



## Community and Wellbeing Scrutiny Committee

**Tuesday 19 January 2021 at 4.00\* pm**

This will be held as an online virtual meeting. The link to view the meeting will be available [HERE](#).

*\*Please note the earlier start time of the meeting.*

### Membership:

#### Members

Councillors:

Ketan Sheth (Chair)

Colwill (Vice-Chair)

Aden

Daly

Ethapemi

Hector

Lloyd

Sangani

Shahzad

Thakkar

#### Substitute Members

Councillors:

S Choudhary, Hassan, Johnson, Kabir, Long,

Mahmood, Miller, Perrin and Shah

Councillors:

Kansagra and Maurice

### Co-opted Members

Helen Askwith, Church of England Schools

Simon Goulden, Jewish Faith Schools

Dinah Walker, Parent Governor Representative

Alloysius Frederick, Roman Catholic Diocese Schools

Sayed Jaffar Milani, Muslim Faith Schools

### Observers

Brent Youth Parliament

Jenny Cooper, NEU and Special School observer

John Roche, NEU and Secondary School Observer

Vacancy, NEU Primary School Observer

**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.  
The link to view the meeting will be available [HERE](#).**

### **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 or trade union).
- (b) The interests 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
<b>1 Apologies for absence and clarification of alternate members</b>	
<b>2 Declarations of interests</b>	
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.	
<b>3 Deputations (if any)</b>	
To hear any deputations received from members of the public in accordance with Standing Order 67.	
<b>4 Minutes of the previous meeting</b>	To follow
To approve the minutes of the previous meeting as a correct record.	
<b>5 Matters arising (if any)</b>	
<b>6 Brent New Council Homes Development Programme and Affordable Housing</b>	1 - 12
This report provides the Community and Wellbeing Scrutiny Committee with an overview of the Council's efforts to increase the supply of Affordable Housing in Brent and the demand it aims to meet.	
<b>7 Homelessness and Rough Sleeping Strategy 2020-2025</b>	13 - 32
This report updates the Community and Wellbeing Scrutiny Committee on delivery to date on the objectives of the Homelessness and Rough Sleeping Strategy 2020-25. The report includes an update on the Council's response to provide emergency accommodation to single homeless people as a result of the COVID-19 pandemic and the request by central government for local authorities to accommodate all rough sleepers and people at risk of sleeping rough, including people with No Recourse to Public Funds.	
<b>8 Delivery of Affordable Housing by i4B</b>	33 - 44

This report provides an update on i4B's operational performance. The report includes an update on i4B's delivery of its policy objectives of providing good quality affordable housing and reducing the use of temporary accommodation.

## **9 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:            Wednesday 24 March 2021**

	<b>Community and Wellbeing Scrutiny Committee</b> 19 January 2021
	<b>Report from the Strategic Director of Community Wellbeing</b>
<b>Housing Supply: New Council Homes Development Programme and Affordable Housing</b>	

<b>Wards Affected:</b>	All Wards
<b>Key or Non-Key Decision:</b>	Non-key
<b>Open or Part/Fully Exempt:</b> (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
<b>No. of Appendices:</b>	Appendix 1 – New Council Homes Project Programme (can be found at the end of the report)
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> (Name, Title, Contact Details)	John Magness Head of Housing Supply and Partnerships <a href="mailto:john.magness@brent.gov.uk">john.magness@brent.gov.uk</a>

## 1.0 Purpose of the Report

- 1.1 The report provides the Community and Wellbeing Scrutiny Committee with an overview of the Council's efforts to increase the supply of Affordable Housing in Brent and the demand it aims to meet.

## 2.0 Recommendation

That the committee:

- 2.1 Notes the content of the report and provide comments and feedback as necessary.

## 3.0 Housing Supply – Overview

- 3.1 The Council has an ambitious target of delivering 5,000 genuinely affordable homes within a five-year period (2019-24). As part of the overall target, the Council is aiming to deliver its own programme, which will produce at least 1000 new Council homes.
- 3.2 The purpose of the Council's policy of producing more affordable homes is to meet demand, both from applicants and statutorily homeless households. In December 2020 the Council had 1924 Homeless households in temporary accommodation and 972 home seekers defined by the allocations policy as being in acute need. This can be broken down as ;
- 1 bed need – 464
  - 2 bed need – 770
  - 3 bed need – 1167
  - 4 bed need – 424
  - 5 bed need – 64
  - 6 bed need – 7
- 3.3 The Council's own programme will deliver at least 1000 new homes. All relevant departments and teams within the Council's structure, such as Property, Procurement, Planning, Legal, Finance, along with Housing, are working together to achieve the target. The Council also recognises the role of Registered Providers (RPs) and works closely with a range of other key organisations in the Borough to maximise delivery.
- 3.4 The Council's Housing Supply and Partnerships (HSP) team is responsible for facilitating the supply of new affordable housing across the entire Borough with the Regeneration team focussing on affordable housing when delivering new housing in areas such as South Kilburn. HSP consider potential opportunities by working with colleagues in Housing Needs to identify current and future housing demand, and to match the anticipated demand. Left to its own devices the market would concentrate on delivering 1 and 2 bedroomed homes. Every effort is made to increase the number of larger homes delivered by;
- Identifying new development opportunities on existing Council owned land and new sites and ensuring these are designed to meet the above demand whilst remaining financially viable.
  - Working with colleagues in Property to identify and acquire new homes and land.
  - Advising partner Registered Providers of gaps in supply and the most beneficial development and property sizes to meet this demand.
  - Assisting Registered Providers to maximise the amount of affordable housing they are able to provide on each of their developments.
  - Being aware of new private developments and the proposals for Affordable Housing and working with Planning colleagues to maximise the amount.
  - Working with the GLA to identify potential opportunities and funding streams to facilitate the increased delivery of Affordable Housing in the Borough.

- 3.5 There are several mechanisms through which the Council will deliver this target including, but not limited to:
- Building new Council homes directly utilising infill sites, acquisition of s106 designated affordable housing from developers and new mixed developments on land procured specifically for this purpose.
  - Working with Registered Providers (RPs) to encourage development funded by GLA grant and cross-subsidy.
  - Utilising planning policy and process to specify the development of affordable housing through Section 106 obligations.
  - Providing new homes through major developments led by i4B, the Council's Wholly Owned Investment Company and First Wave Housing (FWH), a Council owned Registered Provider, limited by guarantee.
  - Exploring opportunities to redevelop and regenerate existing housing stock and public realm, to provide new housing, with partners where necessary such as in South Kilburn.
  - Acquisition of property and land from the open market and the re-provision of affordable housing through investment in capital improvement works.
- 3.6 The table below (Table 1) sets out the projected number of new homes including all of those included in the NCHP based on known development sites and opportunities identified to date as at November 2020. It breaks delivery down by the different types of accommodation:
- TA: Temporary Accommodation
  - S106: Homes delivered due to a s106 obligation
  - DLP: Developer Led Project
  - SSU: Supported Specialised Units
  - NAIL: New Accommodation for Independent Living
- 3.7 It should be noted that this is a forecast and the forecast becomes more accurate as time progresses. In 2022/23, for example it is highly unlikely that there will be no s106 homes delivered, however, at this time it is not possible to estimate accurately. The table is based upon data provided by the GLA outside as well as the Council's own information.

**Table 1**

Financial Year	Affordable Rent	Shared Ownership	Temporary Accommodation	s106	*DLP	**SSU	NAI L	Total
2018/19	259	388	0	0	0	25	11	683
2019/20	76	104	0	79	0	0	12	271
2020/21	501	489	0	104	0	157	11	1262
2021/22	694	317	92	119	12	126	70	1430
2022/23	993	701	0	0	0	80	61	1835
2023/24	412	297	0	0	0	50	115	874
<b>Total</b>	<b>2,935</b>	<b>2296</b>	<b>92</b>	<b>302</b>	<b>12</b>	<b>438</b>	<b>280</b>	<b>6355</b>

\*Developer Lead Property

\*\* RP Delivered Supported Housing

3.8 The current position in terms of delivery of the NCHP can be summarised as follows:

- 231 new homes have been built and let
- 610 homes are currently on site and being built
- 332 homes have been given planning consent and are now going through procurement to identify a building contractor.
- 566 homes currently being assessed for feasibility.

3.9 The Council's programme is dynamic and new opportunities are constantly being assessed and the sites outlined below have the potential to deliver 177 new Homes. HSP in collaboration with colleagues in Property, Finance and Planning are constantly reviewing new opportunities and undertaking feasibility assessments before formal consultation with members and residents commences. The following is a list of current sites being considered. However, it should be noted that this list changes as new sites are identified or sites are assessed not to be feasible. The Borough map at Appendix 1 shows the distribution of sites.

3.10 As part of the 5000 affordable homes target, the Council has developed an ambitious programme of pipeline developments in order to achieve its strategic target of delivering 1000 new council homes at genuinely affordable rent. Table 2 below, shows some of the sites that are currently being explored. The pipeline consists of four elements.

- Sites with building underway (on-site)



- Sites with planning permission awaiting start on site
- Sites deemed feasible submitted for Planning Permission
- Sites currently being assessed for feasibility and financial viability.

