



CITY OF WESTMINSTER

MINUTES

Housing and Regeneration Policy and Scrutiny Committee

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Housing and Regeneration Policy and Scrutiny Committee** held on **Tuesday 12th December, 2023**, 18th Floor Meeting Rooms, Westminster City Hall, 64 Victoria Street, SW1E 6QP.

Members Present: Councillors Paul Fisher (Chair), Gillian Arrindell, Melvyn Caplan, Robert Eagleton, Alan Mendoza, Ian Rowley and Hamza Taouzzale.

Also Present: Councillor Liza Begum (Cabinet Member for Housing Services).
Officers: Heather Clarke (Director of Housing Needs), Francis Dwan (Policy & Scrutiny Advisor), Chantell James (Housing Project Manager), Andrea Luker (Head of Housing Innovation and Improvement), Gill Matthews (Head of Homelessness Prevention) and Harvey Ross (Homelessness Prevention Manager). External Guest: Karen Green (Regional Service Manager) from the Single Homeless Project (SHP).

1 MEMBERSHIP

1.1 The Committee noted that Councillors Melvyn Caplan and Robert Eagleton were attending as substitutes for Councillors David Harvey and Max Sullivan.

2 DECLARATIONS OF INTEREST

2.1 There were no declarations of interest.

3 MINUTES

3.1 The Committee approved the minutes of the Finance, Planning and Economic Development Policy and Scrutiny meeting held on 26th September 2023.

3.2 RESOLVED

That the minutes of the Finance, Planning and Economic Development Policy and Scrutiny meeting held on 26th September 2023 be agreed as a correct record of proceedings.

4 WORK PROGRAMME

- 4.1 The Chair of the Committee drew attention to the amended Committee Terms of Reference, thanked Members for participating in the work programming meeting on the 31st October and reminded Members that the Committee on 4th March 2024 will scrutinise Temporary Accommodation.
- 4.2 Members asked for further clarity on the role of Cabinet Members and Scrutiny going forward.
- 4.3 The Chair thanked officers for their contribution to the briefing held in advance of the meeting and encouraged Members to better attend these going forward.
- 4.4 Actions
 1. To provide more detail on the role of Cabinet Members in Policy and Scrutiny going forward.

5 HOUSING COMPENSATION POLICY

- 5.1 The Cabinet Member for Housing Services, Councillor Liza Begum, introduced the report on Housing Compensation Policy paper providing context on the aims to make the process simpler and more fair. The Cabinet Member briefly detailed how the consultation had run before questions were asked on:
 - Accessibility of the policy: how payments are authorised and what contact tenants can have. Members suggested this should be made as simple and hassle-free as possible.
 - Dissatisfaction of those compensated: the consultation identified that 60% of recipients of compensation were dissatisfied. Members asked whether this would actually change with a new policy in place.
 - Compensation routes: how the different routes to compensation would be made clear to residents.
 - Financial implications: the report outlined that there would not be financial pressure on the housing revenue account (HRA) budget, Members asked for clarity on why this was. Members also asked about modelling for total expenditure against what was previously awarded and asked whether this information was going to be kept going forward.
 - Delays: citing feedback from Stage 2 housing complaints taking a long time, Members asked what the impact would be on awarding compensation for delays.

- **Accountability:** given the awards are paid out from the HRA, Members questioned whether social housing tenants are effectively paying themselves with compensation, whereas charging the contractor gives them increased accountability and can be used as a negotiating tool as well as acting as an incentive to prevent future issues.
- **Simplicity:** how compensation could be fairer and easier to deliver when the application process is kept simple.
- **Compensating those in arrears:** whether the policy would consider situations when a tenant is in arrears and then owed compensation and whether compensation could be deducted from monies owed.
- **Missed appointments fee:** the set rate of £20 for a missed appointment was too low and neither discourages contractors nor compensates residents for the inconvenience. Members questioned ombudsmen recommended compensation levels generally, suggesting they did not go far enough and recommended that the Council consider compensating based on impact, particularly including potential impact on those working in the gig economy.
- **Financial projections:** what the financial projection of successful implementation of the policy would be and what the level of liability would be.
- **Administration:** how the new scheme would effectively be managed, and monies be administered.
- **Monitoring:** how the Council will monitor claims and ensure they are legitimate. Members also asked how the current service would be improved to reduce the burden on the taxpayer and reduce the frequency of situations that merit compensation.
- **Clarity on adjudication:** to avoid the feeling of rough justice, particularly in low level instances that are issued with pre-determined amounts and to make clear that it is not an adjudicated process.
- **Definitions:** within the policy there are exclusions on compensation such as an appointment being delayed for a good reason or minor delays in appointments. Clarity was sought on who decided the legitimacy of these exemptions and how they could be made more objective looking forward.
- **Impact on leaseholders,** whether compensation or provision of emergency works would ever be considered for leaseholders directly adversely effected by issues in social housing, such as leaks from flats above.
- **Data request:** whether data of current contractor performance and the frequency of how often these contracts are reviewed could be provided. Data on the frequency of ombudsman interventions and complaints regarding compensation in Westminster was also requested.

- Access arrangements: how priority is determined when lifts are down or in need of maintenance and how access is maintained, particularly for those with mobility issues.

5.2 Actions

1. To provide financial projections on likely cost of the successful implementation of the new policy.
2. To address the notion of potentially providing compensation to leaseholders directly adversely effected by issues in social housing, such as leaks from flats above.
3. To provide data of current contractor performance and the frequency of how often these contracts are reviewed.
4. To provide data on the frequency of ombudsman interventions and complaints regarding compensation in Westminster.

