the 'Useful Information' section in this booklet].

30. Electrical Installations

The Licence Holder must supply a current (i.e. within the previous 5 years) Domestic Electrical Installation Periodic Report for the whole of the electrical installations to the Council within 28 days of demand.

All recommendations for urgent attention and improvement (Codes 1 and 2) must be carried out within 28 days of the report.

General

31. Consultation of Changes

The licence holder must consult with the Council before making changes to the layout of the property, amenity provisions (such as adding or removing bathroom or kitchen facilities), fire precautions or occupation of the accommodation.

32. Notification of changes of circumstances

The licence holder must inform the Council of:

- a. Details of any unspent convictions not previously disclosed to the Local Authority involving fraud or dishonesty, violence or drugs, any offence listed in Schedule 3 to the Sexual Offences Act 2003 or any other conviction relevant to the licence holder and/or the property managers fit and proper person status.
- b. Details of any finding by a court or tribunal against the licence holder and/or the manager that they have practiced unlawful

discrimination on the grounds of sex, colour, race, ethnic or national origin or disability.

- c. Details of any civil or criminal proceedings against the licence holder or manager, relating to housing, public health, environmental health or landlord and tenant law, resulting in a judgment or finding being made against them.
- d. Information about any property the licence holder or manager owns or manages or has owned or managed, that has been refused a licence by a local housing authority or has had a licence revoked due to the breaching of the licence conditions.
- e. Information about any property the licence holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004.
- f. The property becoming empty for more than 3 months.
- g. Notification of repossession/foreclosure.
- h. Successful claims against the licence holder for default of tenancy deposits.
- i. A change in managing agent or the instruction of a managing agent.
- j. The undertaking of substantial works to the property, including conversions and modernisation or emergency problems relating to fire, flood or disaster.

33. Absence of the Licence Holder

The licence holder is required to have in place suitable emergency management arrangements in the event of their absence. These details must be given to the occupiers and displayed in a prominent place in a common area, preferably near to the entrance door.

Should the Licence Holder be unable to fulfil the licence conditions he should appoint a person to manage the HMO during the period of the licence, he must:

- a. Obtain from the manager a signed declaration identifying the licence conditions by which he agrees to be bound, and that the he manager understands the consequences of failing to comply with the licence conditions;
- b. Provide the Council a copy of the signed declaration within 14 days of the said change of circumstance.

34. Compliance inspections

The licence holder must arrange for access to be granted when requested by the Council at any reasonable time.

The Licence Holder must ensure that council officers are not obstructed from carrying out their statutory duties including inspecting and the surveying of the property to ensure compliance with licence conditions and relevant legislation.

35. Training

The licence holder and/or manager may be required by the Council to attend an accredited management training course, in the event of significant and/or continuous deficiencies in the supervision and/or maintenance of a licensed HMO being identified by the Council.

[For contact details on Brent Councils approved course; London Landlord Accreditation Scheme, refer to the useful information section]

Documents to be displayed

36. Within the property

The following documents should be displayed in a prominent position in a common area, preferably near the entrance door:

- a. A copy of the licence (incorporating where the licence conditions can be viewed).
- b. A Copy of the current Gas Safety Certificate.
- c. The name, address and telephone number (including an emergency contact number, if different) of the Licensee and/or Manager of the premises.
- d. Energy Performance Certificate/s (EPC) carried out for new tenancies.

37. Licensing and Management Regulations

All licensing conditions shall be read in conjunction with the relevant provisions of the:

- a. Management of Houses in Multiple Occupation (England) Regulations 2006
- b. Licensing and Management of Houses in Multiple Occupation and other houses (Miscellaneous Provisions) (England) Regulations 2006
- c. The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007. **[END OF CONDITIONS]**

USEFUL INFORMATION

1. Definition of terms

a) “*HMO or house*” refers to the building or such part of it as is licensed under Part 2 of the Housing Act 2004;

b) “*Licence Holder*” refers to: (a) the person to whom the Authority has granted this licence; and (b) from the date of his or her consent, any other person who agrees to comply with the licence restrictions and obligations that follow.

c) “*Mandatory Licence Conditions*” refers to conditions that the Authority is obliged to impose under any licence granted under Part 2 or Part 3 Housing Act 2004 by virtue of Schedule 4 of Housing Act 2004.

d) “common parts” means—

(i) the entrance door to the HMO and the entrance doors leading to each unit of living accommodation within the HMO; and

(ii) all such parts of the HMO as comprise staircases, lifts, passageways, corridors, halls, lobbies, entrances, balconies, porches and steps that are used by the occupiers of the units of living accommodation within the HMO to gain access to the entrance doors of their respective unit of living accommodation.

2. Anti-social behaviour

For the purposes of the Housing Act 2004, antisocial behaviour means conduct on the part of occupiers of, or visitors to, residential premises.

(a) Which or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or

(b) Which involves or is likely to involve the use of such premises for illegal purposes.

Examples of include:

Crime: tenants engaging in vandalism, criminal damage, burglary, robbery/ theft and car crime

Nuisance neighbours: Intimidation and harassment; noise, rowdy and nuisance behaviour; animal related problems; vehicle related nuisance. Tenants engaged in begging; antisocial drinking; street prostitution and kerb-crawling; street drugs market within the curtilage of the property.

Enviro-crime: tenants engaged in graffiti and fly-posting; fly-tipping; litter and waste; drugs paraphernalia; fireworks misuse in and around the curtilage of the property.

London Borough of Brent – Anti-social Behaviour Team. Tel: 020 8937 2000

3. The London Landlord Accreditation Scheme (LLAS) -

A partnership of landlord organisations, London Councils and university accommodation units who have worked together to set up a development programme which will provide you with the information necessary to improve your business.
www.londonlandlords.org.uk/accreditation Tel: 020 7974 1970

4. The Electrical Safety Council –

The Electrical Safety Council is an independent charity committed to reducing deaths and injuries through electrical accidents at home and at work. They are supported by all sectors of the electrical industry as well as local and central government and work to promote safety and good practice.

Web: <http://www.esc.org.uk> Tel: 0870 040 0561

5. Gas safety – The Health and Safety Executive website (www.hse.gov.uk/gas/landlords/index.htm) provides guidance in

relation to gas safety. By law you must repair and maintain gas pipework, flues and appliances in safe condition, ensure an annual gas safety check on each appliance and flue, and keep a record of each safety check.

6. Tenants Deposit Protection

The Tenancy deposit must be placed in a government-backed tenancy deposit scheme (TDP) if you rent on an assured short hold tenancy that started after 6 April 2007. In England and Wales your deposits can be registered with:

- Deposit Protection Service
- MyDeposits, or
- Tenancy Deposit Scheme

<https://www.gov.uk/tenancy-deposit-protection>

Tel: 020 702 0003

7. MHCLG – The Ministry of Housing, Communities and Local Government.

<https://www.gov.uk/government/organisations/department-for-communities-and-local-government>

8. LACORS (Local Authorities Coordinators of Regulatory Services) Fire Safety Guidance.

Website: www.lacors.gov.uk

Appendix 1

The Council HMO amenities and space standards are provided as guidance. These standards will be applied in deciding the suitability of the HMO at the time of the licence approval and its compliance.