**Table 2**

<b>Development</b>	<b>New Homes Predicted</b>
Clement Close –	15
Broadview Garages –	3
Greenhill Park –	11
Yates Crt –	3
Westcroft Crt –	16
Newland Court -	7
Moot Court –	8
Fairfield Crt –	3
Essoldo Way –	9
Eskdale Close –	3
Gauntlett Crt –	5
Ecclestone Place –	4
Brentfield Garages –	9
Hargood Close –	2
Minterne Rd –	1
Chalfont House –	10
Sutherland Crt –	1
Townsend Lane –	1
Comber Close –	48
Rokesby Place –	5
Gladstone Pk Ph2 –	13

#### **4 Other Sources of Supply – Council Sites**

##### **St Raphael's Estate**

- 4.1 The master planning process at St Raphael's has been tenant led with reference to the Estate Regeneration National Strategy and the GLA requirements, and has involved a series of resident events and workshops through which the Design Team have co designed the masterplans with the community.
- 4.2 The redevelopment masterplan proposes to deliver 2065 new homes, a net increase of 550 affordable rented homes, whilst the infill masterplan proposes to deliver 370 new homes.
- 4.3 A ballot will be held with eligible residents and the outcome will determine which masterplan will be recommended subject to both options remaining financially viable.

##### **South Kilburn Regeneration**

- 4.4 Officers continue to explore opportunities in South Kilburn to deliver an increased number of Council homes while still ensuring a sensible balance between different housing tenures, as required in the Master Plan.

#### **Collaboration Arrangement with Network Homes to deliver new homes**

- 4.5 The Council's development programme is one of the largest Local Authority pipelines in London and it was recognised at an early stage that there were insufficient staffing resources internally to deliver this efficiently and at the pace required. Cabinet therefore approved a Collaboration with Network Homes (NH) to provide, amongst other things, development services in respect of a number of sites, which are as follows:

#### **Church End**

- 4.6 This site consists of two parcels of land assembled by the Council. The proposals for the redevelopment of the site include the formation of a new mixed-use development site adjacent to a new market square providing a high quality pedestrianised through route from High Rd to Church Rd.
- 4.7 Overall, the development as envisaged will deliver a new market and 99 new homes let at London Affordable Rent.

#### ***Watling Gardens, Windmill Court and Kilburn Sq.***

- 4.8 An opportunity to develop 370 new Affordable rented homes on existing estates at Watling Gardens, Windmill Court and Kilburn Square, has been identified.
- 4.9 As part of these proposals, two extra care facilities, comprising 104 properties can be built at Watling Gardens and Kilburn Square. The current proposals will deliver close to 388 homes. Start on site for all three sites is currently anticipated as late 2021.
- 4.10 Discussions are also taking place with Property Services to bring forward the upgrade of Windmill Court, to coincide with the start on site of the new build programme.

### **5 Other Sources of Supply - i4B (Holdings Ltd)**

- 5.1 i4B Holdings Ltd (i4B) was established in 2016 to reduce homelessness by providing affordable, good quality homes and invest to deliver regeneration and financial benefits for its sole shareholder, Brent Council. It is a wholly owned subsidiary of the Council.
- 5.2 A separate report is being presented to the Committee about the activities of i4B and it how it contributes to the Council's strategic affordable housing target.

### **6 Other Sources of Supply - Registered Providers (RPs)**

- 6.1 Registered Providers continue to play a significant role in the delivery of new affordable homes in the Borough. Table 3 shows the new homes that are

anticipated to be delivered over the next two financial years from RPs funded by the GLA.

**Table 3**

<b>Developer</b>	<b>Financial Year 20/21</b>	<b>Financial Year 21/22</b>
Notting Hill Genesis	165	40
Catalyst	66	66
Network Homes	6	501
Origin	0	24
Octavia	28	103
Home Group	178	0
Clarion	135	121
Metropolitan TV	33	0
Hyde	179	0
Innisfree	25	0
PA Housing	0	80
Peabody	198	0
Riverside	7	0
St Mungo's Community	6	0
Total	1026	935

## **7 Engagement**

- 7.1 We have an established six-stage process for engaging with members and residents (see below). This is only a framework and each consultation will be tailored to the specific needs of the development and the residents. A Member Learning & Development session was held on the 7th October 2020 providing the opportunity for members to gain greater information on the wider programme and advise how improvements might be made. The session was well received and demonstrated that the collaborative approach between Members and Officers on these issues has worked well so far. The intention is to continue to provide information at a high level with a clear overview of the programme across the Borough ensuring that Members have advance warning of developments planned in their Wards.

### **7.2 The Six Stages of Engagement**

Stage 1: Initial Engagement with Members – Cabinet Members will be provided with an overview of sites planned in the NCHP. Ward Members will be introduced to sites in their individual ward and provided with the opportunity to give their feedback.

Stage 2: Inform Residents – Residents whose homes will be impacted by a site will be written to and provided information on what the Council intends to build and how they can get involved.

Stage 3: Design Phase – Residents and Members will be invited to a face-to-face consultation event. This event will showcase designs for the site and provide more information on the homes being built. Residents will be asked for

their feedback on the designs and any concerns they have which can be considered. This includes opportunities for wider community investment.

Stage 4: Statutory Planning Consultation – Officers' aim is to respond to residents' concerns throughout the design phase. Once detailed design and consultation is completed, the site will be submitted for planning consent. Planning will then start their statutory consultation. Residents will be written to and site notices will be displayed. This will include the statutory process for submitting any objections to the development.

Stage 5: Building Phase – Residents and Members will have the opportunity to meet the appointed contractor. Throughout this stage, any complaints or comments can be reported to the dedicated email address [newcouncilhomes@brent.gov.uk](mailto:newcouncilhomes@brent.gov.uk) mailbox or by calling 020 8937 3355. Complaints can be directed to staff when they are on site periodically.

Stage 6: Community Investment and Aftercare – Once the homes have been completed, any opportunities for community investment, that were agreed in the design phase will be completed.

- 7.3 Statutory Planning policy and consultation requirements will continue in respect of each site (in parallel with the Engagement plan) and will provide additional opportunities for members and residents to comment on aspects of design and location.

## **8 Greater London Authority (GLA)**

- 8.1 The Mayor of London published his 'Building Council Homes for Londoners' funding prospectus in May 2018, encouraging London Councils to bid for grant funding to build new council homes for social rent. A special grant rate was introduced and support to help Councils invest their own resources, including Right to Buy (RTB) receipts. The Council submitted an ambitious bid to the GLA that in September 2018, resulted in the allocation of £65,600,000 to subsidise the delivery of 817 new homes during the next 3 years (2019/20 – 2021/2022). The allocation has since been increased through negotiation to £100m.
- 8.2 The new prospectus Homes for Londoners: Affordable Homes Programme 2021-2026 was published on the 24<sup>th</sup> November 2020 and introduces some changes from the previous Approved Development Programme.
- A move away from the previous fixed rates of grant and a proposal to align grant allocations on a scheme-by-scheme basis. This presents the opportunity to obtain higher rates of grant to deliver more expensive and difficult to deliver sites.
  - New rented homes developed to be let at Social (Formula) rents rather than London Affordable Rent which essentially sees a real reduction in rents at today's prices of approximately 9%
- 8.3 The timetable for bids is likely to open towards the end of January 2021.

## **9 Social Value**

- 9.1 The Council is under duty pursuant to the Public Services (Social Value) Act 2012 (“the Social Value Act”) to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the Council might act with a view to securing that improvement; and whether the Council should undertake consultation. This duty does not strictly apply to the proposed contract, as it is not a services contract. Nevertheless, Officers have had regard to considerations contained in the Social Value Act in relation to the procurement.
- 9.2 The procurement of contractors will follow Brent Council’s Social Value Policy. 10% of the overall evaluation will be used for social value commitments. It is envisaged that the successful contractors will be able to offer local employment, apprenticeships and work experience to residents in Brent as part of their bid. It would be expected that the successful contractors would also offer other community benefits to the residents in Brent
- 9.3 Examples of the Social Value driven by the Council’s development activity;
- Knowles House - 133 people have benefited from employment and training initiatives on this project, with 59 people being from the local area, in other words 456 training and employment weeks created with 272 being created for the local area. There have been 5 apprentices employed on the project so far, and over 20% of the site team are based locally with some months achieving nearly 30% of the workforce as local labour. Additional support has been provided to the Freemans Centre in Longstone Avenue and the Roundwood School.
  - Honeypot Lane – the contractor has appointed 3 apprentices to work on the development

## **10 Financial Implications**

- 10.1 Officers will be reviewing the current programme and pipeline schemes to ensure that development sites originally identified, timescales, number of build units, massing and forecast costs remain realistic and current.
- 10.2 It is therefore envisaged that certain schemes may need to be re-profiled and/or added to in order to better reflect the anticipated capital expenditure required during the remainder of the delivery programme. This can be incorporated to the normal revenue and capital budget setting process in early 2020.

## **11 Legal Implications**

- 11.1 As High Value Contracts under the Council’s Standing Orders, approval of pre-tender considerations, inviting tenders, evaluating tenders and thereafter awarding of development / construction contracts for sites with a value over £5,000,000 require Cabinet approval pursuant to Standing Order 88 and 89. In order to ensure an efficient delivery programme as detailed at paragraph 10.2 previously agreed Cabinet will be provided with full details of each proposed contract on six monthly basis and requested to delegated authority to the Strategic Director of Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform, is sought for to award such contracts.

- 11.2 Development or construction contracts with an estimated value of less than £5,000,000 do not require a Cabinet approval because they are classed as Medium Value contracts under the Standing Orders and procurement and award of such contracts is delegated to the Strategic Director/Operational Director. In these cases, Members will receive information via the six monthly update.
- 11.3 Significant grant funding has been secured from the GLA. The Council has entered into grant agreements with the GLA governing the award of such funding to include the requirement to deliver specified numbers of new homes. Failure to observe grant conditions or achieve specified delivery numbers may lead to a requirement to repay grant funding and therefore efficient and timely delivery approaches are essential to mitigate the risk.

## **12 Equality Implications**

- 12.1 The Council must, in the exercise of its functions, have due regard to the need to:
- a) Eliminate discrimination, harassment and victimisation
  - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

Pursuant to s149 Equality Act 2010. This is known as the Public Sector Equality Duty.

