

# Overview and Scrutiny Committee

## SUPPLEMENTAL AGENDA

**DATE: Wednesday 14 November 2012**

### AGENDA - PART I

**3. MINUTES** (Pages 1 - 24)

That the minutes of the meeting held on 24 October 2012 be taken as read and signed as a correct record.

**6. REFERENCES FROM COUNCIL/CABINET** (Pages 25 - 42)

Reference from Cabinet – 11 October 2012 – Private Rented Sector Housing in Harrow

### AGENDA - PART II

**Nil**

*Note: In accordance with the Local Government (Access to Information) Act 1985, the following agenda item has been admitted late to the agenda by virtue of the special circumstances and urgency detailed below:-*

Agenda item

Special Circumstances/Grounds for Urgency

3. Minutes

Members are requested to consider the minutes as a matter of urgency, which were not circulated with the main agenda due to the proximity of the meetings and the publication date for this agenda.

6. Reference from Cabinet –  
11 October 2012 - Private

Members are requested to consider the reference as a matter of urgency in order to

Rented Sector Housing in  
Harrow

receive the response from Cabinet on the scrutiny review. This reference was not available at the time the main agenda was published due to obtaining the necessary clearances.

# OVERVIEW AND SCRUTINY COMMITTEE MINUTES

## 24 OCTOBER 2012

<b>Chairman:</b>	* Councillor Jerry Miles	
<b>Councillors:</b>	* Sue Anderson * Susan Hall (3) * Zarina Khalid * Barry Macleod-Cullinane	* Paul Osborn * Victoria Silver (3) * Ben Wealthy (2) * Stephen Wright
<b>Voting Co-opted:</b>	(Voluntary Aided)	(Parent Governors)
	* Mrs J Rammelt Reverend P Reece	Mrs A Khan
<b>In attendance (Councillors)</b>	Christine Bednell James Bond Mitzi Green	Minute 320 Minute 315 Minutes 320, 323 and 324

\* Denotes Member present  
 (2) and (3) Denote category of Reserve Members

### 314. Attendance by Reserve Members

The Chair indicated that, with the Committee's agreement, he would vary the order of business as a Member had advised that she may be required to leave the meeting early. The Chair indicated that he would therefore take agenda items 12 and 13 after item 6.

**RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Members:-

### Ordinary Member

Councillor Kam Chana  
Councillor Ann Gate  
Councillor Krishna James

### Reserve Member

Councillor Susan Hall  
Councillor Ben Wealthy  
Councillor Victoria Silver

## 315. **Declarations of Interest**

**RESOLVED:** To note that the following interests were declared:

Agenda Item 7 – School Expansion Programme, Agenda Item 8 – Academies School Conversions and Agenda Item 10 – Council Service Level Agreements  
Councillor Christine Bednell, who was not a member of the Committee, declared a non-pecuniary interest in that she was a governor at Vaughan School. She would remain in the room whilst these matters were considered and voted upon.

Councillor James Bond, who was not a member of the Committee, declared a non-pecuniary interest in that he was a governor at Longfield School. He would remain in the room whilst these matters were considered and voted upon.

Councillor Mitzi Green, who was not a member of the Committee, declared a non-pecuniary interest in that she was a governor at Kenmore Park School. She would remain in the room whilst these matters were considered and voted upon.

Councillor Zarina Khalid declared a non-pecuniary interest in that she was a governor at Canons High School. She would remain in the room whilst these matters were considered and voted upon.

Councillor Paul Osborn declared a non-pecuniary interest in that he was a governor at Norbury School and Roxbourne School. He would remain in the room whilst these matters were considered and voted upon.

Councillor Barry Macleod-Cullinane declared non-pecuniary interests in that his sister was a teacher at an academy in Harrow and he was employed by London Councils. He would remain in the room whilst these matters were considered and voted upon.

Councillor Stephen Wright declared non-pecuniary interests in that he was a governor at Pinner Wood School and Canons High School, he visited Glebe School and was a member of the Planning Committee. He would remain in the room whilst these matters were considered and voted upon.

Agenda Item 9 – Youth Justice Plan and Youth Offending Improvement Plan  
Councillor Sue Anderson declared a pecuniary interest in that she was employed by Central and North West London Hospital Trust. She would leave the room whilst the matter was considered and voted upon.

Councillor Mitzi Green, who was not a member of the Committee, declared a non-pecuniary interest in that she had previously been an employee of the Crown Prosecution Service. She would remain in the room whilst the matter was considered and voted upon.