Advice regarding bedroom sizes

- i. Single occupancy; minimum of 6.5m² where provided with separate shared kitchen, minimum of 10.2m² where a room contains kitchen facilities.
- ii. Two persons' occupancy; minimum of 10.2m² where provided with separate shared kitchen, minimum of 13.9m² where a room contains kitchen facilities.
- iii. The standard is to be applied irrespective of the age of the occupants.
- iv. The floor area taken up by a solid chimneybreast should be discounted.
- v. All floor space taken up by en-suite bathroom/shower facilities should be discounted.
- vi. No account should be taken of entrance lobbies where the room door opens into a lobby/corridor which is less than 1200mm in width.
- vii. Single rooms should have a minimum width of 1.8m.
- viii. Rooms which are to accommodate two persons should have a minimum width of 2.3m.

- ix. Sharing of rooms shall be avoided unless the individuals concerned consent to share the room.
- x. No persons of the opposite sex who are aged 12 years or over shall share a room unless they are living together as partners.
- xi. Irrespective of the floor area, consideration shall be given to the shape and useable living space within the room to determine whether it is suitable for occupation and to what occupancy level.
- xii. All rooms must have a minimum floor to ceiling height of at least 2.14 metres over not less than 75% of the room area.
- xiii. Any floor area where the ceiling height is less than 1.53 metres shall be disregarded.
- xiv. No staircase or landing nor any room which has been appointed as a kitchen or bathroom shall be deemed suitable for sleeping accommodation.

Advice regarding kitchen facilities in HMOs

Kitchens for Communal Use

Where the Local Authority is satisfied that the provision of kitchen facilities for exclusive use is not practicable or appropriate, facilities may be provided on a ratio of one set of facilities to every three households or every five persons, normally whichever is the smaller and being irrespective of age.

The kitchen should be not more than one floor distance from any individual letting unless a suitable communal dining area is also provided (adjacent to kitchen).

There shall be no more than two sets of facilities in any one room.

EACH SET of facilities shall meet the following minimum standards:

Cooking Gas or electric cooker with four burners/hobs, oven and grill.

Sink: Stainless steel sink and integral drainer (minimum size 1000mm x 600mm), set on a base unit.

The sink is to be provided with a constant supply of hot and (potable) cold water and properly connected to the drainage system via a suitable trap.

A tiled splash back (minimum 300mm high) shall be provided to the sink and drainer.

[A wash hand basin is not a suitable alternative to a sink.]

Storage Lockable storage cupboards, minimum capacity 0.3m³ e.g. 600mm wide x 720mm high x 600mm deep for each single bedroom and 0.4m³ e.g. 1000mm wide x 720mm high x 600mm deep for a two-person household whose occupants use the kitchen.

[In calculating the required provision of storage cupboards, base unit cupboards below sinks/drainers should be discounted.]

Preparation A suitable worktop or table of smooth and impervious material of minimum size 1000mm x 600mm.

Two double outlet 13-amp electrical power sockets to be situated above the work surface at a convenient height and in a safe position.

These are in addition to any power outlets serving major appliances.

In addition, a refrigerator of minimum capacity 0.15m³ should be provided within each occupancy.

Other general requirements for kitchen facilities

All kitchens and kitchen areas are to be provided with an adequate provision for artificial lighting.

All kitchens and kitchen areas are to be provided with adequate ventilation.

This may be obtained by being ventilated directly to the external air by a window with an openable area of at least 1/20th of the floor area. However, where this is not practicable mechanical ventilation providing a minimum of one air change per hour shall be provided.

Such an installation shall be fitted with an over run device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

A kitchen containing one set of facilities should be a minimum floor area of 5.5m² and a kitchen containing two sets of kitchen facilities should be a minimum of 11m².

Where two sets of cooking facilities are provided in a kitchen, the two sets of facilities (i.e. cooker, sink & worktop) shall be reasonably separate from each other to allow their safe and simultaneous use by two or more households.

Cookers should be located remote from doorways, and there

should be enough floor space for items to be retrieved from the oven and for the safe circulation of occupants generally.

Sinks, worktops and immediately adjacent walls and floors should be non-porous and reasonably smooth so as to facilitate cleaning.

[Kitchens must NOT be installed in any hallway, corridor or lobby and no bedroom should be accessed via a kitchen unless a suitable alternative means of escape (in case of fire) can be provided from that occupancy.]

Where separate communal living/dining room(s) provided, there should be a minimum floor area of – 11.0m² for 1 to 5 persons - 16.5m² for 6 to 10 persons.

Advice regarding sanitary facilities

One water closet shall be provided and maintained for (a maximum of) every five persons or lesser number irrespective of age.

Each such water closet shall be in a separate room within the building and when shared by two or more households, be entered from a common passageway or hallway and shall not be more than one floor distance from any individual letting.

Each W.C. compartment shall also be provided with a suitable wash hand basin supplied with a constant supply of hot and cold water and a splash back.

Any bathroom, shower room or compartment containing a W.C. should be separated from any space used for the preparation of food.

Although an intervening lobby is not essential, the W.C. compartment should not open directly onto the area of a kitchen immediately adjacent to where food is prepared, especially in the case of shared amenities.

Not less than fifty percent of water closets shall be provided in separate compartments from the bath/shower facilities. These compartments should have minimum dimensions of 1300 mm x 800mm.

All bath/shower rooms are to be provided with an adequate provision for artificial lighting.

All bath/shower rooms are to be provided with adequate ventilation. This may be obtained by being ventilated directly to the external air by a window with an openable area of at least $1/20^{\text{th}}$ of the floor area.

However, where this is not practicable mechanical ventilation providing a minimum of three air change per hour shall be provided. Such an installation shall be fitted with an over run device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

The surfaces any water closet compartment should be reasonably smooth, non- absorbent and capable of being readily cleansed.

The water closet compartment shall be constructed so as to afford privacy to the user

External water closets are not acceptable.

The HMO shall be provided with an effective system, both above and below ground for the drainage of foul, waste and surface

water.

Personal washing facilities

Each occupancy shall be provided where practicable with a separate bath or shower. Where this is not practicable one bath or shower shall be provided and maintained for (maximum of) every five persons or lesser number irrespective of age.

Each washing facility shall be provided not more than one floor distance from any user.

Each bath shall be of minimum dimensions 1700mm x 700mm and each shower shall have minimum dimensions of 800mm x 800mm.

Each bath shall be situated in a separate bathroom of adequate size (minimum dimensions 1700mm x 1400mm).

Each shower shall be situated in a suitable shower room (minimum dimensions 1600mm x 900mm).

Each separate bath/shower room shall be provided with a suitable wash hand basin (minimum dimensions 500mm x 400mm), together with constant supplies of hot and cold running water. A tiled splash back (minimum 300mm high) is to be provided to each wash hand basin.