- 12.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 12.3 The purpose of the duty is to enquire into whether a proposed decision disproportionately affects people with a protected characteristic. In other words, the indirect discriminatory effects of a proposed decision. Due regard is the regard that is appropriate in all the circumstances.
- 12.4 Equality Impact Assessments (EIAs) have been / will be completed as part of the planning application process to demonstrate that the Council has considered the quality impacts of its decisions in relation to design and development. EIAs / screening assessments will be available prior to the exercise of any delegated decision to award and will be taken into account in making any decision to award in relation to the key projects brought forward.

## **13 Human Resources / Property Implications**

- 13.1 The Council's Development Team manages the contracts that are established and is supported by technical consultants as required. The Council has also ensured that it has access to additional capacity to deliver the programme by entering into the collaboration agreement with Network Homes.

- 13.2 The Council's Housing Supply and Partnerships Team will continue to facilitate and bring forward development sites in conjunction with a wide range of stakeholders, including acting as 'responsible client' for ensuring the NCHP is delivered in line with cost, quality and time expectations.
- 13.3 Support from a variety of Council teams in delivering the NCHP remains critical, covering specialisms such as planning, legal, communications, finance etc. A Design and Delivery Board provides the co-ordination required internally, whilst remaining accountable to the Housing and Care Investment Board that provides oversight and strategic direction.
- 13.4 To maximise the number of affordable homes being delivered and ensure rents can be set at London Affordable Rent levels, the Council is utilising Council owned land, which is under developed or unused. This means a number of sites are located within the grounds of existing Council developments.
- 13.5 Existing properties which are being used by local community groups and residents will continue to need proactive engagement, prior to and during transition into new facilities on site. Landowners adjacent to the development sites (i.e. NHS at Honeypot Lane) are also proactively engaged.

**Related documents:**

- Cabinet Paper January 2021 – Affordable Housing Supply

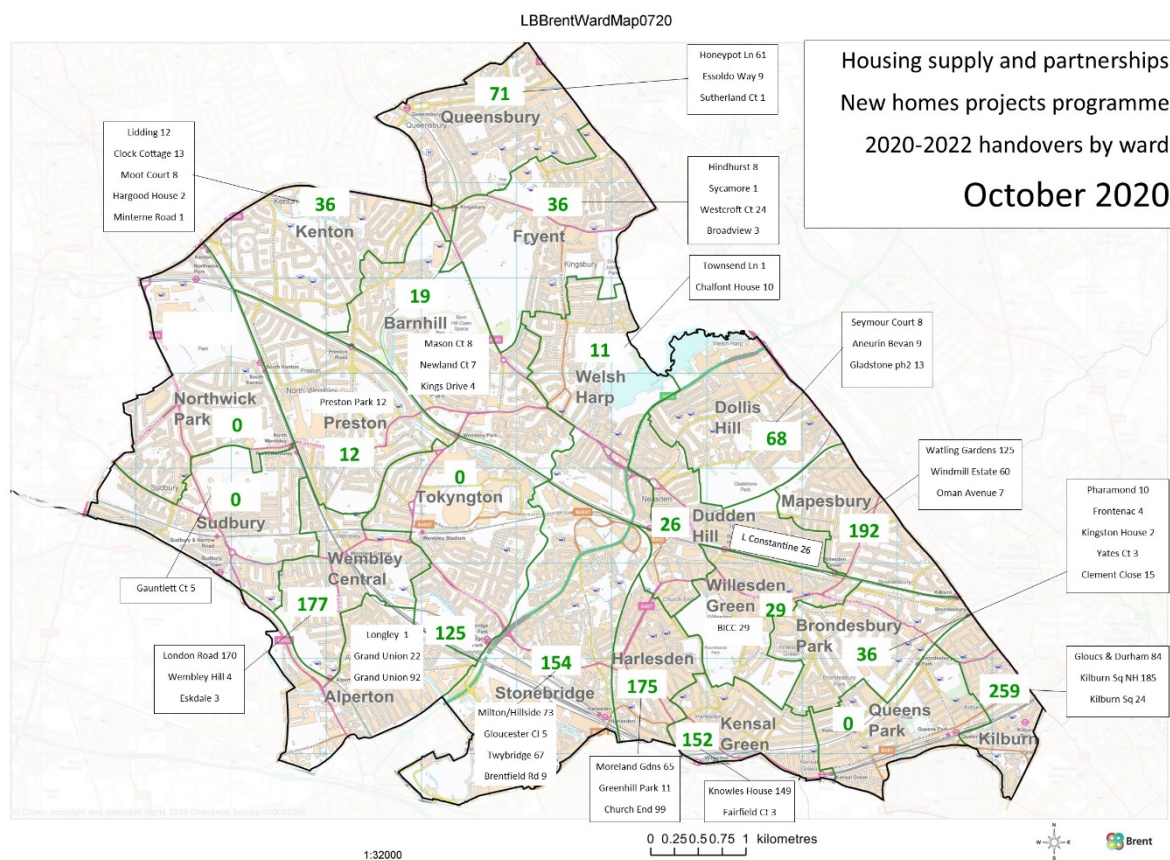
**Report sign off:**

**Phil Porter**


Strategic Director of Community Wellbeing

## APPENDIX 1

### New homes project programme





 <b>Brent</b>	<b>Community and Wellbeing Scrutiny Committee</b> 19 January 2021
	<b>Report from the Strategic Director of Community Wellbeing</b>
<b>Homelessness and Rough Sleeping Strategy 2020-2025</b>	

<b>Wards Affected:</b>	ALL
<b>Key or Non-Key Decision:</b>	Non Key
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
<b>No. of Appendices:</b>	Appendix 1 – Homelessness and Rough Sleeping Strategy Update
<b>Background Papers:</b>	None
<b>Contact Officer:</b>	Laurence Coaker Head of Housing Needs <a href="mailto:Laurence.coaker@brent.gov.uk">Laurence.coaker@brent.gov.uk</a>

## 1.0 Purpose of the Report

- 1.1 To update Community and Wellbeing Scrutiny committee of delivery to date on the objectives of the Homelessness and Rough Sleeping Strategy 2020-2025, (the Strategy).
- 1.2 To update Community and Wellbeing Scrutiny committee on the Council's response to provide emergency accommodation to single homeless people, as a result of the COVID pandemic and the request by central government for local authorities to accommodate all rough sleepers, and people at risk of sleeping rough, including people with No Recourse to Public Funds.

## 2.0 Recommendations

- 2.1 That the committee note the information provided in this report on the Homelessness and Rough Sleeping Strategy, as well as the Council's response to accommodate single homeless people during the COVID pandemic.

### **3.0 Background**

- 3.1 In February 2019, a review of homelessness in Brent was undertaken, in order to evaluate current services, and draft a homelessness and rough sleeping strategy<sup>1</sup>. The Council 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.
- 3.2 Following the review, a draft Strategy was presented to PCG on 26 September 2019 and approval was given to commence the consultation process. The consultation ended on 25 November 2019, and following member engagement, and having had regard to the feedback received during the consultation period, Cabinet agreed the final version of the Strategy on 14 January 2020.
- 3.3 Action planning sessions took place with members of the Homelessness Forum and Brent officers, to identify the priorities that should be worked on, in the first year of the strategy. However, on 26 March 2020, Luke Hall MP, Minister for Local Government and Homelessness wrote to all Local Authorities, regarding the COVID-19 pandemic. He advised that part of the government's strategy to reduce the impact of the pandemic was to ask local authorities to accommodate all rough sleepers, and people at risk of sleeping rough, including those people with no recourse to public funds. This is generally referred to as the 'everyone in' policy.
- 3.4 The Housing Needs Team started work to provide emergency accommodation to this cohort, including those with no or low vulnerabilities. This supported individuals to safely quarantine if required, as well as follow general social distancing guidelines.
- 3.5 As well as accommodating verified rough sleepers, both directly from the streets and from emergency night shelters, which were required to be decanted, there was a surge in demand from single people. These people were typically making temporary arrangements such as "sofa surfing", and were new "flow" onto the streets, or were at risk of becoming rough sleepers.
- 3.6 On 29 June 2020, the Ministry for Housing Communities and Local Government (MHCLG) announced that it had updated the Homelessness code of guidance for local authorities, which sets out guidance on how local authorities should exercise their homelessness functions under the Homelessness Reduction Act 2017 and the Housing Act 1996. The update states that applicants who have been identified by their GP or a specialist as clinically extremely vulnerable are likely to be assessed as having priority need. The vulnerability of applicants who are clinically vulnerable should also be considered in the context of COVID-19

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<sup>1</sup> All Local Authorities were committed to having a published Homelessness and Rough Sleeping Strategy by winter 2019.

- 3.7 The “everyone in” policy was therefore ended on 6 July, and officers used the amended code of guidance, to determine whether or not emergency accommodation should be provided. However, the surge in demand from single people since the lockdown commenced in March, resulted in 423 single homeless people approaching the Council for assistance. A breakdown of the applications and referrals received is set out in table 1 below.

*Table 1: Breakdown of Single Homeless approaches and referrals received*

Direct Housing Application	219
St Mungo's	139
Crisis Brent	29
Ashford Place	21
Winter shelters/Shared sleeping spaces	15
Total	423

- 3.8 This unprecedented spike in demand from people who were sleeping rough, or were at imminent risk of street homelessness required a massive response from the Single Homeless Team. Officers were seconded from other teams to assist with the business as usual type cases, and a specialist multi-disciplinary team was created, who were dedicated to dealing with the COVID cohort.
- 3.9 During this period the service continued to work on progressing the Strategy, albeit very much around the context of the pandemic, as set out in Section 4 below, and Appendix 1.