Agenda Item 10 – Council Service Level Agreements

Councillor Sue Anderson declared a pecuniary interest in that she was employed by Central and North West London Hospital Trust. She would leave the room whilst the matter was considered and voted upon.

**316. Minutes**

**RESOLVED:** That the minutes of the meeting held on 20 September 2012 be taken as read and signed as a correct record.

**317. Public Questions**

The Chair indicated that he would not restrict the time limit for the asking and answering of public questions to 15 minutes.

**RESOLVED:** To note that the following public questions were received at the meeting:

1.

**Questioner:** Graeme Neale

**Asked of:** Councillor Jerry Miles, Chair of the Overview and Scrutiny Committee

**Question:** 'Regarding the Vaughan School Expansion plan can you please advise how you are going to safeguard the children, parents and residents against road accidents when there will be an additional 210 pupils plus guardians arriving at school each day? From the most recent plans shown to some residents in September there is only 1 additional teacher / visitor parking place and therefore this will further exacerbate the real risk of a serious accident happening as not only will there be additional road and pedestrian traffic from pupils and guardians but there will also be a significant increase from teachers and visitors trying to find parking spaces in the surrounding streets.'

**Answer:** As part of the process to develop the building plans for each school proposed for expansion, consideration has been given to the site, how traffic is managed within the site and the impact on the local area. As part of the planning application process, the approaches and proposals for traffic and travel will be considered.

The expansion of any school will obviously increase the

quantity of pedestrian traffic and may increase the amount of vehicular traffic going to and from the school. However, these issues have been carefully considered and there is already a package of mitigating actions in place to deal with these issues.

In respect of pedestrian safety, Vaughan Primary School is located within an existing 20 mph zone and traffic speeds around the school are relatively low as a consequence. Parking controls have already been put in place in the vicinity of the school entrances to prevent obstructive parking and to discourage people from choosing to drive to the school at the busy start and finish times. School travel surveys were carried out last year with staff, parents and pupils at the school which indicated that the vast majority of children attending Vaughan Primary School either walk, cycle or scoot to school and it is clear that the measures introduced have helped with this. It is expected that this trend would continue with the school expansion and limit any additional traffic from the "school run".

A key part of the Council's transport strategy is to improve road safety and reduce the number of journeys by car, particularly for schools. The work of the Council's Road Safety officers and school travel planner are specifically focused on working with the schools to achieve these aims and they are in regular contact with Vaughan Primary School to ensure an effective travel plan is in place and offer road safety education advice and pedestrian / cycle training so that sustainable modes of transport are promoted.

The problems of traffic around schools is a widespread problem across the country and measures to achieve modal shift and support walking and cycling are the only realistic way of addressing these problems. Significant progress has been made with this at Vaughan Primary School currently and is expected to limit the future impact of the school expansion.

The proposals provide 35 car parking spaces and seek to improve existing movement around the site and management of both pedestrian and vehicle flows. For example, where the vehicle route crosses over pedestrian access route on site it is proposed to provide a raised table and a 'shared surface' which prioritises pedestrians. This will be further aided by management of access and deliveries by the school.

**Supplemental Question:** You talk about travel plan and a lot of what you talk about there is very generic and not specific to Vaughan

Primary School but the travel plan that was put forward at the meeting held at the school in September suggested that the way forward was to encourage pupils to use bikes and scooters as they would prefer this method of transport.

However, the school's own newsletters to parents have highlighted serious safety concerns that currently exist using these modes of transport. In fact it has been mentioned in seven newsletters with a further two newsletters covering other road safety issues. Additionally, each day there are cars parked on the school driveway which proves that there is insufficient parking to meet the current demand for parking and also proves that the school is unable to manage its own parking issues today.

If the expansion goes ahead, what is going to change to make the issues that are unmanageable today suddenly manageable? Isn't it about time that the Council realised that another 210 pupils plus guardians, that is 400 people a day is a totally unsafe, unviable proposition and that they should withdraw their planning application immediately and take a serious look at the options available?

(I have some pictures here that highlight the current parking problems in the school. I also have the quotes from the school newsletter which highlights the existing problems that they have).

**Supplemental  
Answer:  
(Written  
response)**

The increased traffic and congestion issues associated with the proposals to permanently expand schools in Harrow are fully acknowledged. These are existing issues in an urban area like Harrow and will inevitably be exacerbated by the additional numbers of children that will be attending the schools. The generic planning approach in relation to these issues is important and demonstrates how seriously these issues are viewed and the determination to do all that is possible to alleviate the issues.