Each bath and shower shall be provided with a constant, freely available supply of hot and cold water. A tiled splash back (minimum 300mm high) shall be provided to all baths.

Any shower cubicles should have fully tiled walls or be complete self- standing cubicles.

Showers shall be provided with a suitable water resistant shower curtain or door to the cubicle.

The hot and cold water supplies to all washing facilities shall be adequate, constant and available.

The bath/shower shall be accessible at all times.

The surfaces of any bathroom or shower room should be reasonably smooth, non-absorbent and capable of being readily cleansed. In addition, flooring should be non-slip.

Shared amenities are to be accessible from a common area.

All bath/shower rooms are to be provided with an adequate provision for artificial lighting.

All bath/shower rooms are to be provided with adequate ventilation. This may be obtained by being ventilated directly to the external air by a window with an openable area of at least $1/20^{\text{th}}$ of the floor area.

However, where this is not practicable mechanical ventilation providing a minimum of three air change per hour shall be provided.

Such an installation shall be fitted with an over run device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

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 Brent	<p align="center">Community and Wellbeing Scrutiny Committee</p> <p align="center">4 February 2020</p>
	<p align="center">Report from the Strategic Director of Community Wellbeing</p>
<p align="center">Single Homeless Prevention Service (SHPS)</p>	

Wards Affected:	ALL
Key or Non-Key Decision:	Non Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer:	Laurence Coaker Head of Housing Needs Laurence.coaker@brent.gov.uk

1.0 Purpose of the Report

- 1.1 To update Community and Wellbeing Scrutiny committee about the performance and outcomes of the Single Homeless Prevention Service (SHPS) since it came into effect operationally in September 2017.

2.0 Recommendations

- 2.1 That the committee note the information provided on the Single Homelessness Prevention Service.

3.0 Background

- 3.1 The Council completed an Outcome Based Review (OBR) on single homelessness, which identified a gap in provision for single people who do not meet the Priority Need (vulnerability) threshold in homelessness legislation, (the Housing Act 1996, Part 7). Although the majority of these single people were homeless or threatened with homelessness, they did not qualify for significant help to meet their housing needs, beyond very general advice and assistance. This often meant that the individuals was not able to resolve their housing needs and any underlying vulnerabilities they suffered from would deteriorate.

- 3.2 Around the same time, The Homelessness Reduction Bill was passing through parliament, which later became the Homelessness Reduction Act 2017 (the Act) on 3 April 2018. The Act effectively bolted on 2 new duties to the existing homelessness legislation, the Prevention Duty and the Relief Duty. These duties require the Council to take reasonable steps to prevent homelessness, or if an applicant is already homeless, to take reasonable steps to help the applicant to secure that suitable accommodation becomes available. These new duties apply to all eligible applicants (i.e. on the basis of immigration status) who are homeless or threatened with homelessness (with-in 56 days), regardless of whether or not they meet the Priority Need threshold.
- 3.3 Historically, the Council had primarily dealt with statutory homeless households, i.e. those households who met the Priority Need threshold in homelessness legislation, either because they were families with dependent children or pregnant women. Alternatively, they were a single vulnerable person with high support needs. The council did not have experience in working with single homeless people with low to medium vulnerabilities, who did not meet the Priority Need threshold.
- 3.4 The single homeless people who approach the Council, but do not meet the Priority Need threshold tend to have a range of low to medium vulnerabilities, ranging from issues with mental health, drug and alcohol abuse or being ex-offenders. Dealing with single homeless households therefore requires a different, more tailored response than homeless families, the majority of whom have no vulnerabilities beyond the fact that are in housing need.
- 3.5 It was therefore agreed that the Council should engage more with the voluntary sector, who do have the experience and expertise in dealing with single homeless people, to assist the Council to meet the new duties under the Homelessness Reduction Act 2017. And also to meet the gap in services, identified by the OBR, to provide more significant support to single homeless people, who do not meet the vulnerability threshold under homelessness legislation.
- 3.6 In February 2019, a review of homelessness services in Brent was undertaken, in order to evaluate current services, identify need and set a strategic vision. The team worked with local delivery partners, through the Brent Homelessness Forum, to conduct a gap analysis to take a snapshot of homelessness services available across the borough and identify any gaps in services. The review also included some qualitative research on the services available to those experiencing rough sleeping across the borough. Interviews and two focus groups were carried out with both service-users and support staff from Crisis. The findings from this review informed the development of five core strategy commitments and the basis of the new Homelessness and Rough Sleeping Strategy, and was approved by Cabinet in January 2020.
- 3.7 The SHPS service meets the five core strategy commitments, which are;
- To fully understand the challenge of homelessness in Brent and how it is experienced by individuals so we can develop informed,

targeted solutions, and continually improve the quality of the services we deliver

- Our services are prevention focused and we ensure the right advice and support is available to those who need it
- We work to increase the supply of and access to stable and affordable homes across the borough
- We minimise the use of temporary accommodation, but where this is unavoidable, work to improve the quality of accommodation offered and keep the stay as stable and as short as possible
- We seek to personalise our services to individuals' needs, and work collaboratively with our partners to ensure those needs are met

4.0 Homelessness Prevention Trailblazer Funding

- 4.1 The Council submitted a successful bid to the Government's Homelessness Prevention Trailblazers fund, which secured £900K of funding, which the Cabinet agreed to match fund in January 2017.
- 4.2 The Trailblazer funding was awarded to the Council to commission local voluntary sector agencies to work in partnership with the Council to prevent and relieve homelessness for single homeless people, and couples without children. The bid was for a payment for outcomes approach, rather than a traditional commissioning model, where a service is paid for upfront. This approach was taken to allow the voluntary sector organisations to build their capacity to deliver the service and ensure value for money for the Council by only paying for successful outcomes.

The outcomes and payments are detailed in table 1 below

Table 1 SHPS Outcome Payments

Outcome	Payment Amount
Completion of Personal Housing Plan	300
*Prevention of Homelessness	750
*Relief of Homelessness	1,250
8 month sustainment	750

** either the prevention or relief outcome payment is made, not both*

- 4.3 However, this payment for outcomes approach presents a financial risk to voluntary sector organisations, as if they do not achieve enough successful outcomes, they may not receive sufficient payments to cover their service delivery costs. The Trailblazer bid therefore included the provision for the voluntary sector to work with a social investor, to transfer the financial risk.
- 4.4 The Council engaged the voluntary sector to identify organisations to partner with to operate the service. Organisations were invited to bid to deliver the

service and notification of the applications process was made via Brent CVS and London CVS as well as to those who attended an engagement event in January 2017, which was similarly advertised.

- 4.5 Following an evaluation process, a contract to deliver the service was awarded to a consortium of Crisis and Thames Reach, who are both highly experienced voluntary sector organisations with a strong track record in working on single homelessness. The consortium is financially backed by Bridges Fund Management, one of the UK's leading social investment funds.