#### **4.0 Response to the COVID-19 Pandemic**

- 4.1 Of the 423 applications and referrals received, 76 people were not provided with emergency accommodation. A breakdown of the reasons is set out in table 2 below.

*Table 2: Breakdown of reasons why people were not accommodated*

Lost contact	25
Accommodated by GLA	18
Refused offer	19
Made own arrangements	6
Not Homeless	3
Accommodated by another LA	2
Application withdrawn	3
Total	76

- 4.2 The majority of these 76 people were, accommodated by the GLA or another Council, made their own arrangements, were not homeless or withdrew their application. The majority of the 19 people who refused the accommodation

offered were expecting to receive offers of settled housing as opposed to B&B, and chose not to take the emergency accommodation offered. It is not known what housing arrangements these people, nor the 25 people with whom we lost contact made. However, they did not appear as street homeless in Brent, and whilst it is possible they may have been sleeping rough in another borough, the same “everyone in” offer was available nationwide, so there was a safety net in place.

- 4.3 Of the 347 single homeless people who were placed into emergency accommodation, 62 people were not eligible for housing assistance under homelessness legislation, because of their immigration status. This is because they are either EEA nationals with no access to benefits and services in the UK, or other non UK Nationals with no recourse to public funds, by condition of their immigration status. A breakdown of people’s eligibility status, who were secured emergency accommodation is set out in Table 3 below;

*Table 3. Breakdown of homeless people accommodated, by eligibility*

Eligible clients	285
EEA nationals, not eligible for housing assistance	46
Non EEA nationals with no recourse to public funds	16
Total	347

- 4.4 EEA nationals with no access to benefits and services in the UK were eligible to receive support under the Suspension of the Derogation<sup>2</sup>, until 31 December 2020. The Housing Needs team secured grant money under the Next Steps Accommodation Programme (NSAP), which was used to pay for emergency accommodation, food and travel costs, while officers work to secure their settled status in the UK.
- 4.5 Suspension of Derogation ceased at the end of the transition period for the UK leaving the EU on 31<sup>st</sup> December. The Immigration and Social Security Coordination (EU Withdrawal) Act 2020 is now law and protects the rights of EEA citizens and their family members living in the UK before 31 December 2020.
- 4.6 Resident EEA citizens, and their family members, can continue to live, work, study, and access benefits and services in the UK on the same basis as they do now, after the end of the transition period (31 December 2020) and for the duration of the grace period (1 January to 30 June 2021). EEA citizens will have to apply to the EU Settlement Scheme before the deadline of 30 June 2021 to remain lawfully in the UK.

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<sup>2</sup> suspension of restrictions on non-statutory homelessness services that are ordinarily applied to many EEA national rough sleepers

- 4.7 Officers have secured 50 rooms at a hotel in Wembley, until the end of the grace period, on 30 June 2021 to enable the cohort of EEA nationals to continue to receive support, while officers work to secure their settled status in the UK. These 50 rooms can be used for any EEA national who arrived in the UK before the 31 December 2020, and will therefore be used to meet the demand from this cohort, with new people being placed, as and when rooms become available. When people secure their immigration status in the UK, they will be supported to move, into more settled accommodation, creating voids to assist other people from this cohort. It is unlikely that the government will extend the grace period beyond 30 June 2021, and so it will be important that applications for settled status are progressed during this period.
- 4.8 EEA nationals are able to apply for either Settled Status (if they have been resident in the UK for more than 5 years) or Pre Settled Status (if they have been resident in the UK for less than 5 years). For those people who are only eligible to apply for Pre Settled Status, they are required to secure employment to be eligible to access benefits and services in the UK.
- 4.9 The majority of this cohort have now been supported to submit their application for either settled or pre settled status, based on the number of years they have been resident in the UK. A full breakdown of the current position is set out in table 5 below;

*Table 5. Breakdown of the current status of non eligible EEA nationals*

<b>Non Eligible EEA Nationals</b>	
Received Settled Status	10
Received Pre Settled Status	9
Awaiting the outcome of their application	19
Working to submit their application*	21

\* Includes people picked up after “everyone in” policy ended on 6 July

- 4.10 Good progress has been made, and 19 people have now secured their immigration status in the UK, with a further 19 people likely to receive their status, following an application being submitted. 21 people are still working with services to submit their application.
- 4.11 Non EEA nationals with no recourse to public funds are only eligible to receive support if they are deemed to be extremely clinically vulnerable. The Housing Needs Team made a successful bid to the Protect Programme<sup>3</sup>, which secured an additional £120K of funding until 31 March 2021, to protect rough sleepers during the winter months.
- 4.12 This cohort of non-EEA nationals are also currently being supported in emergency accommodation, during the cold winter months. However, unlike citizens from the EEA, there is no clear exit strategy. This is because they are either failed asylum seekers, people who entered the UK with a visa, which has now expired, or entered the UK illegally. They have all been offered free

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<sup>3</sup> A Government scheme to help protect the most vulnerable people in our communities from COVID-19

legal advice from the North Kensington Law Centre, regarding their immigration status in the UK.

- 4.13 Throughout the “Everyone in” period, 16 people (Non-EEA) with No Recourse to Public Funds were provided with emergency accommodation. 6 of these people abandoned the accommodation, and as with the other cohorts with whom we lost contact, we do not know where these people went, however, they did not appear as street homeless in Brent.
- 4.14 Of the 10 remaining people, referrals to the Law Centre have resulted in 2 people being granted indefinite leave to remain in the UK. This means that they are now eligible to access benefits and services in the UK, and they are being supported to move into the appropriate settled accommodation.
- 4.15 Where people in this cohort were not street homeless at the time of their approach, and were making temporary arrangements, officers are working to try to reinstate these temporary living arrangements, whilst work continues to regularise their status in the UK.

## 5.0 Eligible Cohort

- 5.1 An assessment of the 285 eligible people who were placed into emergency accommodation was conducted to determine their level of vulnerability and therefore the appropriate move on plan, to move them out of the emergency accommodation.
- 5.2 Four housing pathways were established to meet the housing needs of this cohort. The four pathways are:

- 1. One suitable offer of private rented sector accommodation

This pathway is for people with **no support needs**. As the main driver of homelessness across London is affordability, this cohort were homeless, but the majority had a fragile housing situation (i.e. sofa surfing or living with friends). They became roofless during the COVID-19 pandemic, as a result of these temporary housing arrangements ending. They were therefore not street homeless, and had no vulnerability preventing them from maintaining accommodation in the private rented sector.

- 2. Private rented sector accommodation with 1 – 2 hours of floating support per week

This pathway is for people with **low support needs**. These individuals may require some help initially with paying bills, claiming benefits or finding employment but generally are able to sustain a tenancy.

- 3. Supported housing accommodation with between 1 – 7 hours of on-site support per week

This pathway is for people with **medium to high support needs**. These individuals may have mental health issues or challenges with substance misuse and require support to cook, clean and manage a budget. Individuals moving into supported housing schemes are expected to be able to move on and live independently within 12 – 18 months.

4. A Housing First model<sup>4</sup> with 10 hours of support per week

This pathway is for those with **complex, intensive support needs**. This cohort are likely to be entrenched rough sleepers with multiple needs who require wrap-around support from multiple services.

- 5.3 The majority of the 285 eligible people who were placed into emergency accommodation have now been moved on into settled housing. A full breakdown of the outcomes are set out in table 4 below;

*Table 4. Breakdown of the outcomes of the homeless people accommodated who are eligible*

<b>Eligible clients</b>	<b>285</b>
Moved to Private Rented Sector	118
Moved to Private Rented Sector (with floating support)	7
Moved to Supported Housing Accommodation	49
Moved to Housing First	1
Still waiting for suitable accommodation	28
Abandoned accommodation	28
Declined offer and made own arrangements	25
Went to prison	8
Refused to cooperate	7
Admitted to hospital	4
Application withdrawn	3
Returned to Home country	3
Returned to pre COVID accommodation	2
Accommodated by another LA	2
<b>Total</b>	<b>285</b>

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<sup>4</sup> 'Housing First' is a model for supporting those with multiple and complex needs to resolve their homelessness. The individual is usually given stable, long-term accommodation as a starting point and then receives wrap-around support from multiple services to address any additional needs i.e. substance misuse, mental health etc.

- 5.4 175 people have been successfully moved to appropriate settled accommodation, with a further 28 people still waiting for accommodation. The majority of these people require supported accommodation, and are waiting for the appropriate supported scheme to become available.
- 5.5 On a less positive note, 53 people either abandoned the emergency accommodation, before a suitable offer could be made, or they declined an offer and made their own arrangements. As with the other people with whom we lost contact, we do not know where these people went, however, they did not appear as street homeless in Brent.

## **6.0 Overview of Current Rough Sleeping in Brent**

- 6.1 The enormous amount of work that has taken place, supporting rough sleepers and single homeless people, has resulted in a 57% decrease in the number of rough sleepers in Brent.
- 6.2 The Outreach Team conducted an annual street count in November. This is a nationwide annual count, and the statistics are published by the Government, as a snapshot of rough sleeping across the country. Over the previous 3 years, there has been an average of 28 people recorded as sleeping rough in Brent, as set out in Table 6 below;

*Table 6 Annual Rough Sleeping Snapshot in Brent 2017- 2019*

<b>Year</b>	<b>Number of people recorded</b>
2017	29
2018	30
2019	25

In the count that took place in November 2020, the number of people who were recorded as sleeping rough had reduced to 12. However, it should be noted that only people actually seen bedded down, are recorded, and at the time the actual figure was probably 20, based on the knowledge of rough sleepers known to the Outreach Team. Having said that, the same would have been true in previous years counts, where the number of people recorded would have been lower than the actual number who were sleeping rough.

