



**Executive
15 March 2010**

**Report from the Director of
Housing and Community Care**

Wards Affected:
ALL

Supply and Demand and Temporary Accommodation

Forward Plan ref: H&CC-09/10-31

Summary

1.1 This report seeks Members' approval of the lettings projections for 2010/11, and provides Members with an updated supply and demand analysis for housing, including lettings performance in 2009/10 and progress against Temporary Accommodation reduction targets.

2.0 Recommendations

2.1 That Members note the updated supply and demand analysis for housing, including lettings performance in 2009/10, as given in Appendix A.

2.2 That Members approve the lettings projections for 2010/11, as detailed in paragraph 3.11 and in Appendix E.

3.0 Detail

3.1 Supply & Demand Projection

3.1.1 A summary of the Supply and Demand projection for social housing is provided in the table below, with a full version provided in Appendix A.

	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
DEMAND FROM ALL GROUPS	22363	23391	20899	18538	16284	14519
PERMANENT SUPPLY (RSL's & Brent)	1009	950	857	825	860	870
ALL LETTINGS (Incl Private Sector)	1087	1040	1232	1296	1469	1520
UNMET DEMAND (After Lettings)	21276	22351	19830	17409	15066	13152
ALL TEMPORARY ACCOMMODATION	3907	3651	3121	2513	2238	1973

3.1.2 This model brings together information regarding the demand for housing from the homeless, Council tenants seeking a transfer and applicants to the Housing Register. This demand is mapped against expected supply levels.

3.1.3 As the table shows, the level of unmet demand in the Borough is expected to reduce from around 17,410 to 13,150 households over the next three years. The projected reduction in demand is due to a number of factors including a reduction in homeless approaches and the Council continuing to make best use of the private rented sector as a supply of accommodation for those in housing need.

3.1.4 Impact of the Recession

A key risk for the service is the potential impact of the current economic situation. There has already been a reduction in the rate of new development in the borough, by both Housing Associations and private developers. In addition, a more uncertain employment market will affect the ability of households to meet existing mortgage commitments, enter into new arrangements, or take up shared ownership opportunities. These could all result in increased homelessness, as could a reduction in available properties in the private rented sector should buy-to-let landlords get into difficulties.

3.1.5 To date, there has not been an increase in homeless applications due to these factors. Brent has a healthy private rented sector market, and our continued success in prevention of homelessness has meant that there has been no adverse impact. However, it may be that there is an impact in the future – this is an area that we will continue to monitor closely.

3.2 Housing Register and Transfer Demand

3.2.1 Appendix B provides a breakdown of live applications on the Housing Register and Transfer list by demand group and the number of bedrooms needed.

3.2.2 Total demand on these lists is currently around 21,000 households. The Council carries out periodic and targeted reviews of applications on the Housing Register. However, a comprehensive review of the Housing Register began in late 2009 which has so far evaluated 33% of households.

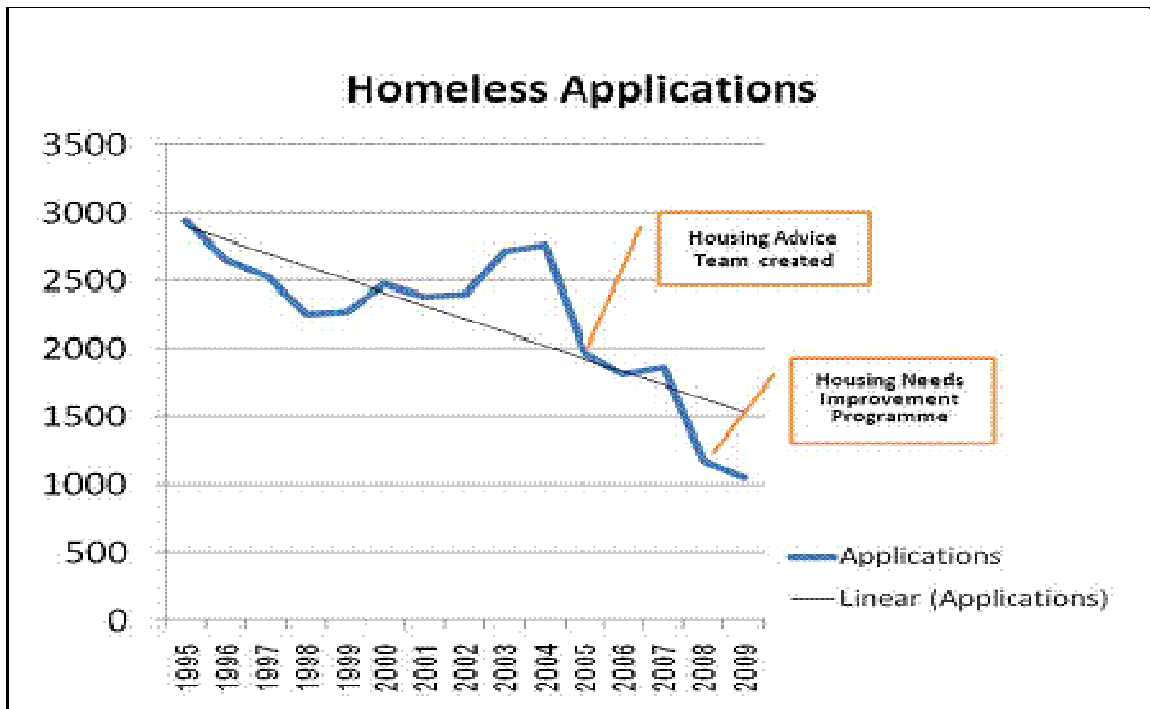
This has led to a reduction of more than 3,000 households on the Housing Register- these were households who had either moved away or had resolved their housing situation and no longer wished to be assisted by the Council.

This review of the Housing Register will be completed by the end of 2009/10. We expect this to result in a more accurate assessment of housing demand in the borough, with updated information on households being held.

- 3.2.3 Given the imbalance between housing supply and demand, many households face a lengthy wait for housing assistance and some will never be rehoused.

3.3 Homeless Applications and Decisions

- 3.3.1 The line graph below shows homeless applications received by financial year up to the end of January 2010.



- 3.3.2 As it shows, the Council had been receiving between 2,000 and 2,500 homeless applications per year, and the trend was broadly upwards until 2005/06, when an in-house housing advice function was first introduced. The team has played a key role in the prevention of homelessness. This pro-active approach has had a significant impact in terms of reducing the number of households applying as homeless. This in turn has had an impact on the number of homeless households being accommodated in temporary accommodation.