5.0 End to End Process

- 5.1 The new Prevention and Relief duties apply to all eligible applicants (i.e. on the basis of immigration status), who are threatened with homelessness (within 56 days) or actually homeless, irrespective of the applicant's level of vulnerability.
- 5.2 The Council's Single Homeless Team complete an initial assessment of an applicant's circumstances, to determine their eligibility and homelessness status. They will also consider how vulnerable an applicant is to determine the correct housing pathway that best meets their needs.
- 5.3 If an applicant is eligible and homeless or threatened with homelessness, and has a high level of vulnerability, then the Council's Single Homeless team will develop and agree a Personal Housing Plan of the steps that will be taken to prevent or relieve homelessness. However if the applicant has low to medium vulnerability needs, the applicant is referred to the SHPS service to prevent or relieve their homelessness.
- 5.4 SHPS work in partnership with other voluntary sector organisations to achieve positive outcomes for the applicants who are referred to them. This partnership working is tailored to best meet the needs of the applicant, and SHPS therefore do not work with a static set of voluntary sector agencies. However, the agencies listed below are most commonly worked with;
- Crisis Brent
 - Advice 4 Renters
 - Thames Reach Floating Support
 - Ashford Place
 - CAB
 - Elders' Voice
 - Asian Women's Resource Centre
 - Sufra Foodbank
- 5.5 SHPS will arrange an initial meeting with an applicant to develop and agree their Personal Housing Plan. They will then continue to engage and support the applicant to achieve a positive outcome, either by preventing, or relieving their homelessness. They will then ensure that the accommodation secured is sustained, for 8 months with no identified risk of homelessness.

- 5.6 As well as referrals made directly by the Council, from 20 January, referrals are also being made from the Job Centre Plus (JCP) offices in Wembley and Harlesden. This is because a lot of single people who visit the JCP advise staff that they are facing homelessness, which is a barrier to them securing work. JCP officers have therefore received training to enable them to directly refer applicants to the SHPS service (rather than coming via the Council) so that SHPS can engage at an early stage to prevent their homelessness.
- 5.7 SHPS are not responsible for dealing with Homeless people who are sleeping rough. The Council has services in place for rough sleepers in Brent, and will make the appropriate referrals for this cohort .
- 5.8 However, if an applicant is threatened with the prospect of having to sleep rough, after they have been referred to SHPS (normally due to the sofa surfing arrangements they had in place breaking down), SHPS are able to refer the applicant into a West London service for Rough Sleepers called Somewhere Safe to Stay. This is a Service funded through the MHCLG Rough Sleeper Initiative grant, to prevent rough sleeping.

6.0 Performance.

- 6.1 Since inception of the SHPS service in September 2017, the Council has referred 1,392 applicants. A summary of the outcomes achieved is listed below.

Table 2 SHPS Performance Data Sept 17 - Nov 19

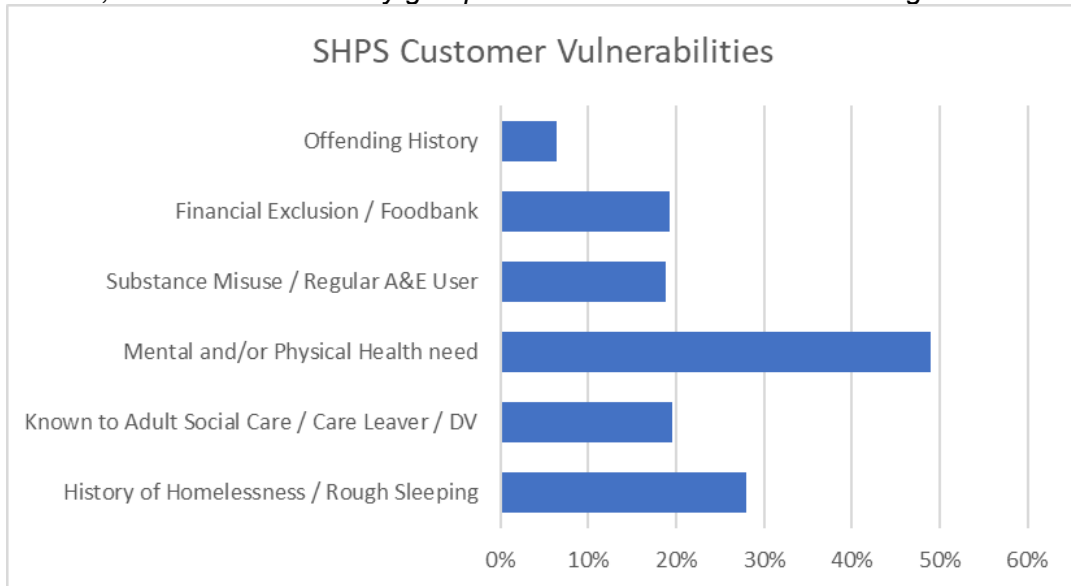
Total Referrals	1392
Total Personal Housing Plans (PHP) completed	1142
Housing Secured	497
Sustained for more than 8 months	*229

** from a maximum of 288 whose housing had been secure for 8 months*

The 250 applicants who did not complete a PHP, either failed to attend their interview, or refused to engage with the service. The maximum

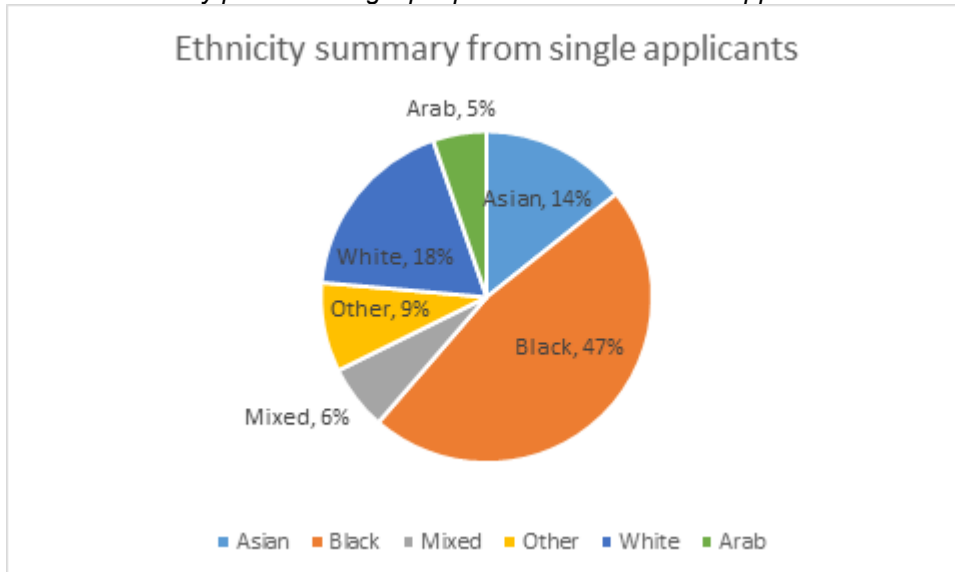
- 6.2 A breakdown of the key groups the service has been working with is presented in Chart 1 below.