- 6.3 The government announced that financial resources would be available to bid for through the Next Steps Accommodation Programme (NSAP), to support local authorities to move people who had been provided with emergency into accommodation, and prevent them from returning to the streets.
- 6.4 When this grant was announced there was optimism that we may have been able to secure funding to support the NRPF (Non EEA) cohort, which was communicated to politicians. However when we met with the Department they took a firm line, and officers were advised that any bid which explicitly included this cohort would be rejected.



6.5 A bid was therefore submitted to fund the following outcomes.

<b>Outcome</b>	<b>Cost</b>
Secure current emergency housing and move on for eligible people with no /low support needs	£247,789
Support ineligible EEA Nationals, under suspension of derogation	£498,488
Provision of cold weather accommodation	£94,500
<b>Total</b>	<b>£840,777</b>

6.6 The Council had already received £827,422 in January 2020 through a successful bid to the Rough Sleeper Initiative (RSI) Grant. Two interventions that were due to be funded from the RSI grant were no longer relevant following the lockdown, and therefore £223,845 was repurposed to contribute to the above outcomes.

6.7 The GLA also secured funding to deliver longer-term move on accommodation with support for rough sleepers. A bid was submitted and confirmation was received on 21 October that the Council had received an overall allocation of £2,769,968 to deliver 24 homes by 31 March 2021.

6.8 As well as the above, additional grant money has been secured as set out below;

- Cold Weather Emergency Provision £94,500
- Cold Weather Fund - £90K
- Protect Programme - £120,375

## **7.0 Delivery to date of the Homelessness and Rough Sleeping Strategy**

7.1 The Homelessness and Rough Sleeping Strategy contains five core strategy commitments, as set out below.

1. We seek to fully understand the challenges of homelessness in Brent and how individuals experience it so we can develop informed, targeted solutions and continually improve the quality of the services we deliver.
2. Our services are prevention focused, we ensure the right advice, and support is available to those who need it.
3. We work to increase the supply of and access to stable and affordable homes across the borough
4. 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 short as possible
5. We seek to personalise our services to individual's needs, and work collaboratively with our partners to ensure those needs are met.

7.2 As stated in 3.4 above, meetings have taken place with members of the Homelessness Forum and Officers, to determine the priorities for 2020, based on current strengths and weaknesses in the service. Priorities identified to deliver under each commitment included;

Commitment 1.

- Embed service standards that foster a culture of respect and empathy and work with front-line officers to drive forward a person-centred approach to our services.
- Review data collection to ensure data quality is maintained so resources can be more effectively targeted
- Develop mechanisms for gaining insight through a variety of feedback routes

Commitment 2.

- Get upstream of homelessness, enabling earlier and more effective prevention work, and put in place effective pre-crisis intervention
- Ensure online advice and signposting information is accurate and up to date
- Identify opportunities to support homeless households to access employment

Commitment 3

- Deliver our own new build programme, providing new affordable homes across the borough
- Work with Registered Providers to develop more homes in the borough
- Maximise the supply of stable, affordable private rented sector accommodation
- Drive up conditions in the private rented sector across Brent through licensing and enforcement processes

Commitment 4

- Increase the supply of Council-developed temporary accommodation
- Improve the quality of temporary accommodation and ensure individuals with specific or complex needs are provided accommodation through Housing Related Support Services
- Develop opportunities for temporary accommodation residents to give regular feedback

Commitment 5

- Provide additional staff training so officers are equipped to provide tailored advice
- Provide holistic advice and support, improving health, wellbeing and access to employment
- Share information across our partner organisations and our community hubs so we can deliver a more joined-up approach to providing support

- Work in partnership with the Homelessness Forum to develop a better understanding of those with complex needs and pilot an approach to supporting them more holistically
- 7.3 The Housing Needs response to the COVID pandemic has had a significant impact on the actions taken to date to deliver on the above priorities, with a significant amount of work targeting actions to support single homeless people and rough sleepers as outlined above. A full update on progress made against the actions identified for each of the five commitments is attached at Appendix 1.

## **8.0 Financial Implications**

- 8.1 Financial modelling of the projected reduction in the use of temporary accommodation has already taken place. However, the ongoing and recurring impacts from the pandemic were not fully anticipated in this earlier model and as such the ability to deliver planned savings may be at risk.
- 8.2 There are two key financial risks to the successful delivery of the strategy and the related financial savings. The first of these is the significant reduction in the proportion of rent collected since the pandemic commenced earlier this year. Some of this reduction is temporary, due to the initial focus on housing individuals over processing their Housing Benefit applications. However, any ongoing reduction in rent collected will impact on the ability to achieve planned savings.
- 8.3 The second of these risks relates to future demand for temporary accommodation. Historically, the Council has been successful in significantly reducing the numbers of those in Temporary Accommodation. However, there is likely to be increased demand following the recent ending of the ban on evictions. Any future spikes in demand may prevent or delay the planned reductions in use of Temporary Accommodation and the related costs.
- 8.4 Additional COVID related grants have been received as outlined in Section 6 above. However, these are unlikely to fully cover the substantial additional costs which have been incurred with the Housing General Fund this year.

## **9.0 Legal Implications**

- 9.1 The relevant legislation relating to homelessness reviews and strategies are set out in sections 1 to 3 of the Homelessness Act 2002 (“the 2002 Act”). Further details as to what should be included in a homelessness strategy are set out in section 3 of the 2002 Act. Details as to what a homelessness review should cover are set out in section 2 of the 2002 Act and in section 2(3) of the 2002 Act, it states that the results of the Council’s homelessness review must be available for public inspection after its completion.
- 9.2 Under section 1 of the 2002 Act, local housing authorities may from time to time carry out a homelessness review for their district and formulate and publish a homelessness strategy based on the results of that review. They must ensure

that a new homelessness strategy is published within five years of the date of the publishing of their last homelessness strategy.

- 9.3 As set out in section 3(7A) of the 2002 Act, in formulating or modifying a homelessness strategy, a local housing authority shall have regard to—
- (a) its current allocation scheme under [section 166A](#) of the Housing Act 1996;
  - (b) its current tenancy strategy under [section 150](#) of the [Localism Act 2011](#); and
  - (c) in the case of an authority that is a London borough Council, the current London housing strategy that is prepared by the Mayor of London. The Council's allocations scheme was amended by the Cabinet in June 2019. The Council's updated tenancy strategy was approved by the Cabinet in June 2020.
- 9.4 The Council has powers to provide interim temporary accommodation under Part 7 of the Housing Act 1996 ("the 1996 Act") to applicants who make homeless applications to the Council. Under section 188(1) of the 1996 Act, if the Council as a local housing authority has reason to believe that an applicant may be homeless, eligible for assistance and have a priority need, the Council must secure that accommodation is available for the applicant's occupation until the homelessness application is processed and a decision is made by the Council regarding the application.
- 9.5 A local authority will accept the full homelessness duty to provide temporary accommodation if it is satisfied that the homeless applicant is homeless, eligible for assistance (this usually means not excluded on immigration grounds), in priority need of accommodation, not intentionally homeless and the applicant has a local connection with the borough (this last condition is subject to a number of exceptions).
- 9.6 During the COVID-19 pandemic, the argument for a priority need of accommodation based on the applicant's vulnerability is strengthened where the applicant: is 70 years old or above, or has at least one of the underlying health conditions listed in Schedule 1, The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 SI 2020/350, i.e. conditions which have been identified in as increasing the risk of a serious outcome of a COVID-19 infection.
- 9.7 The Minister for Local Government and Homelessness provided guidance to local housing authorities in a letter dated 26 March 2020 as summarised in paragraph 3.4 of this report. In that letter, the Minister states that one of the four basic principles in relation to the Government's response to COVID-19 and rough sleeping is to *"utilise alternative powers and funding to assist those with no recourse to public funds who require shelter and other forms of support due to the COVID-19 pandemic"*.

## **10.0 Diversity Implications**

- 10.1 As we have identified within the strategy, we are placing a renewed focus on improving the data we hold; which currently limits our ability to fully understand both the nature of the homelessness challenges in Brent, and the potential

equality impact of these strategy commitments. We have plans in place to address this, both through specific data projects, and through collecting evidence from pilot initiatives such as our complex needs panel, which will inform more robust EIAs to be completed where appropriate.

- 10.2 Where an initiative has already started, such as Capital Letters, an EIA has already been carried out, but in the most part, initiatives detailed within the strategy will have a project specific EIA carried out as they are being developed. This in turn will then enable us to carry out a cumulative impact assessment of the strategy as a whole.