In this context it is to be welcomed that pupil preferences are for walking, cycling and scooting rather than cars. The school quite rightly does all it can to encourage safe and considerate travel to school, as demonstrated in its newsletters. The newsletters highlight issues of congestion in the playgrounds and on the pathways and ask that bikes and scooters are not ridden on the school premises at the beginning or the end of the school day. The plans for the proposed building works at the school seek to improve existing

movement around the site and include provision of additional cycle racks to promote safe use for travelling at the beginning and end of the school day.

2.

**Questioner:** Rosalyn Neale

**Asked of:** Councillor Jerry Miles, Chair of the Overview and Scrutiny Committee

**Question:** 'Regarding the Vaughan School expansion plans Catherine Doran's report to this committee states "there were open meetings in July and September which were publicised to parents through the schools and to local residents via a leaflet distribution to the surrounding streets in accordance with Planning Department's practise when planning applications are submitted. Meetings such as these are not a statutory requirement and were considered to be appropriate to convene for engagement with the school communities and local residents."

The September meeting held at Vaughan School was only held because a number of questions raised by residents could not be answered at the July meeting due to inadequate council representation. It was also not an open meeting and only residents who had previously raised questions were invited and even then not all were.

The consultation process has been appalling with only part of the surrounding streets advised. As the council decided that it was "appropriate" to hold meetings to engage with the local residents, then why have they not taken the appropriate action to make sure that engagement was robust. Why are you therefore proceeding with the planning application which should be halted until an appropriate consultation with residents has been undertaken?'

**Answer:** I will read out the answer I have got and then I would just like to add a bit more information I have already mentioned to you because I have approached the Planning Department, just to let you know where the planning application is.

There are statutory processes for consultation on Planning Applications. The consultation on the Planning Application submitted about Vaughan Primary School will be undertaken once the application has been validated by the Planning Department.



Prior to the submission of planning applications on the schools proposed for permanent expansion, open events were held to provide an opportunity for parents and local residents to view the design drawings and talk to representatives from the school, architects, constructors and Harrow Council. These events were engagement activity with local residents.

The events were publicised to local residents via a leaflet distribution to the surrounding streets in accordance with the Planning Department's practice when planning applications are submitted. Vaughan Primary School informed all parents about the open meeting in July, the majority of whom are local residents.

A further meeting was held at Vaughan Primary School on 12 September 2012 in response to requests from residents who attended the meeting on 18 July 2012, and those residents were invited to attend. Officers were aware that you would be advising other people of the meeting who had yet to respond for various reasons.

As I mentioned before the meeting started, to the residents, I have checked with the Planning Department. The actual application has yet to be validated because they are awaiting further information before that could be done but it will be brought to the Planning Committee. The earliest date I've got is January but there will be an application early next year on Vaughan in front of the Planning Committee and therefore there will be another round of consultations. You will also have the opportunity to make representations to the Planning Committee when the application is actually heard.

I understand the Planning Committee is meeting this Thursday and I know there are two other school expansion applications on the agenda. As far as I am aware there are no particular issues with those but obviously when the time comes, you will have the opportunity to make representation about Vaughan.

**Ms Neale:** Just in answer to what you have just kindly advised us of. You said that there was further information that was needed before the application. Can we be advised what that information is?

**Cllr Miles:** No, I don't have the details of that. I was just advised that the Planning Department needs further detailed information about the application. I don't know what particular aspect. That will be provided and as I said,

the application will then be validated and it will go to a Committee at the early part of next year. It has been suggested that January 2013 is the first possible date but it might be slightly later than that.

**Supplemental Question:** One Councillor told us that if a few residents got upset about this, then so be it. From the lack of transparency that there has been throughout the consultation period, this would seem to be the view of the Council in general.

The Council are pushing this development through without properly listening to any of the issues being raised. This is morally wrong. It is causing immense stress to many residents.

Every time we challenge what you say, we get a different answer. For example, we were told in writing last month that in January the plans were discussed with local businesses and they were asked to put up signs regarding the January meetings. This version of events has now been changed to leaflets were distributed to local businesses.

I am still awaiting a written response to the question I raised at the Cabinet meeting on 11 October and a response to my supplemental question. The minutes have yet to be published and despite me being advised they would be available early this week, they are still not. The verbalised response I received to my main question confirmed that only part of one side of the surrounding roads had leaflets delivered to them. I am sure you will agree this is not sufficient engagement with the residents, bearing in mind that the Council has acknowledged that the notices in relation to the planning application will be distributed more widely.