Chart 1, breakdown of the key groups SHPS service has been working with



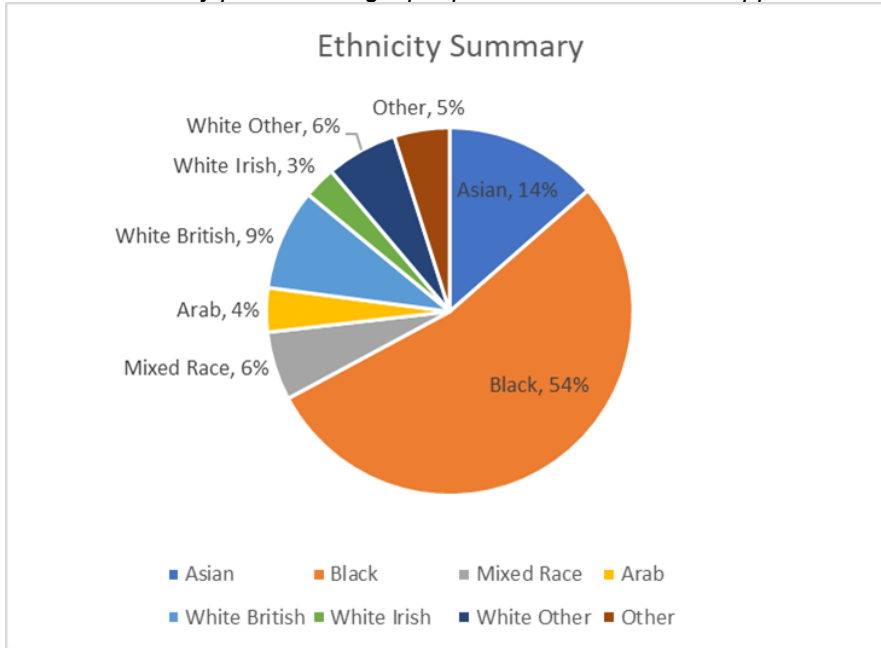
6.3 The chart 2 below shows the ethnicity of single people who have made an application to the Council's Single Homeless Team, from April 2018 to December 2019.

Chart 2 - ethnicity profile of single people who have made an application to the Council

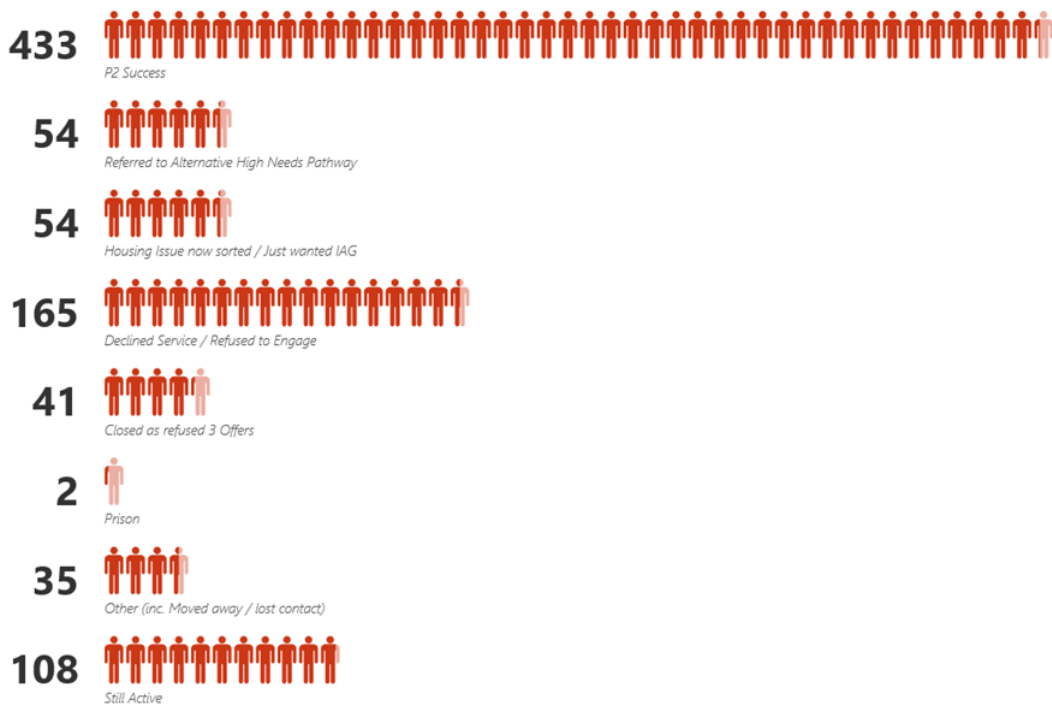


6.4 The ethnicity profile of referrals made to SHPS is very similar (see chart 3 below), with a higher proportion of Other in the Council's data set, whereas the SHPS referrals have a higher proportion of referrals from people from a Black ethnicity. This is evidence that the SHPS service is being accessed by the ethnic profile who are approaching the Council for assistance with their housing needs.

Chart 3 - ethnicity profile of single people who have made an application to the Council



6.5 The graphic below shows the destination of the cohort of applicants who had their PHP completed before the end of June 2019. In total, 433 (49%) we have evidenced successful prevention or relief of their homelessness situation. In total, 61% had a positive outcome, 27% declined or refused the service and 12% are still active. Of those that have had their homelessness prevented or relieved more than 8 months ago, we have currently evidenced 79% have sustained their housing situation



- 6.6 The majority of the 433 people who have evidenced successful prevention or relief of their homelessness situation have been secured suitable accommodation in the Private Rented Sector under the Relief Duty. The SHPS team are able to access the Discretionary Housing Payments (DHP) budget, to help secure accommodation, which is mainly studio flats in and around Brent. The 165 applicants who declined or refused to engage with the service are predominately people who refused (multiple) offers of accommodation, or thought that SHPS was a way of accessing social housing, and so refused to engage once they realised it is not.
- 6.7 The SHPS Service has been shortlisted for three national awards since its inception, most recently the Local Government Chronical (LGC) awards, where the winners are due to be announced in March 2020. The model is also being adopted by Councils across London, and has gone live in Ealing and Islington and due to be live in Spring 2020 in Lambeth, Hackney, Enfield and Bexley. There are ongoing conversations with the other boroughs about future waves.



7.0 Future of SHPS in Brent

- 7.1 Bridges have been awarded £4.7m of central government top-up funding from the Life Chances Fund (LCF) to roll the service out across London to support approximately 5000 vulnerable Londoners over the next 3 years. The LCF is an £80m fund, which aims to help those people in society who face the most significant barriers to leading happy and productive lives.
- 7.2 The £80m has been committed by central government to contribute to outcome payments for payments by results (PbR) contracts which involve socially minded investors - i.e. towards Social Impact Bonds (SIBs). These contracts must be locally commissioned and aim to tackle complex social problems.
- 7.3 The current funding for the SHPS service (£900K from MHCLG trailblazer fund plus £900K match funding from the general fund) is forecast to end in September 2020. In anticipation of the funding coming to an end, Brent was part of the LCF bid, to extend the SHPS model across London. The bid was successful in securing 35% funding for the service, which means that 35% of all outcome costs will be paid by the LCF.