**Report sign off:**

**Phil Porter**

Strategic Director of Community  
Wellbeing

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## Appendix 1 - Brent Housing Service – Homelessness and Rough Sleeping Strategy – Update January 2021

Commitment 1. We seek to fully understand the challenges of homelessness in Brent and how individuals experience it so we can develop informed, targeted solutions and continually improve the quality of the services we deliver	
Update – January 2021	Delivery Date
<p>To gain a better understanding of individuals experience when they approach the service, a customer satisfaction survey has been developed and implemented.</p> <p>The first set of results were received in November, and confirmed that the majority of people were happy with;</p> <ul style="list-style-type: none"> <li>the initial application process via My Account.</li> <li>the general approach and advice given during appointments</li> <li>their personal housing plan and the explanation related by officers regarding responsibilities /timescales</li> <li>they were shown respect and were listened to</li> </ul> <p>However, the survey also identified that there is considerable room for improvement around communication with officers and customers experience of making initial contacts about homelessness and how to apply.</p> <p>A Customer Satisfaction Action Plan is being developed to address these concerns, and will include a review of language used (during assessment interviews and letters / any communication) to ensure our approach is person-focused and empathetic.</p> <p>The Customer Satisfaction survey will be integrated into CRM so it is automated at appropriate stages throughout the homelessness process. This will enable appropriate feedback questions to be asked at the right stage within the homelessness process. Insight from this will be used to inform improvements to the service</p> <p>The review of homelessness services identified a weakness around the data held by the service, affecting the ability to target resources more effectively. Current performance monitoring is also restricted, due to limitations in the CRM system to produce performance reports.</p> <p>A CRM review has been completed and enhancements identified that will produce manager dashboards to improve ability to performance monitor. The changes will improve the data quality from initial input from the applicant, as well as required input from staff.</p>	<p>Apr 2021</p> <p>Apr 2021</p> <p>Feb 2021</p>

Commitment 2. Our services are prevention focused and we ensure the right advice and support is available to those who need it.	
Update – January 2021	Delivery Date
<p>The Service is already in a strong position with delivering prevention-focused services. Key initiatives such as, Find Your Home, Single Homeless Prevention Service (SHPS), and the dedicated Domestic Abuse Service, are all well established, and will continue to be delivered.</p> <p>However, there is expected to be an increase in demand, related to the economic downturn, due to the COVID pandemic. A new project has commenced, to identify families and single people who are experiencing financial hardship so the service can proactively approach them, rather than waiting for them to approach at crisis point.</p>	
Identify Resident Support Fund Applications from households seeking financial support, where rent arrears have been highlighted.	Feb 2021
Cross matching data records, where there are known arrears i.e. HB overpayments/council tax arrears and applications for Discretionary Housing Payments (DHP).	Feb 2021
New roles established within the homelessness teams to proactively contact these households and prevent homelessness at earliest point.	March 2021
Provide training to identify threats of homelessness at an early stage to officers working in the Hubs.	March 2021
A spike in demand from Single Homeless people has already occurred during the first lockdown. A COVID homelessness working, made up of key agencies working together to share knowledge and prevent homelessness was established in March.	
<p>The Service needs to ensure online advice and signposting information is accurate and up to date, so that people can easily access advice and information about housing and homelessness support, to prevent homelessness. .</p> <p>Review of current website content and develop a regular programme for reviewing web pages</p>	Apr 2021
One of the main factors driving homelessness is the overall benefit cap and affordability of accommodation. Households therefore need to be supported to access employment opportunities that allow them to sustain their tenancies.	




<p>The Employment and Skills Team have produced information for frontline homelessness officers about the different employment support schemes available in Brent.</p>	
<p><b>Commitment 3: We work to increase the supply of and access to stable and affordable homes across the borough.</b></p>	
<p><b>Update – January 2021</b></p>	<p><b>Delivery Date</b></p>
<p>The Council has one of the most ambitious Council Homes building programmes in London, to deliver our own new build programme. The new affordable homes delivered will help meet local need.</p> <p>As at December 2020 there are 610 new homes on site following the handover of 93 during the previous 9 months of the financial year.</p> <p>The Council has also developed good partnerships with Registered Providers across the borough to encourage the development of more homes in the borough.</p> <p>The Council is on track to deliver 5672 (inc Council supply) new homes over the period 2019-24 thus exceeding the manifesto commitment of 5000 new homes over this period</p> <p>Schemes which have already been delivered this year are;</p> <p>Manley Heights (Peabody)          Chesterfield House (MHT)          Callier House (Catalyst)          Cottrell House (Tamil)          Amexx House (Home Group)          Vantage House (Legal &amp; General)</p> <p>The delivery of these new build units, has contributed to a forecast of 722 social housing lettings being made in 2020/21. This is a 52% increase on the number of properties let last year (474) and a 33% increase on the year before (542)</p>	
<p>As well as increasing the supply of social housing, the council is also working to maximise the supply of stable, affordable private rented accommodation, through schemes such as Capital Letters and i4B.</p> <p>Prior to the Council joining Capital Letters, the average number of properties that were being procured in the Private Rented Sector was 360 per year. A target for Capital Letters to procure 400 properties was set for this year, and it is currently being forecast that this target will be met.</p> <p>The service continues to work with i4B to meet demand and specifically utilise i4B for people who require adapted properties or properties that are suitable for adaptation. The target number of properties to be acquired in 2020/21 was 60, however Covid has impacted this. To date, a total of 29 properties have been acquired, with another 6 likely to be purchased in January.</p> <p>The forecasted out turn for 2020/21 is therefore 40.</p>	

<p>Officers and Members are working to drive up conditions in the Private Rented Sector (PRS) across Brent through licensing and enforcement processes and work together with local property owners through our landlord forum to improve standards and access to stable homes in the private sector.</p> <p>Future of London have been commissioned to engage with PRS stakeholders to produce a summary report with practical interventions that will help shape the our approach to the improve access and conditions in the PRS. A Client workshop will be held in May 2021, after which a long list of interventions will be presented, to officers and Members to consider and prioritise. We will then prioritise the top five interventions based on their ownership, impact, feasibility and urgency.</p> <p>In July 2021 a final report will be produced, which will include all interview data and client workshop, with short listed practical interventions for improving support for vulnerable PRS tenants, mapped against Poverty Commission recommendations. Interventions will indicate likely timescale, ownership, cost and key stages required to implement</p>	<p>July 2021</p>
<p><b>Commitment 4: 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 short as possible.</b></p>	<p><b>Delivery Date</b></p>
<p>When a household initially becomes homeless, it is necessary to provide emergency temporary accommodation, while officers complete their enquiries. Historically, the council has relied upon privately owned, bed and breakfast accommodation, some of which is not self contained (own kitchen, bathroom and toilet facilities) and is not always with-in Brent.</p> <p>To increase the supply of council developed temporary accommodation, so we can avoid placing households in Bed and Breakfast or other forms of nightly paid accommodation and to eradicate the use of non self-contained accommodation, the Council is developing the site of a former care home, Knowles House, in Harlesden. The development will deliver 100 self-contained rooms, and is due to be completed in December 2021.</p> <p>As a shorter term solution a report is going to Cabinet in January, seeking authority to tender for 200 self contained emergency temporary accommodation rooms, in Brent. These rooms will be used to accommodate the non-eligible single homeless people, currently be housed in emergency TA, as well as demand from business as usual homeless households (singles and families) Following a tendering process a contract is expected to be in place by June, with a provider to supply good quality emergency temporary accommodation, which is self-contained and in Brent</p> <p>In the meantime, the service continues to work with our providers and partners to improve the quality of temporary accommodation offered and ensure individuals with specific or complex needs are provided accommodation through Housing Related Support Services. The Council are part of the 'setting the standard' initiative, led by London Councils, which means that all nightly accommodation in London is inspected to ensure it is meeting agreed standards. We have acquired the Network Homes TA portfolio, which are being inspected bi-annually, the rest of the Temporary Accommodation stock is inspected quarterly.</p> <p>We will also re start the Temporary Accommodation Forum Meetings, which provided an opportunity for Temporary Accommodation residents to give regular feedback and voice concerns in a constructive way. The feedback received was then used to inform improvements. These meetings were suspended during the Covid lockdown, and will recommence once lockdown restrictions allow.</p>	<p>Dec 2021</p> <p>June 2021</p> <p>August 2021</p>

Commitment 5: We seek to personalise our services to individual's needs, and work collaboratively with our partners to ensure those needs are met.	
We will provide additional staff training so officers feel equipped to provide tailored advice (e.g. family mediation, supporting LGBTQ individuals, sex workers, BAME households, Eastern European Rough Sleepers) and ensure tools are in place to tackle language barriers when they arise.	Oct 2021
The review of the customer portal and CRM will improve the quality of the data we hold and therefore allow us to make better use of it in terms of identifying key groups within our cohort. When we can identify key groups accessing our services, a training plan will be developed to build staff knowledge and skills around specialised support	Oct 2021
The COVID homelessness-working group and the Homelessness Forum work effectively and provide opportunities to ensure information and knowledge is shared. A data sharing agreement is now in place, so information can be shared safely and securely with key partners.	
A Complex Case Panel has been established to bring together multiple services around people who need multi-disciplinary support. The Panel is still in pilot stage and its use is being monitored	
The SMART Team has been established in ASC, a multi-disciplinary team led by social care to help identify and meet the support needs of single homeless people. The targeted group of service users supported by the SMART service are frequent users across the 'system'. Presenting to A&E for physical and mental health crises, frequent callers to Paramedics, Fire Service and Police, known to Community Mental Health services (CNWL), Single Homeless team, Westminster Drug Project, Probation Services and Children's Services. In addition, many are known to voluntary Charitable agencies working in the Brent area. A major focus has been understanding where prior engagement has failed and where a Multi Disciplinary Team approach may be able to deploy a reflective/creative approach towards personal outcomes. The SMART service are currently working with 20 Service Users on an assertive outreach basis of engagement. Each service user has a primary worker identified according to their assessed need. Housing and other homeless network agencies, work closely with the SMART Service. This joined up working between has meant that we are able to put the person at the forefront of assessments and decision making. This is ensuring that there is increased expertise in assessing service user's mental health needs and potential to manage and identifying a housing.	
There has been effective increased joined up working between housing services and health services as a result of COVID. A report is due at the Health and Wellbeing board in January around the health needs of homeless people.	Jan 2021
We are part of a pilot with MHCLG around prisoners being released, aiming to ensure there is a clear pathway for prisoners who have housing needs. This is any project which has been delayed due to COVID, however will recommence in 2021	Apr 2021

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 <b>Brent</b>	<b>Community and Wellbeing Scrutiny Committee</b> 19 January 2021
	<b>Report from the Chair of i4B Holdings Ltd</b>
<b>Delivery of Affordable Housing by i4B</b>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Non-key
<b>Open or Part/Fully Exempt:</b>	Open
<b>No. of Appendices:</b>	N/A
<b>Background Papers:</b>	N/A
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## 1.0 Purpose of the Report

- 1.1 This is a report from i4B providing an update on the Company's operational performance. This will include providing an update on i4B's delivery of its policy objectives of providing good quality affordable housing and reducing the use of temporary accommodation.