- 3.3.3 Some of the focus of work in 2009/10 included ensuring that the organisational, structural and procedural changes already implemented were working well. A number of specific areas have been addressed this year, including further work on tackling youth homelessness in partnership with Children and Families; strengthening our partnership approach to tackling rough sleeping; and implementing significant improvements to various IT systems.
- 3.3.4 As a result of the service improvement work and successful homeless prevention measures mentioned above, there was a 36% reduction in homeless applications and a 46% reduction in the number of cases accepted as homeless in 2008/09 compared to 2007/08. The trend has continued in the current financial year with the third quarter of 2009/10 having the lowest number of homeless applications for over fifteen years.
- 3.3.5 There are about 930 homeless approaches to date; this is a reduction of around 100 applications compared to the previous financial year. There are also just under 270 acceptances to date, this is currently 35% lower than the same period the previous year, we expect to accept less than 360 applications by year-end which would be the lowest number recorded. It should be noted that Brent is one of the highest performing boroughs in London in terms of overall management of homelessness.
- 3.3.6 **Young People and Homelessness**
Previous reports have informed Members that the Government announced its intention to end the use of hotel accommodation for homeless 16/17 year olds by April 2010, except in emergencies and then for no longer than six weeks.
- 3.3.7 The Council is actively working to reduce levels of homelessness amongst this group. Initiatives in place include -
- A Supporting People led strategic review of services for young people has been completed. The Council's Department of Housing and Community Care (H & CC) and Children and Families (C & F) were actively involved in this process. Tendering has commenced and new services will be in place by January 2011.
 - The schools road shows programme (to raise awareness among young people regarding housing needs issues) has been reviewed and a number of recommendations have been made. The service continues and young volunteers will assist with this programme.
 - An extensive review of Housing's use of mediation has been completed. This looked at the effectiveness of the current service, outcomes, and options for future service delivery. At present, Relate is used for all housing needs mediation, however as a result of this review we have started to use a more specialist service for young people.
- 3.3.8 The Southwark judgment made in May 2009 (*G v Southwark*)¹ spells out the need for social care authorities to carry out assessments under section

¹ "R (on the Application of G) v Southwark LBC [2009] All ER (D) 178 May"

20 of the Children Act before housing authorities should carry out a homelessness assessment under part 7 of the Homelessness Order. It also clarifies the distinction between general duties under section 17 and specific duties under section 20 of the Children Act with section 20 taking priority. It is clear in stating that social care authorities cannot meet section 20 duties by simply referring young people to the housing authority but can ask for the housing authority's assistance to discharge the duty.

- 3.3.9 However, section 20 places a huge emphasis on homelessness prevention and reconnection of young people to their families. There is also emphasis on seeking the views of the young person about whether they wish to be looked after under section 20 or whether they just want support under section 17.
- 3.3.10 The Housing Resource Centre (HRC) has been assisting C&F to accommodate young people who are identified as 'in need' under section 17 of the Children Act and in many cases hostels provide the support needed to maintain a good level of health and development. However, some use is being made of hotel accommodation on an emergency basis. This is being monitored closely.
- 3.3.11 H & CC have also been working with C&F to progress the delivery of a co-located service for 16 & 17 year olds in housing need. High level discussions between both services have taken place and there has recently been an agreement to provide a joint service from Cottrell House. This is aimed at homelessness prevention, a pilot should go live during February 2010.

3.4 Temporary Accommodation

3.4.1 Temporary Accommodation Numbers and Reduction Plan

Since the government published its five year strategy, "Sustainable Communities: Homes for All", in January 2005, (which included a commitment to reduce the overall numbers in temporary accommodation by 50% by 2010), Brent has steadily reduced the use of temporary accommodation.

	Baseline figure	Current figure	Target Figures	
Date	01/01/05	31/12/09	31/12/10	31/12/11
No in TA	4,466	3,213	3,223	2,233
Cumulative Reduction	-	1,253	1,243	1,493
%age Reduction	-	28.1%	28%	33%

- 3.4.2 Members will note that as at the end of December 2004, when 4,466 Brent households were in temporary accommodation, there has been an overall reduction of 28% - a drop of 1,253 households.
- 3.4.3 It should also be noted that as at the end of quarter 2 (the last quarter for which comparative stats are currently available), Brent had achieved

the 7th highest numeric reduction in London, and across the country as a whole.

- 3.4.4 The work that the Council does in relation to homeless prevention is wide-ranging and varied. As previous paragraphs have explained, this pro-active approach has had a significant impact on the number of homeless households being accommodated in temporary accommodation. The successful conversion of some specific TA schemes to settled accommodation this financial year has also contributed to the overall reduction in the use of temporary accommodation.
- 3.4.5 Meeting the end of the year target for 2009/10 requires a further reduction of 92 households. Officers forecast that the additional reduction required to meet the target of 30% is possible, and are working towards achieving this.
- 3.4.6 The TA Reduction Plan was reviewed by officers during 2009, and revised to reflect the fact that a separate target for Temporary Accommodation reduction was agreed as part of the Council's Local Area Agreement for 2008/11. This is the target that we are now working to reach or exceed. It is worth noting that we have already exceeded our December 2010 LAA target.
- 3.4.7 Local Area Agreement (LAA) 2008/11 and the Settled Homes Initiative (SHI) proposal
Brent has incorporated a Settled Homes Initiative in its LAA for 2008/11. This would reduce temporary accommodation usage by more than 50% by December 2011.
- 3.4.8 As a result, of these proposals, Brent negotiated amended targets for TA reduction which extended to the end of 2011 and were signed off by the department of Communities and Local Government (CLG). These targets are slightly different from the 2010 target – one to be achieved if the Settled Homes Initiative is agreed, and one if it is not agreed.
- 3.4.9 Since the start of 2009/10 officers have been reviewing progress against the action plan and the LAA target. Based on these figures, we expect to have reduced TA usage by 40% by the end of December 2010. This is a reduction of 1,803 households in total. Whilst this would be just under 400 households short of the CLG 50% target, it would exceed our LAA (without the SHI) target by 558 households, or 13%.
- 3.4.10 The initial Settled Homes Initiative (SHI) proposals were received favourably by the CLG, who were broadly supportive and were keen to see the proposals developed further. However, more recent discussions with the CLG indicate that, whilst they recognise the innovation, creativity and logic behind the proposals which are aimed at making best use of public funds, it is unlikely that they will be progressed further at present.
- 3.4.11 The CLG viewed our Settled Homes proposal positively and undertook to work with us and Department for Works and Pensions (DWP) to bring the

scheme forward. However, following the recession CLG and DWP have been significantly more risk averse and have indicated that they do not see the project proceeding in the current climate. They have also pointed to a more wider ranging reform of Housing Benefit that Government are engaged with. Therefore, although the scheme has not been officially closed, there seems little prospect that it will proceed in the near future.