8.0 Financial Implications

- 8.1 A conservative estimate of costs avoided to date from the SHPS service in Brent, looking at both costs to the council and wider services has been

conducted using the Greater Manchester Combined Authority (GMCA) New Economy Unit costs database. The database contains costs across crime; education and skills; employment and economy; fire; health; housing; social services and energy, and is a recognised tool used to calculate public sector savings. The analysis used the unit cost data from the GMCA Research unit combined with actual outcomes achieved and cohort data from the SHPS service in the first 2 years.

- 8.2 The analysis shows that having commissioned the SHPS service and delivered it through a payment for outcomes approach, £1.8m of costs in terms of accommodation and staffing are believed to have been avoided. This was calculated by using savings achieved through the positive outcomes (homelessness either prevented or relieved) that SHPS have achieved for the 497 people since September 2017. The cost to the council of funding the service, including 50% of outcome payments, is £0.5m since September 2017.
- 8.3 It is also estimated from the GMCA model that a further £1.2M of costs have been avoided for other external and in-house services, such as mental health, drug and alcohol, probation etc.

9.0 Legal Implications

- 9.1 Where a local authority is satisfied that an applicant is threatened with homelessness and eligible, it must take reasonable steps to help the applicant secure that accommodation does not cease to be available for her/his occupation. This is known as the prevention duty which was brought into effect by section 4(2) of the Homelessness Reduction Act 2017 (“HRA 2017”) which amended section 195(1) of the Housing Act 1996.
- 9.2 Where a local authority is satisfied that an applicant is homeless and eligible, it must take reasonable steps to help the applicant secure that accommodation becomes available for at least six months. This is known as the relief duty which was brought into effect by section 5(2) of the HRA 2017 which inserted section 189B(1) of the Housing Act 1996.
- 9.3 A local authority will have a duty to provide temporary accommodation to a homelessness applicant under section 193 of the Housing Act 1996 if he/she satisfies the following five criteria until such time as the duty has ended:
- The applicant is [homeless or threatened with homelessness](#)
 - The applicant is [eligible for assistance](#)
 - The applicant in [priority need](#)
 - The applicant is not [intentionally homeless](#)
 - The applicant has a [local connection](#) with the borough. If the other four criteria are satisfied and this criterion is not satisfied, the applicant will be referred to another local authority in an area where the applicant has a local connection.

9.4 A single person will not satisfy the priority need criterion as set out in the previous paragraph unless he/she comes within one of the categories of vulnerability, or is 16/17 years of age, or is a care leaver and is aged between 18 and 20 years of age, or has lost their accommodation as a result of an emergency (e.g. flood, fire, other disaster). The categories of vulnerability include old age, persons with mental illness or physical disabilities, care leavers aged 21 or over, members of the armed forces, people who have been in custody, people who have left accommodation because of violence or abuse and people who are vulnerable for some other reason or a combination of reasons.

10.0 Diversity Implications

10.1 The Homelessness Reduction Act 2017 excludes the Vulnerability limitation to homeless applicants in relation to the new Prevention and Relief duties as set out above to all members of the public who are eligible and threatened with or are homelessness. The SHPS service has had a positive impact on service users, achieving a positive outcome for the majority of applicants referred to the service.

Report sign off:

Phil Porter

Strategic Director of. Community Wellbeing

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 Brent	Community and Wellbeing Scrutiny Committee 4 February 2020
	Report from the Assistant Chief Executive
Update: Scrutiny Committee Work Programme 2019-2020	

Wards Affected:	All
Key or Non-Key Decision:	Non-key
Open or Part/Fully Exempt:	Open
No. of Appendices:	3 Appendix 1 - Community and Wellbeing Scrutiny Committee Work Programme 2019-2020 Appendix 2 – 3 January Letter Appendix 3 – 17 January Letter
Background Papers:	None
Contact Officer:	James Diamond, Scrutiny Officer, Strategy and Partnerships, Chief Executive’s Department, james.diamond@brent.gov.uk 020 8937 1068

1.0 Purpose of the Report

1.1 This report updates members on the scrutiny work programme for 2019/20, and highlights scrutiny activity outside meetings and important upcoming issues.

2.0 Recommendation(s)

2.1 Members of the scrutiny committee to review the report with the amended work plan as set out in 3.4 and Appendix 1; namely that a report on New Accommodation for Independent Living is added for the meeting on 22 April 2020.

3.0 Detail

3.1 The work programme sets out the items, which the Community and Wellbeing Scrutiny committee will review during the municipal year according to its remit: Adult Social Care; statutory safeguarding boards, Children’s Services; Cultural Services; Education; housing; Public Health and external NHS organisations. Reports to the scrutiny committee are based in general on Key Decisions by

the Cabinet both pre-decision and post-decision making; annual reports of the statutory safeguarding boards; inspectorate reports, and policy development.

- 3.2 To develop an effective work programme at the start of the municipal year members are encouraged to use a set of criteria to enable them to prioritise. Prioritisation encourages members to select items for committee which fall into the 'must have' category. That means they are considered a strategic priority as set out in the Borough Plan 2019-23; of concern for a large number of the borough's residents; timely; a significant decision for Cabinet or NHS organisations; form part of a forthcoming review or new strategy which is being developed by the Cabinet. This methodology of prioritisation is considered best practice by the CfPS for a scrutiny committee to develop a work plan during the year.¹
- 3.3 An assumption of work planning is that the scrutiny's committee programme will be iterative and there will be spare capacity and the flexibility to look at new issues as they arise, and as the Cabinet's Forward Plan is developed during the year. In addition, for practical reasons it may be necessary to move items to a different committee date and the work plan will be updated accordingly.
- 3.4 The scrutiny committee chair has asked that a report on New Accommodation for Independent Living (NAIL) is presented to committee on 22 April 2020. The line of accountability for this report will be with the Cabinet member for Adults and the Strategic Director of Community Wellbeing. NAIL is identified in the Borough Plan as a strategic priority to help support the borough's most vulnerable adults, and forms part of the Budget proposals for 2020/2021 so should be considered to meet the highest prioritisation criteria for a scrutiny item. The committee's updated 2019/2020 work plan is now set out as Appendix 1.
- 3.5 The scrutiny committee should expect to receive an update shortly about proposals for Palliative and End of Life Care (EoLC) services, which scrutiny committee discussed at its meeting on 9 July 2019. On 3 January 2020 the Chair of the scrutiny committee received a letter from Jules Martin, Managing Director, NHS Central London Clinical Commissioning Group, updating stakeholders about the development of their proposals to review of palliative care services across the four boroughs of Brent, Hammersmith and Fulham, Westminster and Kensington and Chelsea. In particular, it provided an update on the public workshops held in autumn 2019. On 17 January 2020 the chair of the committee received a letter from the North West London Collaboration of Clinical Commissioning Groups giving a further update on engagement. Members should note that this recent letter stated that the CCGs and providers will be "publishing some potential solutions" in February 2020 arising from their review. The two letters are published as Appendix 2 for members' reference.
- 3.6 One of the roles of an overview and scrutiny committee is to review the Quality Accounts of NHS providers. This gives committees the opportunity to review the information contained in the report and provide a statement on their view of what is reported. Brent's Community and Wellbeing Scrutiny Committee can provide statements on the Quality Accounts for Imperial College Healthcare

¹ *The Good Scrutiny Guide* (Centre for Public Scrutiny, June 2019), p26

NHS Trust, Central and North West London NHS Trust and London North West NHS Healthcare Trust. Members should expect drafts of the providers' Quality Accounts to be received in April 2020 and for the final agreement and publication of the documents in the summer.