We have a petition against the plans presently signed by over 130 residents which will be submitted in due course. This demonstrates that there are still many concerns.

In view of this, I will again ask, as clearly the consultation has not been carried out in a way that the Council consider appropriate, then is the Council going to halt the plans until an appropriate consultation has taken place?

**Supplemental Answer:** Firstly, I don't know what Councillor you are talking about. I know it wasn't me but obviously it is not up to individual Councillors to decide what applications do go through and don't go through.

Obviously in your opinion, the consultation has not been satisfactory but I would say, if you stay on for item 7 which does outline the consultation process for Vaughan Primary School and all the other schools, it has been quite extensive and it has been going on for quite a length of time and it has gone to Cabinet twice. All the schools have been consulted. All the residents and parents have been involved as far as possible and as I have said before, there will be a detailed application. It will go to the Planning Committee that will have details of the final scheme. There will be then a further consultation and you will have an opportunity to make a representation to Planning to present a petition if you so wish. So we are not at the end of the process and I do assure you that there will be further opportunities to comment on the final scheme and make representations as appropriate.

3.

**Questioner:** Anant Shah

**Asked of:** Councillor Jerry Miles, Chair of the Overview and Scrutiny Committee

**Question:** 'Vaughan school expansion at the July meeting the figure was mentioned £6. Million then Adrian Parker confirmed on Sept email that total budget was £8.5. Then Catherine Doran's report of October stated £8.9 m. in matter of three months cost shot up nearly by 50% Surely with this amount of money you could build new school on the allotment land next to the present school thus not depriving the children of play ground for nearly two years.'

**Answer:** The cost of the proposed development at Vaughan Primary School has not been set at £6 million at any point, and this information in July would have been incorrect. On 20 June 2012 Cabinet took the decision to expand Vaughan Primary School and 8 other schools and the indicative cost provided in the report for Vaughan Primary School was £8.9 million.

The use of allotment land to achieve the expansion of Vaughan Primary School is also not being pursued for the following reasons, amongst others:

- Development on open space is not acceptable from a planning policy perspective and there is an unequivocal presumption against the loss of open space in the Core Strategy.

- The complexities and additional expense that the new build on the allotment land would entail. This would include but not be limited to:
  - New site access (roads, paths, car parking, site fencing etc).
  - New service provision (sewers, drainage, surface water attenuation, water, gas, electricity, phone, internet etc.).
  - Additional demolition of the infant block.
  - Reinstatement of all the existing school including the hard landscaping to either allotment or soft play.
  - Additional consultations and planning applications.
  - Legal and planning fees to change the use of the allotment land, if this were possible.

Rebuilding the school on allotment land would entail additional costs above the current budget. Detailed costings have not been undertaken for all these elements, however indicative costings are given below as an example.

The structure elements (floors, walls and roof) of the current infant block (937m<sup>2</sup>) are being retained and remodelled, which limits where the new school can be built. If this block was demolished and rebuilt on the allotments then additional uplift cost from remodelling to rebuilding is calculated as £843,000. This in itself is a 10% increase in the cost of the project, which cannot be justified in the current economic climate given that there is an alternative cheaper solution available. On top of that basic cost there would be the cost of the demolition of the infant building and reinstatement. There will then be additional costs associated with the new drainage, sewerage, roads, power, gas, water, internet, CCTV and telephone requirement to service the relocated block in the allotment area. The additional work to the infant block will also incur additional site preliminary costs at 15%. As an estimate the total additional project cost from just considering rebuilding the Infant block will be in excess of £1.5million.

**Supplemental Question:** When you say it was going to be an additional 10% cost building on the allotment, according to the report, it is clearly costing £9 million to build it now on the playing

fields.

**Supplemental Answer:** Yes, the cost is £8.9 million and I think the answer is saying this will be increased by another £1.5 million if it was rebuilt.

**Mr Shah:** Yes, but then how much income will be taken away from all the residents who are now being affected by this building being constructed on the playing fields?

**Cllr Miles:** We are merely making a point that a new build would be very, very expensive.

4.

**Questioner:** Mr Raja

**Asked of:** Councillor Jerry Miles, Chair of the Overview and Scrutiny Committee

**Question:** Regarding the Vaughan School expansion plans, residents who back onto the proposed development have sought the advice of a local estate agent on the impact to their house prices. They have been advised in writing that it could reduce the price by between £10,000 and £20,000 and make the properties difficult to sell. In fact during the near 2 year construction period it would probably make them impossible to sell.