3.4.12 Hotel Numbers

The number of households in hotels has been stable this financial year at around 140 being accommodated at any one time. However, we have been carrying out a planned programme of handbacks for other types of emergency accommodation for homeless households, particularly those placed out of borough.

3.4.13 Planning for the decant of Gordon House (currently used as hostel accommodation) has started due to the commencement of regeneration work in South Kilburn. We are working towards moving all households by 31/03/10.

3.5 **Temporary Accommodation Conversion Schemes**

3.5.1 Our original TA Reduction plan relied heavily on the Council being able to convert tenancies in self-contained temporary accommodation into settled accommodation at the end of existing leases. These properties are owned by private landlords and managed by Housing Associations under our HALS scheme.

3.5.2 Progress on this scheme was much slower than originally expected. Discussions in 2006 and 2007 with the Housing Associations indicated a reluctance to agree to a scheme whereby a lease ends with the tenant still in residence, as there were concerns about the contractual requirement to return the property to the landlord with vacant possession, as well as issues in relation to how rents would be set. However, the Housing Associations have been having these discussions with a number of boroughs and have gradually been moving towards being in a position to operate such a scheme, particularly as their temporary accommodation property portfolios have started to decrease.

3.5.3 More recently we have therefore been in renewed discussions with our main Housing Associations regarding these schemes. Some of our Housing Association partners are already giving us properties to make direct lettings to (without accepting a homeless duty) under a Housing Association Leasing Direct (HALD) scheme. We have made around 20 lettings to date through this scheme. In addition, flexibility around conversions has been built into the new HALS contracts which came into place in February 2010.

3.6 Conversion of Specific TA Schemes to Settled Accommodation

- 3.6.1 The Council has been able to convert some of its existing temporary accommodation schemes to assured tenancies, using grant secured from the Homes and Communities Agency (HCA).
- 3.6.2 The Council has converted 110 temporary accommodation properties to permanent accommodation during 2009/10. As part of the conversion process, officers carried out detailed assessment with the household in each property. This was to determine whether the property was suitable for the household, and to explain the process of conversion. The household is then granted an assured tenancy by the relevant Housing Association and the Council discharges its homeless duty to them. Where the property is not suitable for the household currently in situ, the council has offered alternative accommodation and nominated a permanent let to another household.
- 3.6.3 Grant funding has been secured from the HCA to convert the Middlesex House Scheme which comprises 84 temporary accommodation units to permanent affordable housing. In addition, 39 units at Goodmans Court which are occupied by Stadium HA tenants on an assured tenancy, will be restructured financially as part of the conversion of the Middlesex House scheme. This is in order to preserve the use of these properties as affordable housing on a permanent basis. A separate report on the conversion of the Middlesex House and Goodmans Court scheme is being presented at this Executive meeting.

3.7 Direct Lettings in the Private Rented Sector

- 3.7.1 Section 3.1.5 above highlighted the importance of making best use of the private rented sector when exploring housing options with potentially homeless households. However in addition to this, our plans to reduce TA reduction also include an expectation that we will achieve a significant number of lettings per year through securing qualifying offers for homeless households in the private rented sector. If an offer is accepted the council discharges its homeless duty to the household.
- 3.7.2 Brent already does a high number of qualifying offers per year – in 2008/09 we did around 80. Existing staff resources have been targeted to support this work which increased the number of qualifying offers achieved between July and September 2009 to 34 compared to 20 in the three months between April and June 2009 of this year. It is worth noting that as at January 2010, a total of around 125 qualifying offers has been achieved. This has also contributed to the overall good performance of TA reduction.

3.8 Brent Housing Partnerships Temporary to Settled Housing Scheme

Further to the report presented to Executive on 18 January on the ALMO Settled Homes Initiative, officers can report that work is progressing to finalise the loan arrangements to that Brent Housing Partnership can

procuring the first tranche of properties, which comprises up to 50 properties, over the next few months.

3.9 Housing and Social Care Private Finance Initiative

Construction of the first phase of properties under Council's Housing and Social Care PFI scheme is progressing well. The 15 units for people with learning disabilities on Tudor Gardens are complete and are due to be occupied with effect from 31st March 2010. Work is progressing on the 57 PFI housing units on Empire Way which is due to complete later this year. In addition, works have commenced on four of the other sites to deliver 76 PFI units. It is anticipated that construction programme to deliver the remaining three sites, which will deliver 81 properties will commence over the next few weeks. A report the delivery of the second phase of properties, comprising 169 properties is being presented on the same agenda as this Executive meeting.

3.10 Permanent Lettings against Projections 2009/10

3.10.1 At the time of writing, lettings figures for performance up to the end of January 2010 are available. The table below summarises actual lettings performance to the end of January 2010 against the projections set at the beginning of the financial year.

Lettings Variance from Targets - Apr-Jan To Month = 10

		Full Year Actuals 2008/09	Targets 2009/10	Pro Rata Target	Actuals 2009/10	Var	% Var
Target Group	Homeless	489	450	375	342	-33	-9%
	Register	325	194	162	234	72	45%
	Transfer	173	213	178	190	13	7%
	Total	987	857	714	766	52	7%
Lettings Source	Council	430	500	417	309	-108	-26%
	RSL	557	357	298	457	160	54%
	Total	987	857	714	766	52	7%

3.10.2 Overall, lettings are currently 7% above pro rata projections. This is partially as a result of some slippage in the 2008/09 programme. Based on these figures, officers forecast that overall lettings to all demand groups will be above the original projection made. Decants due to the Granville New Homes were all achieved and the TA conversions have contributed to the good performance so far.

3.10.3 It is worth noting that lettings to date have been above target for some of the different demand groups. For example, we have made good use of

transfers through moving under-occupiers, thereby freeing up larger properties for households and supporting a reasonable percentage of all households in need. Medical quotas for Housing Register and Transfers have been met to help clients in this category. Single people or couples referred from a number of voluntary organisations have also been helped to move on.

3.10.4 A detailed analysis of lettings performance to the end of December 2009, including a breakdown by bedsize and category, is provided in Appendices C and D.

3.11 Lettings Projections 2010/11

3.11.1 From an analysis of the trend in local authority and Housing Association lettings, it is anticipated that there will be 825 lettings made in 2010/11.