## 2.0 Recommendation(s)

- 2.1 That the Community and Wellbeing Scrutiny Committee note the report.

## 3.0 Detail

### 3.1 *Policy context*

- 3.1.1 Between 2010 and 2015, homelessness doubled in Brent. This growth in homelessness was driven by the loss of private rented sector (PRS) tenancies due to affordability issues.

- 3.1.2 As a response to this challenge, on 14 March 2016, Brent Council's Cabinet approved the Council's Temporary Accommodation (TA) Reform Plan. The plan proposed that the Council set up a private company to acquire a large portfolio of affordable PRS accommodation for letting to homeless households.
- 3.1.3 In November 2016, Cabinet agreed to establish its wholly owned investment company, i4B Holdings Ltd. The Company was set up with the purpose of acquiring, letting, and managing a portfolio of affordable, good quality PRS properties. Properties would be let to homeless families at Local Housing Allowance (LHA) levels. This would enable the Council to either prevent or discharge its homelessness duty and therefore reduce TA costs. The Company contributes to the Council's ambition of creating a borough with "a future built for everyone, an economy fit for all".
- 3.1.4 The Company was allocated an initial PRS phase one loan of £109m to purchase 300 units of private rented sector accommodation by September 2019. The 2018-19 business plan increased this target to 600 units (of which 360 would be street properties) and allocated additional PRS phase two funding of £110.5m. The Company's core business plan anticipates a financial breakeven position over 30 years.
- 3.1.5 The Company is set up with the following requirements:
- The Company has discretion over the individual properties it acquires provided that:
    - They are in a suitable location for the Council to comply with its duty under the Homelessness (Suitability of Accommodation) (England) Order of 2012;
    - They are within the affordability criteria set out in the Company investment plan and Capital financing agreement with the Council;
    - The rental income will be broadly equivalent to the relevant Local Housing Allowance.
  - The Board of i4B has limited discretion to let properties at discounted market rents, higher than LHA rates, where it is affordable for the tenant household and provides additional funding stability for the Company. The total mix of properties that may be let at greater than LHA rates is 25% of the portfolio, which may be flexed by prior agreement with the shareholder.

## 3.2 *Business model*

- 3.2.1 i4B's core business model is to purchase private rented sector street properties, refurbish them, and then let them to Council homeless nominees.
- 3.2.2 i4B is a wholly owned Company with the Council as sole shareholder. The Company has a Board of Directors that meet on a monthly basis to discuss company performance. The Board consists of two independent directors, one of whom is the chair, a Councillor, and two Council directors.
- 3.2.3 i4B operates at 'arm's length' from the Council. The Company's portfolio has been established through the purchase and refurbishment of existing street

properties. i4B buys properties in consultation with Brent Council's Housing Needs service to ensure it continues to meet its objectives of providing suitable accommodation for homeless individuals and families.

- 3.2.4 The Company has strict rules that guide property purchases. The Company has a 30 year business model which aims to break even over the course of 30 years whilst providing the Council with financial benefits. The model calculates an average portfolio target net yield that will enable the Company to do this. A net yield calculator that considers one-off and ongoing costs is then used to guide property purchases. The calculator allows the business to constantly review its ability to breakeven on a 30 year basis.
- 3.2.5 i4B has a Service Level Agreement with the Council to provide a range of services to support the company's operations, including:
- Corporate and financial services
  - Property purchasing and refurbishment
  - Housing management.
- 3.2.6 Properties in the Home Counties are managed by external agents Mears. The Company receives regular reports from Mears which allow the Board to monitor performance. The Company works closely with Mears to ensure issues are resolved efficiently.
- 3.2.7 In 2018/19, the Council agreed that i4B would also be a vehicle for increasing the amount of key worker housing in the borough. To this end, the Company has also purchased a block of 153 units and intends to let these units to key workers. The block is currently under construction but it is anticipated that the first let will be in February 2021.
- 3.2.8 The Company's governance arrangements include six-monthly meetings with the Chief Executive and Director of Finance who represent the Council as shareholder. As part of i4B's Shareholder Agreement, the Company produces and works to an annual Business Plan, which is agreed by Cabinet each year. i4B also has a robust internal audit programme with the results of findings being reported to the Audit and Standards Advisory Committee twice a year. The principal role of the ASAC is to review i4B/FWH's financial performance, risks to the Companies and Council, and internal audit arrangements. i4B last reported to the ASAC in December 2020.
- 3.2.9 A recent report by Grant Thornton detailed how Croydon's housing companies Brick by Brick and Croydon Affordable Housing contributed to the Council being issued a Section 114 notice. In the December report to the ASAC, i4B set out how the company is not subject to the same risks as Croydon's housing companies. As a buy-and-hold rental model, i4B's business activities are fundamentally less risky than those of the Croydon housing companies. i4B has robust governance arrangements, as detailed in 3.2.8. The Company produces and files annual statutory accounts and has a financial model and net yield target that guide all acquisitions. The financial model is regularly reviewed to

ensure its appropriateness and therefore the Company's ongoing financial viability.

### 3.3 *Performance*

- 3.3.1 At December 2020, i4B has purchased 302 private sector homes and switched the tenure to an affordable PRS product. All properties have been refurbished to a high standard. Table One provides a breakdown of i4B's portfolio and pipeline as of December 2020.

Table One – i4B portfolio as of December 2020

	<b>1b</b>	<b>2b</b>	<b>3b</b>	<b>4b+</b>	<b>All</b>
Purchased properties	42	111	99	50	302

- 3.3.2 Of these 302 properties, 198 are in Brent. 31 are in other London boroughs and the remaining 73 are in the Home Counties. i4B's current policy is to only buy new properties in Brent or in parts of neighbouring boroughs which border Brent.
- 3.3.3 Table Two shows the programme of property purchases since 2016/17. Midway through 2018/19, i4B introduced stricter financial criteria for purchasing properties. While this means that i4B purchases fewer properties, the properties purchased are more financially viable, and the Company's viability has thus also improved.

Table Two – Properties purchased each year

<b>Financial year</b>	<b>Properties purchased</b>
2016/17	19
2017/18	109
2018/19	86
2019/20	62
2020/21	26 YTD

- 3.3.4 i4B is generally performing well against its purpose. However, the pace of street property purchases has been slower than anticipated. The 2020/21 Business Plan set a target of purchasing 360 units of accommodation by April 2021. The reduced rate of acquisitions is due to market pressures and the low volume of properties on the market that meet i4B's financial criteria. This has been further impacted by Covid-19, as the housing market effectively froze between March and May 2020, and upon reopening there was a surge of demand and activity. This increased prices and thus meant there were fewer properties available that met i4B's financial criteria.
- 3.3.5 Refurbishment performance was previously negatively impacted by Covid-19, as materials suppliers had either closed or had longer lead in times, but is now back in line with business plan assumptions.



- 3.3.6 Prior to Covid-19, lettings performance was good, but void periods have since worsened following a period of two months where no properties were let.
- 3.3.7 Covid-19 has also had a negative impact on employment rates and thus people's ability to pay, meaning that rent collection rates have decreased.

Table Three – Key Performance Indicators

Indicator	Target	Performance at April 2020	Performance at December 2020
Number of units	300 by April 2020/360 by April 2021	277	302
Average cost per property	£363,000	£355,576	£363,484
Net yield of whole portfolio	1.22%	1.09%	1.16%
Net yield of year to date purchases	1.22%	1.42%	1.88%
Instruction to Legal to Purchase	120 days	122 days	132 days
Refurbishment	66 days	66 days	60 days
Letting Brent and Greater London	14 days	18 days	33 days
Rent collection	98.50%	95.09%	93.50%
Number of re-let voids	N/A	7	8
Number of evictions	N/A	7	9
Landlord Gas safety Record	100%	BHM – 100% Mears – 91% Pinnacle 100%	BHM – 95% Mears – 97% <i>Note: Mears now manage all Home Counties properties</i>

### 3.4 Outcomes

- 3.4.1 i4B has housed 299 families and 719 children. The majority of these families were previously housed in stage one TA.

Table Four – Breakdown of families directed to i4B as of January 2021

Previous Accommodation	no. of families	no. of children
Direct to i4B	57	127
Women's Refuge	2	15
TA Stage one – B&B	211	491
TA Stage two – Leased	27	80
<b>Total</b>	<b>297</b>	<b>713</b>

### 3.5 Temporary accommodation in Brent

- 3.5.1 Since 2016, i4B has been housing Council homelessness nominees. Demand from the Housing Needs Service has been for i4B to purchase two- and three-bedroom properties in Brent. The number of Brent households in TA has reduced from 2,088 in September 2019 to 555 in December 2020. The principal reasons for this reduction are good performance from Housing Needs as well as the ban on evictions during the Covid-19 pandemic. While this reduction cannot be fully attributed to i4B, the Company has housed 299 families who would otherwise be in TA and need housing.
- 3.5.2 Table Five gives a breakdown of all post Localism Act 2011 (LA2011) accepted households that are eligible for i4B stock.

Table Five – Total number of households in all TA schemes (families & non-families)

<b>Household Type</b>	<b>Number of Households in TA</b>
One Bed	309
Two Bed	133
Three Bed	90
Four Bed	15
Five Bed +	8
<b>Total</b>	<b>555</b>

- 3.5.3 However, demand from Housing Needs is changing. The most difficult cohort of homeless families to accommodate are families who require adapted properties due to a disability. There are currently 11 difficult to house families in need of an adapted property.
- 3.5.4 The bespoke nature of i4B properties is one of the main values of the Company. Housing Needs has recommend that a focus of i4B's PRS Acquisition Programme should be increasing the supply of adapted properties.
- 3.5.5 The Council receives financial benefits from i4B, mainly through reducing the use of temporary accommodation and supporting homeless families. The Council saves £1,960 per i4B property purchased and let. However, i4B does incur costs to the Council. At i4B's current portfolio of 300 properties, the net saving to the Council per year is circa £300k. This saving will increase as purchases increase.