- 3.7 The general terms of reference of overview and scrutiny are to produce and publish an Annual Report every year. The report for the 2019/2020 municipal year will be drafted jointly by the chairs of the Community and Wellbeing Scrutiny Committee and the Resources and Public Realm Scrutiny Committee. As highlighted in the updated work programme the overview and scrutiny Annual Report will be an agenda item for the committees' final meeting of 2019/2020 and it will then be presented to Council by the scrutiny committees' chairs.

4.0 Financial Implications

- 4.1 There are no financial implications arising from this report. However, Budget and finance issues are addressed in the Financial Implications section of any reports to committee requested as part of its work programme.

5.0 Legal Implications

- 5.1 There are no legal implications arising from this report. However, legal implications are addressed in the Legal Implications section of any reports to committee requested as part of its work programme.

6.0 Equality Implications

- 6.1 There are no equality implications arising from this report. Equality implications are addressed in the Equality Implications section of any reports to committee requested as part of its work programme.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 Ward members are regularly informed about the committee's work plan in the chair's report to Council. There is ongoing consultation with stakeholders, in particular with Healthwatch who attend the committee for health-related items.

REPORT SIGN-OFF

Shazia Hussain
Assistant Chief Executive

Appendix 1: Community and Wellbeing Scrutiny Committee Work Programme 2019-2020

Tuesday 9 July 2019

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	School Education Item	Health/NHS Item **
1. Substance Misuse: Treatment, Recovery and Wellbeing Service	Cllr Krupesh Hirani, Lead Member for Public Health, Culture and Leisure	Dr Melanie Smith, Director of Public Health		No	No	No
2. Palliative and End of Life Care	Cllr Harbi Farah, Lead Member for Adult Social Care		Brent Clinical Commissioning Group	No	No	Yes
3. Urgent Care Centre, Central Middlesex Hospital	Cllr Harbi Farah, Lead Member for Adult Social Care		Brent Clinical Commissioning Group	No	No	Yes
4. Childhood Obesity: Members' Task Group Scoping Paper	Cllr Krupesh Hirani, Lead Member for Public Health, Culture and Leisure	Dr Melanie Smith, Director of Public Health		No	No	Yes

** Delegated health scrutiny under part 4 of the Local Authority Regulations 2013

Wednesday 4 September 2019

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	School Education Item	Health/NHS Item **
1.Home Care Re-commissioning	Cllr Harbi Farah, Lead Member for Adult Social Care	Phil Porter, Strategic Director Community Wellbeing		Yes	No	No
2. Proposals for Cricklewood Health Centre	Cllr Harbi Farah, Lead Member for Adult Social Care		Brent Clinical Commissioning Group/Barnet Clinical Commissioning Group	No	No	Yes

** Delegated health scrutiny under part 4 of the Local Authority Regulations 2013

Wednesday 27 November 2019

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	School Education Item	Health/NHS Item **
1. Brent Safeguarding Adults' Board Annual Report	Cllr Harbi Farah, Lead Member for Adult Social Care	Phil Porter, Strategic Director Community Wellbeing	Independent Chair, Brent Safeguarding Adults' Board	No	No	No
2. Peer Review: Adult Safeguarding	Cllr Harbi Farah, Lead Member for Adult Social Care	Phil Porter, Strategic Director Community Wellbeing	Independent Chair, Brent Safeguarding Adults' Board	No	No	No
3. Brent Local Safeguarding Children Board Annual Report	Cllr Mili Patel, Lead Member for Children's Safeguarding, Early Help and Social Care	Gail Tolley, Strategic Director Children and Young People	Independent Chair, Brent Local Safeguarding Children Board	No	No	No

** Delegated health scrutiny under part 4 of the Local Authority Regulations 2013

Tuesday 4 February 2020

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	School Education Item	Health/NHS Item **
1. Single Homeless Prevention Service	Cllr Eleanor Southwood, Lead Member for Housing and Welfare Reform	Phil Porter, Strategic Director Community Wellbeing		No	No	No
2. Brent Council Housing Management Services, Including Housing Repairs	Cllr Eleanor Southwood, Lead Member for Housing and Welfare Reform	Phil Porter, Strategic Director Community Wellbeing		No	No	No
3. Selective and Additional Licensing in the Private Rented Sector in Brent Update	Cllr Eleanor Southwood, Lead Member for Housing and Welfare Reform	Phil Porter, Strategic Director Community Wellbeing		No	No	No

** Delegated health scrutiny under part 4 of the Local Authority Regulations 2013

Monday 16 March 2020

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	School Education Item	Health/NHS Item **
1. Brent Youth Offending Service HMIP Inspection	Cllr Mili Patel, Lead Member for Children's Safeguarding, Early Help and Social Care	Gail Tolley, Strategic Director Children and Young People		No	No	No
2. Contextual Safeguarding Task Group: One-Year Update	Cllr Mili Patel, Lead Member for Children's Safeguarding, Early Help and Social Care	Gail Tolley, Strategic Director Children and Young People		No	No	No
3. Overview and Scrutiny Task Group Report: Childhood Obesity	Cllr Krupesh Hirani, Lead Member for Public Health, Leisure and Culture	Dr Melanie Smith, Director of Public Health		No	No	No

** Delegated health scrutiny under part 4 of the Local Authority Regulations 2013

Wednesday 22 April 2020

Report	Cabinet Member/s	Strategic Director/s	External	Cabinet Forward Plan Item	School Education Item	Health/NHS Item **
1. School Standards and Achievement Report 2018-19, including Achievement of Boys of Black Caribbean Heritage	Cllr Amer Agha, Lead Member for Schools, Employment and Skills	Gail Tolley, Strategic Director Children and Young People		No	Yes	No
2. New Accommodation for Independent Living (NAIL) Project Update	Cllr Harbi Farah, Lead Member for Adults	Phil Porter, Strategic Director Community Wellbeing		No	No	No
3. Overview and Scrutiny Annual Report 2019/2020	Cllr Ketan Sheth, Chair Community and Wellbeing Scrutiny Committee	Pascoe Sawyers, Head of Strategy and Partnerships		No	No	No