3.11.2 For the Housing Association lettings, there is a decrease of just ten properties compared to 2009/10. This is as a result of a drop in new build development due to delays in some of the schemes as mentioned in 3.1.4. Relets have been projected at almost the same level as 2010/11 until 2012/13. However, new build supply has been projected to decrease in between 2010/11 and 2012/13. The split between between new build and relets is around 45% to 55%. Officers will continue to monitor this given the current market conditions.

3.11.3 The table below summarises the distribution of these lettings across the different bedroom categories.

BRENT AND HOUSING ASSOCIATION - Projected Lettings 2010/11

	BSR	1 BED	2 BED	3BED	4 BED+	Total
Brent	42	180	164	67	25	478
RSL	25	130	125	50	17	347
Total	67	310	289	117	42	825

Note: Housing Associations were previously referred to as Registered Social Landlords (RSLs)

In addition, officers expect to build on progress so far this year and make over 350 lettings directly into the private rented sector, this includes qualifying offers and direct lettings to prevent homelessness. This will allow the Council to discharge its housing duty towards homeless clients.

3.11.4 As in previous years, projected lettings will only be able to meet a small proportion of the total housing need in the Borough. In 2010/11, we will be able to provide lettings to less than 5% of current applicants on the Housing Register and Transfer List.

3.11.5 Members will recall that, in previous years, a detailed set of lettings targets for each demand group has been agreed. However, the implementation of Locata (choice based allocation scheme) gives officers less control over

lettings and gives choice to applicants on the Housing Register about where to live.

3.11.6 The different demand groups reflect priorities as set out in the allocations scheme, and officers therefore consider it appropriate to provide a detailed set of projections based on these demand groups. In addition, specific quotas have been set for a small number of high priority groups, for example, Children in Need, Adults Social Care, and Former Service Tenants.

3.11.7 As projected lettings can only meet a small proportion of the housing need in the borough, it is therefore important that prioritisation of lettings is considered in line with the allocations scheme. Members are therefore asked to approve the lettings projections set out in Appendix E. This lettings scheme is similar to 2009/10 and supports a number of policy, strategic objectives and new initiatives, including the following:

- **22 lettings are projected to deal with urgent management transfers for council tenants.** This gives the flexibility to move Council tenants where there is a need, due to exceptional circumstances.
- **63 lettings** are projected to deal with transfers required due to major works and to take account of the South Kilburn Regeneration and the Barham Park Estate Regeneration Scheme decant programme.
- **8 lettings are projected for the Intra-Estate transfer scheme.** This figure includes transfers to deal with very occasional incidents of anti social behaviour. For the good management of an area/estate it is occasionally necessary to move a household to a similar property within the same area.
- **66 lettings are projected for the Underoccupation Scheme.** Brent has had an effective and well developed under-occupation scheme in place for a number of years. This allows tenants who are under-occupying properties to move to a property more suitable to their current needs much quicker. This in turn frees up a larger property earlier than might be otherwise expected for an overcrowded household. Tackling overcrowding is a key part of the government's agenda and having an under-occupation scheme is one way in which some of these households' problems can be addressed. The scheme makes a significant contribution to the available pool of larger properties available for letting. Therefore the Council is aiming to increase lettings to this group by 10% for 2010/11.

3.11.8 As part of the work to reduce overcrowding, the target to move overcrowded Council tenants has also been increased by 10% and there will be particular focus on those tenants who are severely overcrowded (two bedrooms short against their requirement).

3.11.9 Around 47% of the available lettings are targeted to the homeless in order to support our Temporary Accommodation plans. Even though good progress has been made so far regarding the Temporary Accommodation reduction plan, the borough still has a high number of homeless households in temporary accommodation. This figure is less than previous years because our numbers in TA are reducing. However, it is important that we continue to prioritise those households in TA.

3.11.10 Emerging Households Scheme Update

This is a homeless prevention initiative, aimed at reducing homelessness through family exclusions, but also relieves overcrowding. Under the scheme, households are awarded additional, time limited priority on the Housing Register. The households have to meet a number of criteria, including being threatened with homelessness, would be in priority need as defined under Part VII of the homelessness legislation, and be overcrowded by at least one bedroom in their current accommodation, taking into account all those living in the property.

3.11.11 Children Leaving Care

Twenty five lettings from the Housing Register are targeted for Children Leaving Care, to assist the Children and Families department in rehousing young adults. In 2008/09, this target was reverted back to 30. This has now been reduced further by five in 2010/11 as the backlog of placements of children leaving care has now been addressed. However this area will continue to be monitored closely.

3.11.12 Adults Social Care

Twenty lettings from the Housing Register are targeted for Adults Social care, particularly for adults leaving residential care placements. A specific quota of ten properties has been incorporated to give Mental health clients access to much needed properties, and provide housing solutions for this vulnerable client group.

3.12 Tackling Overcrowding

3.12.1 Members will recall that Brent, in addition to the other 37 Pathfinder local authorities, was awarded some funding by the CLG in 2009/10 to tackle overcrowding. This funding was to be used for developing strategies to tackle overcrowding; including partnership working with planners, Housing Associations and developers, a more proactive approach especially within housing options, and further innovative measures. An action plan was drafted in January 2009 and a specialist advisor from CLG has visited Brent to discuss plans.

3.12.2 Considerable progress has been made to identify the level of the problem and to take co-ordinated action to deal with overcrowding. The following paragraphs highlight a range of initiatives and projects that are being planned for the future to reduce overcrowding.

3.12.3 Under-occupation Initiatives- A drop-in event was held for under-occupiers in August 2009. Around 50 under-occupying council tenants attended this session, and were able to discuss their individual circumstances and housing expectations with officers from the project team. Representatives from Brent Housing Partnership and Seaside and Country Homes were also present. Follow-up work is continuing with these households, with officers maintaining close and regular contact with them, and placing bids on their behalf for some cases. As at the end of December 2009, 27 lettings had been made to underoccupying households. The target for 2009/10 is 61 lettings to this demand group, a 10% increase on the previous year.

3.12.4 Housing Options

We are continuing to work with overcrowded households to explore all housing options, including the private rented sector. We will soon be carrying out a series of joint visits with our ALMO to overcrowded households in council tenancies, to discuss their situation, housing expectations and their options. In addition, we hope to start offering advice on mitigating solutions (space saving furniture, best use of space, etc).

3.12.5 A proposal for funding for 2010/11 is also being put together. This is likely to be dependent on and determined by, the levels of overcrowding in each authority, outputs and outcomes to date and future action plans.