5.3 Recommendations

1. The Committee recommended that the Council make its Compensation Policy simple and accessible.
2. The Committee recommended that the Council considers compensating based on impact, particularly including potential impact on those working in the gig economy.
3. The Committee recommended that the Council makes clear its Compensation Policy is not an adjudicated process.

6 ALLOCATIONS SCHEME REVIEW

6.1 The Cabinet Member for Housing Services, Councillor Liza Begum, introduced the report on Allocations Scheme Review providing context of the time since the last review, the aims of the revised policy and recognising multiple, variable needs. Karen Green from the Single Homeless Project (SHP) also introduced herself and the work of the floating support service which helps over 750 people. Members then asked questions on:

- Points-based system: the consideration given to moving away from the current points-based system and what benefits that could bring.
- Representative consultation: the degree to which the consultation was configured and designed to avoid biases and ensure a sample composition.
- Dealing with inappropriate suggestions: how the process will deal with suggestions that come in that might not be possible under the relevant housing act legislation.

- Protected characteristics: whether protected characteristics referenced in the scheme were those as legally defined or Westminster's own. Members also asked whether there was any risk that by defining 'global majority' there was a risk of over-aggregating and potentially adding biases.
- Consultation: whether face-to-face consultation with residents was going to form a part of the consultation, to develop more detailed answers and ensure better understanding.
- Presentation of the allocations: how the decision-making process on allocation could be visualised to improve understanding.
- Clarity on outcome: that any revised policy will have no impact on the level of provision available and this should be made clear during consultation and post implementation.
- Considering multiple needs: some Members spoke towards considering multiple needs and actively considering as they may change over time. Others expressed caution citing instances with adult children being present and it might not necessarily be in their interest to keep them in a single property.
- Outcomes: how a renewal of the allocations policy could bring about better outcomes for those on the list today.
- Medical need: how assessments were done in terms of medical need and disability and the associated needs that this might draw up.
- Localism act: how the Council could make the most of flexibilities afforded in the localism act to ensure that particular groups can be identified and supported, such as veterans of the armed forces.
- Quota scheme: clarity on how waiting lists for overcrowding worked with respect to the quota scheme and why properties would not show as available even after many years on the waiting list.
- Residency benefit: how common the notion of a residency benefit was across other local authorities and whether ten years was appropriate. There was also a question about whether this benefit passed equalities impact assessments (EQIAs). Members questioned the fact that time whilst on the housing register did not count towards this benefit and suggested this be made clearer.
- Volunteers: to consider time spent volunteering when assessing point attributed for employment.
- Engagement: the work being done to engage youth groups and educate them of their options when appropriate, especially if considering a son's and daughter's scheme as done in other local authorities. Members also asked whether time as a youth contributed towards the residency benefit.

- Succession and assignment: to improve education on succession and assignment and the proofs required for spouses or children.
- Overcrowding: whether the policy distinguishes between children and adults and how this is done.
- Means testing: whether means testing was performed for children of social housing tenants. Similarly, whether means testing was performed for older people who might be retirement age.
- Fairness: how reallocating will potentially have an effect on some groups that will now miss out and what is being done to ensure that process is fair and people understand why this will happen.
- Open and transparent: once the policy comes into effect the policy should make clear how groups are prioritised and who might miss out. Members pointed out that time on the waiting list was not the most important factor and aspects like that should be made clear.
- Adult children: what consideration was given, particularly with respect to some cultures, that would want adult children to stay at home, regardless of age, until marriage.
- Homelessness: understanding how homeless people living on the street are prioritised differently to those engaged on the homeless prevention system.

6.2 Actions

1. To provide detail on how the consultation is configured and designed to avoid instances of bias and ensure there is as much sample composition as possible.

6.3 Recommendations

1. The Committee recommended that the Council presents the final iteration of the Housing Allocations Scheme with visual aids, such as flow charts, to make the process easier to understand.
2. The Committee recommended that the Council make clear that any revised Housing Allocations Scheme will have no change on the level of provision available.
3. The Committee recommended that the Council makes clearer that time spent on the Housing Register does not contribute towards the ten-year residency benefit.
4. The Committee recommended that the Council considers factoring in cumulative need in terms of allocating and that this can factor in any emerging needs that may appear over time.

5. The Committee recommended that the Council consider volunteer work as a factor when attributing points based on employment.
6. The Committee recommended that the Council improve education around succession and assignments.
7. The Committee recommended that the Council ensures the final version of the Allocations Scheme is open and transparent in how priority groups are determined and makes clear who might potentially miss out.

7 OXFORD STREET PROGRAMME QUARTERLY UPDATE

7.1 The Committee discussed the first quarterly update on progress made regarding the Oxford Street Programme. Members sought information on the financial projections, partnerships formed and rationale for added sites.

7.2 Actions

1. To provide a projection of spending throughout the programme.
2. To provide details of partnerships formed in financing the programme, particularly public realm aspects, and the agreed financial burdens that are going to be taken on by the private sector.
3. To provide the rationale for the inclusion of Grosvenor Square as part of the wider programme and why it is not considered for its own separate public realm scheme.

8 ANY OTHER BUSINESS

8.1 No other business was raised, and the meeting was closed at 20.34.

CHAIR: _____

DATE _____

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