** Delegated health scrutiny under part 4 of the Local Authority Regulations 2013

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Sent By Email

87 - 91 Newman Street

London

W1T 3EY

Tel: 020 3350 4000

Email:

<http://www.centrallondonccg.nhs.uk/>

Friday, 03 January 2020:

Dear Stakeholder,

As you may be aware, Central London in collaboration with West London, Hammersmith & Fulham and Brent are undergoing a review of palliative care services across the four boroughs with the aim of improving access and quality of care. An independent review led by Penny Hansford was initiated by the temporary suspension of the inpatient unit at Pembridge palliative care centre due to insufficient medical cover; this review highlighted a number of challenges currently facing the local services. If you would like to find out more information on the work undertaken so far you can find out more at <https://www.centrallondonccg.nhs.uk>

We would now like to inform you of the outcome of a series of public workshops that were held in Autumn 2019 to hear the views of patients, the public, health and care professionals and local politicians. These workshops were well attended with an average of 30 attendees per workshop and we are very grateful to all those who gave up their time to help us to improve palliative care services in these boroughs.

The workshops focussed on three themes; 'Access to services', 'Care' & 'Aftercare & transfer of care'. It was really useful to talk to workshop attendees and hear their experience and feedback of palliative care services across the boroughs. We have produced a workshop summary report which can be accessed here.

In summary, across the three workshops we found:

1. Care works well once a service or pathway has been accessed with inpatient hospice services offering peace of mind for family, friends and carers.
2. Care is not standardised across different areas in the four boroughs
3. There is inequitable access to information and support to access and navigate available services
4. Care planning should be transparent with family, friends and carers and start at an earlier stage.

5. More could be done to ensure that minority groups are aware of palliative care services and ensuring that these services are personalised for a diverse range of communities
6. Travel times to hospice services has a significant impact on carers and families and should be a focus for any future model of care.
7. More could be done to improve integration and coordination between services.
8. Bereavement services need to be planned earlier in the patient journey and be promoted better for friends, family and carers.

The information we have gathered will be used to inform our future design of palliative care services across Westminster, Hammersmith and Fulham, Chelsea and Kensington and Brent. We will be sharing our initial solutions for how we could improve palliative care services with the public so we can hear your feedback on these plans so far.

If the new model includes a significant change there will then be a public consultation so we can hear your feedback on the service. We will of course keep you posted on any updates arising from the programme.

If you have any further questions or comments, please contact us at nwlccgs.triborough.palliativecare@nhs.net

Yours Sincerely,

Jules Martin



Managing Director, NHS Central London CCG.

North West London Clinical Commissioning Groups
15 Marylebone Road
London
NW1 5JD

Appendix 3

17 January 2020

Dear colleague,

Following our communication earlier in January, we are writing to update you on the progress and next steps of the review of palliative care services taking place across Brent, Kensington and Chelsea, Hammersmith and Fulham and Westminster.

Public engagement - what we have done so far

Since December 2018 we have engaged; local patients, families, carers, residents, the voluntary and community sector, and patient representative groups across the four boroughs.

Initially we launched a [‘Call for evidence’](#) to hear from local people and professionals their views on services and how they are working. This information formed the basis of an [Independent review](#) which was led by Penny Hansford, who previously worked as Director of Nursing at St Christopher’s Hospice in South London.

The review findings were published and a series of recommendations were outlined. Three very well attended [public workshops](#) were then held to look at people’s experience of palliative care services from end to end; focussing on access, care and the transfer of care and bereavement.

In [summary](#), across the three workshops we found:

- Care works well once a service or pathway has been accessed, with inpatient hospice services offering peace of mind for family, friends and carers. However, many people aren’t in contact with any services at all.
- Care is not standardised across different areas in the four boroughs.
- There is inequitable access to information and support to access and navigate available services.
- Care planning should be transparent with family, friends and carers and start at an earlier stage.
- More could be done to ensure that minority groups are aware of palliative care services and ensuring that these services are personalised for a diverse range of communities.
- Travel times to hospice services have a significant impact on carers and families and should be a focus for any future model of care.
- More could be done to improve integration and coordination between services.
- Bereavement services need to be planned earlier in the patient journey and be promoted better for friends, family and carers.

Plans for a future model of care for palliative care services

Listening to patients so far and working with our providers, we are now thinking about how we meet the challenges identified in the independent review and the feedback we have gathered from the public, palliative care clinicians and staff to date, which identified:

- inequity of access to the services, with only 48% of people who have an expected death having any contact with community palliative care services; and
- inequity of funding arrangements for the services from the CCGs
- inequity of specialist palliative care services in the three boroughs.

We know that contact with specialist palliative care services results in an improved patient and family experience for people with an incurable condition or in their last phase of life.

We are in agreement that reaching only 48% of patients who may have a palliative care need is not good enough. It is paramount that we increase the reach of specialist palliative care services to all patients who need it, regardless of their disease type.

The four CCGs involved in this review along with our providers, are committed to increasing the 'reach' of these services, with the aim of 75% of patients with an expected death, their families and their carers, supported either by services, case management and/or advice, when they most need it.

What next?

At the beginning of February 2020 we will be publishing some potential solutions which seek to address the current challenges services face in terms of access, service provision and workforce shortages in this specialism, for further discussion and engagement.

We will engage with the public and key stakeholders on these proposed scenarios to gather people's views, as we continue to develop the future model of care. The results will be presented to CCG governing bodies for consideration of the next steps and also to overview and scrutiny committees in due course.

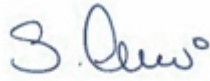
Should we take the view that a significant change from the current service provided is required, then we would move to a public consultation which would ensure further engagement opportunities for local people to be involved in developing the future model of care.

The Pembridge palliative care centre

We know people will want to know what this means for the in-patient unit at the Pembridge palliative care centre. Commissioners and providers share the view that it is not advisable to recruit to the vacant palliative care consultant position during this period of review and transformation.

The in-patient unit will therefore remain suspended at this time, with the community and day care services continuing to operate as normal. Alternative provision will remain in place during this period. We are keen to progress this to a successful resolution as soon as possible and look forward to engaging with you in support of this.

Yours sincerely,



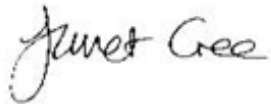
Sheik Auladin
Managing Director
Brent CCG



Jules Martin
Managing Director
Central London CCG



Louise Proctor
Managing Director
West London CCG



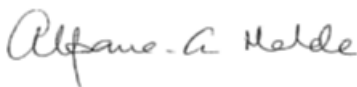
Janet Cree
Managing Director
West London CCG



Steve Barnes
Hospice Director
St John's Hospice



Dallas Pounds
Chief Executive Officer
Royal Trinity Hospice



Alpana Malde
Chief Executive Officer
St Luke's Hospice



Dr Joanne Medhurst
Medical Director
Central London Community Healthcare NHS Trust

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