3.13 Rough Sleepers

3.13.1 The low levels of rough sleeping in Brent have been achieved by working with our partners Cricklewood Homeless Concern (CHC) who have been funded to provide a rough sleeping outreach service. The last formal rough sleeper count carried out in November 2009 identified three rough sleepers in comparison to four identified in March 2008. The outreach service identifies clients who are rough sleeping on the street and in disused buildings, parks or hidden sites and on an annual basis approximately 200 rough sleepers are assisted.

3.13.2 In the past year, we have seen an increase in rough sleeping amongst migrants who have no recourse to public funds. It is therefore much more difficult to support this group. As part of a West London Alliance initiative, the council has lead on commissioning a service delivered by Thames Reach, which is aimed at reconnecting rough sleepers to their home countries or resettling them in the UK through assistance with finding employment and accommodation. The project was set up in September 2009 and since then has been successful at reconnecting 15 people to their home countries and is currently supporting another 20 people who are either rough sleeping or squatting.

3.13.3 In November 2008, Communities & Local Government (CLG) issued the Government's Strategy for eliminating rough sleeping by 2012 entitled 'No one left out'. The strategy sets out fifteen clear actions which Local Authorities should be implementing to achieve this aim. The Council has also been asked to join the London Delivery Board which was established

by the Mayor's Office and Communities and Local Government a year ago with the aim of implementing the strategy across all London boroughs.

3.13.4 A borough wide steering group has been set up and an operations group comprising of council, fire, police and health services and the voluntary sector. An action plan has been agreed aimed at minimising rough sleeping but also reducing crime, anti-social behaviour and life risk and improving health and the environment. This group recognises that the problems are wider than just sleeping rough, and there is work being carried out around squatting also.

3.14 Affordable Housing Delivery Targets

3.14.1 The Mayor has retained the overall target of 50,000 new affordable homes over three years and has recently announced new borough-level targets for the delivery of new affordable homes. For Brent, the Mayor expects 1,600 affordable homes to be delivered between 2008 and 2011. This target is a gross figure and includes new build accommodation, as well as Open Market Homebuy and conversion of existing temporary accommodation units to permanent housing. The target is subject to an annual review to take into account the Council's capacity, the current economic climate, availability of funding and investment. In return for agreement on the targets, the Mayor's draft strategy proposes a new settlement with London authorities that would provide greater local autonomy on the type, location and mix of housing to be provided. In general, the Mayor's strategy supports decision making on the housing mix to be based on appraisal of individual schemes, taking into account a range of factors including deliverability.

3.14.2 The Council also has a separate Local Area Agreement target (NI155) which requires it to deliver 1,374 homes over the same three-year period. This target was negotiated directly with the Department of Communities and Local Government and Government Office for London. This is intended to remain separate from the Affordable Housing Targets that have been agreed with the Mayor of London². The Council has undertaken a refresh exercise to consider the impact of the downturn in the economic climate on its ability to deliver the LAA target for the delivery of affordable homes. The original target was proposed by the council on the basis of delivering 50% of the Council's London Plan net conventional supply target over the three-year period. As no affordable housing demolitions were forecasted during the three-year monitoring period the council's assumption was that the net position reflected the gross position. However, as the affordable housing targets did not include unconventional supply, an allowance was required to be made for Open Market Homebuy and temporary to permanent conversions. Given this, the council has updated the LAA target to deliver 1,552 affordable homes between 2008/09 and 2010/11 which is now comparable to the affordable housing targets negotiated with the Mayor

² The Mayoral Affordable Housing Targets has confirmed agreement that these targets will not replace the Council's Local Area Agreement Targets.

(see table below). The Government for London are to confirm whether this revised target will be accepted.

Affordable Housing Supply 2008-2011

	2008/09	2009/10	2010/11	Total Supply 2008-11
New Build Rented Units	133	173	82	388
New Build Intermediate Rent and Sale Units	256	252	53	561
TA Conversions to Permanent	275	110	70	455
ALMO SHI	0	10	40	50
PFI Units	0	15	83	98
	664	560	328	1552

- 3.14.3 Officers anticipate a further 271 affordable units could be completed by the end of 2010/11. 126 units (76 rented units and 50 intermediate) of these completions are expected from the development of the Atlip Road site which is being delivered by London and Quadrant. Current forecasts indicate the scheme will be completed by January 2011. A further 145 intermediate units are to be delivered by Stadium HA on the Central Middlesex Hospital site in Park Royal. These are currently forecast to complete in March 2011. The completion of the units will mean that the Council will have delivered over 1,800 homes over the three-year monitoring target.

4.0 Financial Implications

- 4.1 The total agreed revised budget for expenditure on Temporary Accommodation for 2009/10 is £3,792K. This figure includes a Housing Benefit subsidy loss budget of £500,000. Officers are currently forecasting a break-even position for 2009/10.
- 4.2 The total agreed budget for expenditure on Temporary Accommodation for 2010/11 is £4,239K. This figure includes a savings target of £80K on increasing charges for furniture storage for homeless households and extending such charges to those that were previously exempt. These proposals were approved at the February Executive as part of the Fees and Charges report.
- 4.3 From 2010/11 the Department of Work and Pensions (DWP) plans to base housing benefit subsidy for some temporary accommodation schemes on Local Housing Allowance (LHA) rates. The current arrangements would be replaced by a mechanism where the authority receives LHA minus 10%, plus a £40 per week management fee. The benefits funding regime for Housing Association Leasing Schemes (HALS) is expected to remain unchanged until 2012/13.
- 4.4 Based on previous forecasts, officers had expected there to be a shortfall of around £869k against the Temporary Accommodation budget for 2010/11.

However, officers have reviewed the earlier forecast in detail and have revised the expected shortfall. This assumes an ongoing reduction in demand in line with prevention and TA Reduction Strategy, increased access to private sector units and the reduction of higher cost units following DWP changes.

4.5 Officers now expect there to be a shortfall of around £686k against the Temporary Accommodation budget for 2010/11, a reduction of £183K compared to the original growth estimate of £869K.

A provision of £500k has been agreed and included in the 2010/11 budget figures for the changes mentioned above to enable action to be taken to limit the impact in 2010/11.