How are the council going to compensate residents for this detrimental effect on the value of their main asset which they have all worked extremely hard to buy and maintain?

**Answer:** I will read the answer I've got which isn't too long and then I will just add a bit of my personal experience in Planning as it might be useful to supplement the answer.

Planning Committee will make a decision whether or not to approve the proposed development of the school based on the planning merits of the application. The Planning Committee has no power to award compensation to adjoining owners for disruption caused by works to implement a planning permission or in relation to the effect of the works / development on the value of adjoining properties.

A construction programme will impact on local residents and this is recognised. Keepmoat, the Corporate Construction Contractors, would be the constructor for the build programme. Keepmoat is experienced at school construction projects and is sensitive to the

needs of local residents as well as those of an operational school during the construction period. Keepmoat will ensure that local residents are kept informed of the programme and there will be opportunities prior and during the construction period for residents to meet with the project manager. This will contribute to the management of disruption during construction.

As part of the detailed development of the scheme, Keepmoat will be engaging with residents, especially those with properties bordering the school site to discuss and gather their suggestions on the final landscaping and screening that will be provided.

My own observations on the first issue you raised about the price of your property. I think unfortunately, what tends to happen if you put forward that an objection, to planning, I think the stock phrase is "it's not a material planning consideration".

So officers will look at the development purely in terms of the strategic development plan for the area then they will go down and look at the effect on the environment, neighbouring houses, how it looks in the street scene and obviously make sure it adheres to planning laws. Unfortunately, generally in planning applications, the effect or any purported financial affect on neighbouring residents is not part of the planning procedure so if you put that down as an objection, in my experience you will just get the response it is not a material planning consideration. It is a bit like if you have got a row of local shops and somebody wants to build a supermarket, they are going to lose business but they just look at the building and its affect on the street and the planning laws. The financial consideration is not part of the planning application so that is just my personal observation.

**Supplemental Question:** What compensation will be paid to the residents for the stress and the anxiety, noise from the two year building planned and construction and what requirements have been put into the planning application to reduce the level of the noise, destruction and pollution during the construction period to screen the view and the noise of the construction? We understand that the noise level survey was undertaken but despite asking, we still await an answer as to what the survey found or how they assessed the noise impact on the residents during and after the construction.

**Supplemental** Drawing on my experience of Planning, I think there are

**Answer:** three issues. Firstly, the Planning Committee does have power to put various sorts of controls in. So, they can specify the hours of construction, how it will be done and the site itself. So that will hopefully will appear in the actual final planning report that I mentioned that will go to the Planning Committee, so you should be able to look at that and hopefully there will be some controls in there.

As it said in the written answer, the constructor is experienced at, and specialises in, school construction projects. So they are aware of the problems that may occur but there will be the opportunity to speak to the project manager/ the site manager, to make sure if there are any problems, or noise and disruption, they are kept to a minimum. Also, I would think or hope they would follow the Considerate Contractor Code so again there would be controls on the hours they work and to make sure the site is well administered and safe.

Obviously, it will be for a time a construction site so inevitably, there will be an element of noise and disruption but overall, from what I have said, it will be kept to a minimum. There will be hopefully controls in place to minimise any disruption to local residents.

5.

**Questioner:** Elizabeth Kaptur

**Asked of:** Councillor Jerry Miles, Chair of the Overview and Scrutiny Committee

**Question:** 'Dear Councillor,

Responding to your letter I would like to ask the following:

One of the Councils Corporate Priorities is; "United and involved communities" but in relation to the Vaughan School Expansion plan they are failing dismally to do this, as neither they nor the local councillors have involved the community enough. Ironically, because of the strong feelings against the expansion plan, the community is more "united and involved" but this is in spite of the Council not because of it and probably not in a way the Council would like.

The Corporate priority goes on to say "A council that listens". They definitely hear us because we make sure they do, but they don't listen to what we are saying and they certainly don't give full replies or take appropriate



action. Even if they are listening, how would we know? They haven't sent out any communication to any of the residents updating them with progress from any of the meetings held in the school despite re-assurances that our comments would be taken into consideration.

Another of the corporate priorities is "Supporting and protecting people who are in most need" but no consideration has been given for the housebound/disabled people who back on to the school and whose lives will be blighted by a two year building plan. There has been scant communication to them from the council and none from local councillors.

How can the Council have Corporate Policies that are meaningless as they certainly do not apply to the residents of West Harrow whose lives are going to be severely affected by the expansion should it go ahead?'