### 3.6 *Delivery in the future*

- 3.6.1 Increasing the supply of affordable housing in the borough one of i4B's key strategic priorities for 2021/22.
- 3.6.2 In 2021/22, the Company will look to purchase 60 street properties. The Company will work with the Council's Property team to regularly review the property market and new opportunities.

3.6.3 The Company will also consider further block purchases, and seek to develop partnerships with developers, housing providers and other organisations to increase future opportunities for expanding the Company's affordable housing stock and continue the growth and diversification of the business.

3.6.4 There are various future risks and challenges to the procurement and management of private sector properties, based primarily on the current housing market and the uncertain impacts of Brexit and the Covid-19 pandemic.

#### **3.6.5 The Housing Market**

3.6.6 It is likely that purchasing will continue to be difficult in 2021-22, as the number of properties that meet i4B's financial criteria remains low. The number of properties i4B can consider is also impacted by an increase in the borough of both housing prices and demand, in line with national trends.

3.6.7 In September 2020, Brent Council's Property Team carried out an analysis of the borough's property market using Zoopla, which showed that of the 2,849 properties on sale, 18 were suitable for i4B purchasing. In response to this, the business plan for 2021-22 will include a focus on new build accommodation, in particular blocks with multiple units.

#### **3.6.8 The impact of Brexit**

3.6.9 The impact of Brexit on the housing market remains largely uncertain. It is generally thought that Brexit will lead to a fall in housing prices. Any anticipated fall in house prices will allow i4B to purchase properties at lower prices.

3.6.10 i4B has ambitions to purchase new build accommodation. Brexit could lead to increased costs in this area. Tariffs will increase the cost of materials and therefore increase construction costs. Furthermore, there is already a shortage of building workers. Reduced EU migration will increase this shortage and thus adversely affect the speed and cost of housebuilding.

#### **3.6.11 The impact of Covid-19**

3.6.12 As a result of Covid-19, the Government suspended evictions and possession proceedings. Therefore, in 2020/21 there have been fewer evictions, which means that the number of people eligible for temporary accommodation, and therefore the number of potential i4B tenants, has reduced.

3.6.13 However, when this suspension on evictions is lifted, it is likely that homelessness will increase as a result of the economic impact of Covid-19. For example, Brent has a very high number of furloughed employees whose jobs could be at risk when furlough ends.

3.6.14 Covid-19 could have a significant impact on demand for housing. The increase in the number of people working from home will have an impact on the London property market, as it is likely that more people will move outside of the capital.

3.6.15 Covid-19 has also had a negative impact on employment rates and thus people's ability to pay, meaning that rent collection rates have decreased.

#### 4.0 Financial Implications

4.1 The principal purpose of i4B is to increase the supply of affordable housing available to Brent. This will assist in providing families with good quality affordable homes managed by a responsible landlord.

4.2 The Council has calculated that each property provided by i4B enables it to save £1,960 per year in temporary accommodation costs.

4.3 The original business plan had assumed that i4B would purchase 358 properties. The plan has now been revised to take account of the finance currently available to i4B and the purchase of the key worker block. Revised property forecasts are included in the table below.

Property Numbers	2020/21 £,000	2021/22 £,000	2022/23 £,000	2023/24 £,000	2024/25 £,000
Current Plan	313	358	358	358	358
Draft Plan	318	378	438	483	483
Variance	5	20	80	125	125
Key Worker Block		153	153	153	153
Total	318	531	591	636	636
<b>Assumption = 5 properties purchased per Month</b>					

4.4 Savings of £1,960 per unit have only been assumed on the core portfolio and not on the key worker block units. The original business plan envisaged purchasing 358 units, delivering the Council a saving in temporary accommodation costs of £702,000 per annum from 2022/23. The current forecasts are that i4B will deliver savings of £741,000 by 2022/23 rising to £947,000 by 2023/24

4.5 The increase in properties is also helping to ensure that i4B generates surpluses earlier than originally planned. Increased property numbers dilute management costs per unit. This helps to ensure the financial viability of i4B as a going concern.

4.6 i4B is forecasting a loss of £732,000 in 2020/21. As set out in the table below the company is forecasting a small surplus in 2021/22 of £68,000 increasing to a surplus of £2,458,000 in 2025/26.

Street and Key Worker	2021/22 £,000	2022/23 £,000	2023/24 £,000	2024/25 £,000	2025/26 £,000
P&L	451	1,854	2,299	2,968	3,089
Cashflow	68	1,389	1,750	2,350	2,458
Cash Balance	1,044	2,433	4,182	6,532	8,990

- 4.7 In the longer term generating surpluses will release resources for additional property purchases. This will reduce the scale of loan financing required and i4B's cost of capital. This in turn will ensure that more expensive properties are financially viable and will increase the company's ability to deliver affordable housing to Brent.

## **5.0 Legal Implications**

- 5.1 There are numerous potential risks for the Council of operating companies. Whilst corporate structures will limit financial risk at law, reputational risk to the Council remains as well as risk to Council services of a company performing services badly or the company failing altogether. As a result, it is essential for the Council to be pro-active in monitoring and ensuring the adoption of robust risk management and internal controls systems encompassing the policies, culture, organisation, behaviours, processes and systems of the company. Such pro-active monitoring assists the Council to identify any potential issues with the operation of the company to ensure it meets its general and fiduciary duties to its rate and local taxpayers.
- 5.2 Pro-active monitoring of shared services is equally important as each local authority must satisfy itself that it has the statutory powers to engage in the activities involved in operating the shared service and that in the operation of the shared service all actions and decisions remain within the relevant powers so as to avoid the possibility of such actions and decisions being deemed ultra vires and therefore void and unenforceable.
- 5.3 The Council needs to be alert to potential conflicts of interest, which may arise as a result of officers' or members' representation in any company. Where a Council officer or member is a director of a company, ongoing consideration will need to be given as to whether that individual's wider (non-commercial) duties owed to the Council present a conflict with their obligations as a director. In particular, any officer or member who is appointed as a director of the joint body must bear in mind their obligations under section 172(1) of the Companies Act 2006 to at all times, act in the way they consider, in good faith, would be most likely to promote the success of the company for the benefit of its members as a whole (that is, not just for the benefit of Brent Council).
- 5.4 The ability for the Council to contract freely with its companies (and vice versa) is an essential requirement. This ability is reliant on the "Teckal" exemption under regulation 12 of the Public Contracts Regulations 2015. There are various conditions that need to be complied with to ensure that the company continues to benefit from the Teckal exemption e.g. the requirement that more than 80% of the company's activities are carried out in the performance of tasks entrusted to it by the Council or by other legal persons controlled by the Council. A failure by those operating the company to have regard to such requirements could fundamentally impact the relationship between the Council and the company.
- 5.5 The main homelessness provisions are contained in Part 7 of the Housing Act 1996 (HA96) and include the main accommodation duties the Council has

towards homeless applicants and how they can be discharged. The Homelessness Act 2002 introduced the requirement on local authorities to regularly review the levels (and likely future levels) of homelessness in their areas, and to formulate a homelessness strategy. The LA2011 amended the 1996 Act by giving local authorities the power to end the main housing duty by arranging an offer of suitable accommodation in the private rented sector.

- 5.6 The Homelessness Reduction Act 2017 (HRA17) came into force on 3 April 2018 (with limited exceptions). The changes introduced under the HRA17 apply only to an applicant who applied as homeless on or after 3 April 2018. It made significant changes to Part 7 HA96. Its main effect is to place increased duties on local authorities to assess an applicant's needs and to prevent and relieve homelessness.
- 5.7 The [Homelessness Code of Guidance for Local Authorities](#), issued by the Ministry for Housing, Communities and Local Government (MHCLG), provides statutory guidance on how to interpret and apply the homelessness legislation and contains details of good practice that local authorities should adopt. Whilst it is not legally binding, local authorities are required to have regard to it. Failure to have regard to the current Code can be used as a basis for a [judicial review challenge](#).
- 5.8 Where the duty to relieve homelessness has ended the local authority is subject to an ongoing duty to secure that accommodation is available to those applicants toward which it has accepted the main s193 HA96 duty. The main housing duty is a duty to provide temporary accommodation until such a duty is ended.
- 5.9 The main housing duty can be discharged with an offer of temporary or permanent accommodation. Any accommodation secured under the main duty must be suitable: s.210 Housing Act 1996. The Secretary of State has the power to issue regulations to specify details regarding the homelessness provisions, and has done so to prescribe for the suitability of accommodation criteria: Homelessness (Suitability of Accommodation) Order 1996 SI 1996/3204 and Homelessness (Suitability of Accommodation) (England) Order 2012.
- 5.10 The authority can discharge its duty to make accommodation available by providing accommodation itself or through another landlord such as a private landlord. The authority can provide financial assistance, such a finder's fee, to private landlords. Where the accommodation is secured from a private landlord, the tenancy will normally be an assured shorthold tenancy, unless the applicant is notified by the landlord that it will be an assured tenancy.

## **6.0 Equality Implications**

- 6.1 i4B does not collect information on the protected characteristics of its tenants. All i4B tenants are Council homeless nominees.

## **7.0 Consultation with Ward Members and Stakeholders**

7.1 N/A

***REPORT SIGN-OFF***

***Martin Smith***

Chair of i4B Holdings Ltd

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