4.6 The Rent Service has recently notified the Council of the need to carry out a review of the North West London Broad Rental Market Area. There is a possibility that the review could result in changes which could reduce housing benefit subsidy and also affect our ability to help families, who would otherwise become homeless, to secure private rented properties. The council has previously raised its concerns about the impact of Broad Rental Market Areas (BRMA) on segmented boroughs such as Brent with rents affected by proximity to central London in the south of the borough and lower rents in the north of the borough. The council will resist changes to the current arrangements which adversely affect the borough. However, there is no separate provision in the 2010/11 budget should changes be implemented and this therefore may be a budget risk in 2010/11.

5.0 Legal Implications

5.1 The primary legislation that governs the allocation of new secure tenancies is set out in Part VI of the Housing Act 1996 "the 1996 Act", as amended by the 2002 Act. As enacted, the 1996 Act introduced a single route into council housing, namely the Housing Register, with the intention that the homeless have no greater priority than other applicants for housing. Since the enactment of the 2002 Act, councils are required to adopt an allocations policy which ensures that "reasonable preference" is given to certain categories of applicants (which are set out in section 167 of the 1996 Act as amended by the 2002 Act and includes homeless households and persons living in overcrowded conditions), and to allocate strictly in accordance with that policy. An allocation of accommodation under Part VI of the 1996 Act which is not in accordance with the Council's own allocation policy will be "ultra vires" and deemed to be unlawful. Allocation of temporary accommodation is not governed by Part VII of the 1996 Act.

5.2 Brent has adopted Locata, a choice-based Allocations Scheme, working in partnership with other local authorities and Housing Associations in the West London Alliance. Locata applies to all categories of applicant, including those seeking a transfer within Council housing. Although an analysis of demand and lettings is made with reference to (i) homelessness, (ii) Housing Register and (iii) transfer demand; there is no legal difference in

the duties owed to people in each of these categories for the provision of accommodation under Part VI of the Housing Act 1996.

- 5.3 The primary legislation governing decisions on homeless applications is Part VII of the Housing Act 1996, which was amended by the Homeless Act 2002. The Council is required to make decisions on homeless applications within the scope of the legislation bearing in mind local demand.
- 5.4 Local authorities have a duty under Part VII of the Housing Act 1996 to house homeless persons in temporary accommodation who satisfy the qualifying criteria (i.e. eligibility, homeless, priority need, not intentionally homeless and local connection). The Council can only discharge its duty to those qualifying homeless persons in temporary accommodation under the circumstances set out in section 193 of the Housing Act 1996 and the circumstances in which this duty can be discharged are as follows: (i) if the homeless person accepts an offer of permanent accommodation from the Council in the form of a secure tenancy under Part VI of the Housing Act 1996; (ii) if the homeless person accepts an offer of an assured tenancy (other than an assured shorthold tenancy) from a private landlord; or (iii) if the homeless person accepts a qualifying offer of an assured shorthold tenancy with the Council's approval and is advised in writing in advance that he is under no obligation to accept the offer of accommodation.
- 5.5 The duty under section 193 of the Housing Act 1996 will cease to exist if (I) the applicant ceases to be eligible for assistance; (II) the applicant ceases to occupy the accommodation as his/her only or principal home, or (III) the applicant becomes homeless intentionally from the temporary accommodation provided.
- 5.6 From 2 March 2009, local authorities can discharge their homelessness duty under section 193 of the Housing Act 1996 by making an offer of an Assured Shorthold Tenancy from a private landlord to homeless applicants with "restricted" persons in their households, as long as it is made with the approval of the local authority and the tenancy is offered with a fixed term of at least 12 months. This is on the basis that the homeless applicant would not have been owed a homelessness duty by the Council under section 193 of the Housing Act 1996 but for the presence of the "restricted" person in the homeless applicant's household. A "restricted" person is a person who is not eligible for housing assistance, is subject to immigration control and who does not have leave to enter or remain or whose right to enter or remain is subject to a condition that that he must not have recourse to public funds. Since 2 March 2009, "restricted" persons who are part of a homeless applicant's household can confer priority need, which is one of the criteria for qualifying for homelessness assistance.
- 5.7 On 14 November 2006, Ruth Kelly MP, the then Secretary of State for Communities and Local Government, announced that by 2010, hotel accommodation will no longer be used to accommodate homeless 16 and 17 year olds, except in emergencies.

5.8 Fair and Flexible: Statutory Guidance on Social Housing Allocations for Local Authorities in England was issued by the CLG in December 2009 following the decision of the House of Lords in the case of R v Newham LBC³. We are presently in consultation with Brent Legal Services to see the impact on Brent's Allocation Scheme.

6.0 Diversity Implications

6.1 The most recent census data shows that Brent has the second highest ethnic minority population in London. The lettings targets, which are set annually, could potentially have a disproportionate impact on a particular ethnic group or groups. It is important therefore that this area continues to be closely monitored. Previous impact assessments have not demonstrated any adverse impact as a result of the letting process.

7.0 Staffing/Accommodation Implications (if appropriate)

None specific.

Background Papers

Executive

Supply and Demand (01/10)

Homelessness Strategy Update (07/08)

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³ on the Application of Ahmad) v Newham LBC [2009] WLR (D) 78.

Appendix A – Supply & Demand Model

SUPPLY AND DEMAND PROJECTION

	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
DEMAND						
Transfers	2005	1861	1800	1473	1184	918
Register (Non-homeless)	15553	17287	15248	13723	12351	11116
Homeless Applications	1876	1140	1110	1100	1100	1100
Acceptance Rate	49%	45%	40%	39%	39%	39%
Homeless Acceptances	920	513	360	360	350	350
Fall Out Rate	-197	-177	-160	-139	-115	-104
Total New Demand	723	336	200	221	235	246
Families in T.A. Brought Forward	4082	3907	3651	3121	2513	2238
Net Homeless Demand	4805	4243	3851	3342	2748	2484
DEMAND FROM ALL GROUPS	22363	23391	20899	18538	16284	14519
PERMANENT SUPPLY						
Brent lets	489	456	500	478	500	510
Housing Association	520	494	357	347	360	360
PERMANENT SUPPLY (RSL's & Brent)	1009	950	857	825	860	870
Chalkhill Decants	0	0	0	0	0	0
Transfers	184	181	163	157	164	166
Register (Non-homeless)	281	294	265	255	266	269
Homeless	544	475	450	433	452	457
ALL PERMANENT LETTINGS	1009	950	857	825	860	870
Direct Lettings in the Private Sector	71	80	150	215	250	375
Out of Borough Lettings	5	8	20	25	30	35
Conversion of TA to Settled Accom	2	2	20	43	56	65
Temp to Permanent Scheme (Sub-Regional)	0	0	0	0	0	0
Settled Homes Initiative (BHP)	0	0	10	138	138	0
Conversion of specific TA Schemes to settled accommodation	0	80	170	25	0	0
Other (LCHO; intermediate renting)	0	5	5	5	15	20
ALL LETTINGS (Incl Private Sector)	1087	1040	1232	1276	1349	1365
RESIDUAL DEMAND						
Transfers	1821	1680	1637	1316	1020	753
Register (Non-homeless)	15179	16913	14983	13468	12085	10847
Homeless (In T.A.)	4276	3758	3211	2626	1961	1553
UNMET DEMAND (After Lettings)	21276	22351	19830	17409	15066	13152
T.A. BREAKDOWN						
AST / HALS / PSL	2619	2736	2487	1898	1663	1493
B&B, incl. annexes	229	119	130	130	120	100
PLA	244	168	20	0	0	0
ALS	198	165	100	78	65	50
BDL	414	417	375	360	325	270
Hostel	73	64	55	47	35	30
Emergency RSL Hostel	30	30	30	30	30	30
Mother & Baby	100	0	0	0	0	0
ALL TEMPORARY ACCOMMODATION	3907	3651	3121	2513	2238	1973

Appendix B – Current Housing Demand – by list and bedrooms needed

		0	1	2	3	4	5	6	7	8	Sum:
HOUREG	Adult Social Care	3		1		1					5
	CHILDREN LEAVING CARE	38	1	4							43
	CHURCH END QUOTA (APPROVED)	1									1
	CONTRIBUTION TO MOBILITY	1		5	2						8
	EMERGING HOUSEHOLDS			4							4
	FORMER SERVICE TENANT		1	1	1						3
	HOUSING REGISTER (APPROVED)	31	7	91	239	115	19	3			505
	HOUSING REGISTER (NON APPROVED)	6931	822	5352	2907	756	143	27	2	1	16941
	MEDICAL A (HOU REG)	40	29	47	32	21	4				173
	OUT OF BOROUGH APPLICANTS	588	71	318	154	39	3	1	1		1175
	PROBATION SERVICE QUOTA	6									6
	ROUGH SLEEPERS	1									1
	SOCIAL SERVICES (HOU REG)	3		1	5	4	1				14
	STONEBRIDGE HAT			2	1	1					4
	SUCCESSION (UNDEROCCUPATION)	22		5	1						28
	VOLUNTARY ORGANISATION QUOTA	56	1	1							58
HOUREG	Sum:	7721	932	5832	3342	937	170	31	3	1	18969
TRNLIST	#1000 UNDER OCCUPATION	97	19	18							134
	DECANT	13	1	16	7	1	1				39
	INTRA-ESTATE TRANSFER	6	1	7	5						19
	MANAGEMENT TRANSFER	23	1	17	29	12	6				88
	MEDICAL A (TRANSFER)	20	8	11	12	1	2				54
	TENANCY SEPARATION	2									2
	TRANSFER LIST (APPROVED)	450	53	479	472	139	23	1			1617
TRNLIST	Sum:	611	83	548	525	153	32	1			1953
	Sum:	8332	1015	6380	3867	1090	202	32	3	1	20922

Appendix C - Lettings Performance 2009/10 (April – January)

BRENT LETS

	TOTAL	BSR	1 BED	2 BED	3BED	4 BED+
	ACT	ACT	ACT	ACT	ACT	ACT
HOUSING REGISTER						
HOUSING REGISTER (HMLSS)	116	12	26	46	17	15
EMERGING HOUSEHOLDS SCHEME	0	0	0	0	0	0
CHILDREN LEAVING CARE (HMLSS)	8	2	6	0	0	0
MEDICAL 25 (HOMELESS)	10	3	0	2	4	1
SUB-TOTAL	134	17	32	48	21	16
HOUSING REGISTER (OTHER)	52	16	17	19	0	0
MEDICAL 25 (REGISTER)	5	0	0	4	1	0
VOLUNTARY ORGANISATIONS	21	1	19	1	0	0
CONTRIBUTION TO MOBILITY	13	1	5	4	3	0
SOCIAL SERVICES/CHILDREN IN NEED	0	0	0	0	0	0
ADULT SOCIAL CARE	1	1	0	0	0	0
STONEBRIDGE HAT	0	0	0	0	0	0
PROBATION SERVICE	1	0	1	0	0	0
FORMER SERVICE TENANTS	1	0	1	0	0	0
SUB-TOTAL	94					
TRANSFERS						
DECANTS	28	1	9	10	7	1
TRANSFER LIST	14	0	4	8	2	0
MEDICAL 25 (TRANSFERS)	4	0	1	1	2	0
MANAGEMENT TRANSFER	12	0	3	5	3	1
INTRA-ESTATE TRANSFER	0	0	0	0	0	0
£1000 UNDER OCCUPATION	23	0	22	1	0	0
SUB-TOTAL	81	1	39	25	14	2
TOTAL	309	18	71	73	35	18

HOUSING ASSOCIATION LETS

	TOTAL	BSR	1 BED	2 BED	3BED	4 BED+
	ACT	ACT	ACT	ACT	ACT	ACT
HOUSING REGISTER						
HOUSING REGISTER (HMLSS)	180	1	35	111	25	8
EMERGING HOUSEHOLDS SCHEME	3	0	0	3	0	0
CHILDREN LEAVING CARE (HMLSS)	16	0	13	3	0	0
MEDICAL 25 (HOMELESS)	9	0	3	3	2	1
SUB-TOTAL	208	1	51	120	27	9
HOUSING REGISTER (OTHER)	85	13	48	24	0	0
MEDICAL 25 (WAITING LIST)	14	0	5	8	1	0
VOLUNTARY ORGANISATIONS	29	3	26	0	0	0
CONTRIBUTION TO MOBILITY	5	0	0	2	1	2
SOCIAL SERVICES/CHILDREN IN NEED	4	0	0	2	1	1
ADULT SOCIAL CARE	2	0	2	0	0	0
STONEBRIDGE HAT	0	0	0	0	0	0
PROBATION SERVICE	1	0	1	0	0	0
FORMER SERVICE TENANTS	0	0	0	0	0	0
SUB-TOTAL	140	16	82	36	3	3
TRANSFERS						
DECANTS	5	0	2	2	0	1
TRANSFER LIST	83	0	25	32	18	8
MEDICAL 25 (TRANSFERS)	4	1	1	0	2	0
MANAGEMENT TRANSFER	10	0	2	1	5	2
INTRA-ESTATE TRANSFER	2	0	0	2	0	0
£1000 UNDER OCCUPATION	5	0	3	2	0	0
SUB-TOTAL	109	1	33	39	25	11
TOTAL	457	18	166	195	55	23

Appendix D – Lettings Performance 2009/10 (April – January)

BRENT AND HOUSING ASSOCIATION

Note: The monthly targets are calculated on a pro rata basis. Rounding errors may result on the 'TAR' and 'VAR' columns.

	TARGET	PRO RATA	TOTALS		BSR				1 BED				2 BED				3BED				4 BED+			
	P.A.	TAR	ACT	VAR	TAR	PR	ACT	VAR	TAR	PR	ACT	VAR	TAR	PR	ACT	VAR	TAR	PR	ACT	VAR	TAR	PR	ACT	VAR
HOUSING REGISTER																								
HOUSING REGISTER (HMLSS)	405	338	296	-42	10	8	13	5	140	117	61	-56	170	142	157	15	65	54	42	-12	20	17	23	6
EMERGING HOUSEHOLDS SCHEME	10	8	3	-5	0	0	0	0	0	0	0	0	8	7	3	-4	2	2	0	-2	0	0	0	0
CHILDREN LEAVING CARE (HMLESS)	30	25	24	-1	5	4	2	-2	23	19	19	0	2	2	3	1	0	0	0	0	0	0	0	0
MEDICAL 25 (HMLESS)	5	4	19	15	2	2	3	1	1	1	3	2	1	1	5	4	1	1	6	5	0	0	2	2
SUB-TOTAL	450	375	342	-33	17	14	18	4	164	137	83	-54	181	152	168	16	68	57	48	-9	20	17	25	8
HOUSING REGISTER (OTHER)	65	54	137	83	14	12	29	17	40	33	65	32	8	7	43	36	2	2	0	-2	1	1	0	-1
MEDICAL 25 (REGISTER)	5	4	19	15	0	3	3	3	3	3	8	6	1	1	17	16	1	1	8	7	0	0	2	2
VOLUNTARY ORGANISATIONS	60	50	50	0	15	13	4	-9	45	38	45	8	0	0	1	1	0	0	0	0	0	0	0	0
CONTRIBUTION TO MOBILITY	35	29	18	-11	1	1	1	0	17	14	5	-9	14	12	6	-6	2	2	4	2	1	1	2	1
SOCIAL SERVICES/CHILDREN IN NEED	7	6	4	-2	0	0	0	0	1	1	0	-1	2	2	2	0	3	3	1	-2	1	1	1	0
ADULT SOCIAL CARE	10	8	3	-5	0	0	1	1	8	7	2	-5	2	2	0	-2	0	0	0	0	0	0	0	0
STONEBRIDGE HAT	2	2	0	-2	0	0	0	0	0	0	0	0	1	1	0	-1	1	1	0	-1	0	0	0	0
PROBATION SERVICE	8	7	2	-5	4	3	0	-3	4	3	2	-1	0	0	0	0	0	0	0	0	0	0	0	0
FORMER SERVICE TENANTS	2	2	1	-1	0	0	0	0	1	1	1	0	1	1	0	-1	0	0	0	0	0	0	0	0
SUB-TOTAL	194	162	234	72	34	29	38	9	119	99	128	29	29	26	69	43	9	9	13	4	3	3	5	2
TRANSFERS																								
DECANTS	40	33	33	0	0	0	1	1	20	17	11	-6	10	8	12	4	7	6	7	1	3	3	2	-1
TRANSFER SCHEME	65	54	97	43	0	0	0	0	20	17	29	12	22	18	40	22	18	15	20	5	5	4	8	4
MEDICAL 25 (TRANSFERS)	5	4	8	4	0	0	1	1	2	2	2	0	2	2	1	-1	1	1	4	3	0	0	0	0
MANAGEMENT TRANSFER	35	29	22	-7	0	0	0	0	3	3	5	3	12	10	6	-4	15	13	8	-5	5	4	3	-1
INTRA-ESTATE TRANSFER	8	7	2	-5	0	0	0	0	2	2	0	-2	4	3	2	-1	2	2	0	-2	0	0	0	0
£1000 UNDER OCCUPATION	61	51	28	-23	1	1	0	-1	50	42	25	-17	8	7	3	-4	2	2	0	-2	0	0	0	0
SUB-TOTAL	214	178	190	12	1	1	2	1	97	81	72	-9	58	48	64	16	45	39	39	0	13	11	13	2
TOTAL	858	715	766	51	52	44	58	14	380	317	283	-34	268	226	301	75	122	105	100	-5	36	31	43	12

Appendix E – Lettings Projections 2010/11

BRENT AND HOUSING ASSOCIATION - Projected Lettings 2010/11

	BSR	1 BED	2 BED	3BED	4 BED+	Total
Brent	37	173	161	65	23	460
RSL	30	137	128	52	19	365
Total	67	310	289	117	42	825

	BSR	1 BED	2 BED	3BED	4 BED+	TOTAL
HOUSING REGISTER (HOMELESS)						
HOUSING REGISTER (HMLSS)	10	75	170	60	20	335
EMERGING HOUSEHOLDS SCHEME	0	0	8	2	0	10
CHILDREN LEAVING CARE	5	18	2	0	0	25
MEDICAL 25 (HMLSS)	2	5	3	3	2	15
SUB-TOTAL	17	98	183	65	22	385
HOUSING REGISTER						
HOUSING REGISTER (OTHER)	25	35	20	1	1	82
MEDICAL 25 (REGISTER)	1	3	5	4	1	14
VOLUNTARY ORGANISATIONS	15	45	0	0	0	60
CONTRIBUTION TO MOBILITY	1	12	12	3	2	30
CHILDREN IN NEED	0	0	2	3	1	6
ADULTS SOCIAL CARE	2	17	1	0	0	20
PROBATION SERVICE	2	4	0	0	0	6
FORMER SERVICE TENANTS	0	0	1	1	0	2
SUB-TOTAL	46	116	41	12	5	220
TRANSFERS						
DECANTS	3	25	20	10	5	63
TRANSFER SCHEME	0	15	20	15	5	55
MEDICAL 25 (TRANSFERS)	0	2	2	2	0	6
MANAGEMENT TRANSFER	0	2	10	7	3	22
INTRA-ESTATE TRANSFER	0	2	3	2	1	8
£4000 UNDER OCCUPATION	1	50	10	4	1	66
SUB-TOTAL	4	96	65	40	15	220
TOTAL	67	310	289	117	42	825

Meeting
Date

Version no.
Date