**Answer:**

The report to the Overview and Scrutiny Committee sets out the extensive consultation activity that has occurred in relation to the proposals to expand schools in Harrow. The responses to the consultations have been considered carefully and reported to Cabinet to inform the decisions that have been made and are available to the public.

Statutory consultation in relation to the planning application will occur after the application is validated by the Planning Department. The Planning Department will write to residents, including residents of streets suggested by a local resident, which will be an opportunity for views and any concerns to be expressed.

Vaughan Primary School has sent a number of communications to parents, staff and governors during the consultation processes to keep them informed. Many of the parents of children attending Vaughan Primary School are residents local to the school.

**Supplemental Question:**

I am saying that all the residents are taking their children to that school; there will be a further distance from now on.

Do you think it is morally right what you are putting the residents of West Harrow through? Do you have any idea of an uncertain future we all have whilst the planning application is pending?

We have asked so many questions that remain unanswered which lead us to believe you have no answers but are ploughing ahead anyway.



You have not thought through the consequences of your actions on the lives and homes of residents and are totally out of touch with residents and seem to want to remain that way. Even the Convention on Human Rights states that people have the right for the peaceful enjoyment of one's possessions. How is having two buildings sat at the bottom of the people's gardens for 21 months going to allow this? I can just show you how my personal house is going to be affected by it. (Can you pass this round please). This is my vision. I every day think of that and cannot sleep.

Is Harrow Council oblivious of people's rights and the detrimental affect of proposed changes will have on people's quality of life, or not simply care at all? When is the Council going to start listening? Withdraw the planning application and take a serious look at the viable options rather than pursue them, carrying on with the ridiculous plan.

**Supplemental Answer:** As has been laid out in the report tonight, there has been quite extensive consultation with parents and governors, the school, local residents, as set out in the report. As we have already discussed tonight, when the development does ahead, it still needs planning permission, there will be quite extensive planning controls and there will be a chance to try and influence what is put in place before the development goes ahead and if it does go ahead, there will be opportunity for regular on site meetings to ensure any disruption is actually minimised.

I also mentioned during my answers that obviously it is still due to go before the Planning Committee, so the form of the development and how it will be implemented is still to be decided. There will be a chance for further consultation, the chance for residents to actually seek the planning report and if necessary, make a deputation to Planning.

The final form and development has not yet been decided and you will get a chance to put your views to the Planning Committee for approval.

### **318. Petitions**

**RESOLVED:** To note that no petitions had been received.

### **319. References from Council/Cabinet**

**RESOLVED:** That no references were received.

### **RECOMMENDED ITEMS**

### **320. Youth Justice Plan and Youth Offending Improvement Plan**

The Committee received a report of the Corporate Director of Children and Families which contained the Youth Justice Plan and the Improvement Plan. Members agreed to consider the Inspection of Youth Offending, which had been circulated on the supplemental agenda, as a matter of urgency in order to enable scrutiny of the Improvement Plan. The report had been included on the agenda at the request of a member of the Committee, in accordance with Committee Procedure Rule 37.4. The Committee agreed that scrutiny policy lead for Children and Families, who was not a member of the Committee, could speak on this item.

The Corporate Director of Children and Families introduced the report stating that this was clearly an area of significant challenge and that there were some long term and ingrained issues to be addressed. She stated that it was both her and her manager's responsibility to turn the service around, that there had been some key staff changes and the service had also moved to a new directorate. She regretted that she had been unable to turn the service around as quickly and effectively as she would have liked and accepted responsibility for that. She expressed her concern that the Youth Justice Plan had not been submitted to Cabinet in the past and that this was a discrepancy. The Plan would be considered by Council on 8 November 2012.

Members expressed their significant concerns at the findings of the Inspection and, in particular, questioned the delay in the submission of the report both to Cabinet and the Committee, the decision making of officers and Members and the chronology of events. Members robustly challenged the officers and Portfolio Holder for Children, Schools and Families on the findings of the Inspection Report and the reporting of those findings and asked questions and made comments which included the following:

- There had been no mention of the poor performance of this service in the Strategic Performance Reports that had been submitted to Cabinet. The purpose of these reports was to flag up to Members key issues such as these. It had not been apparent from the recent Cabinet report the seriousness of the problems in the YOT. The Member expressed concern at the number of Improvement Boards and stated that it would be helpful to have a diagram/flow chart showing how issues were being addressed. He requested that a further report with more data be submitted to a future meeting of the Committee and a separate discussion with the Corporate Director on the staffing structure.
- The transparency in relation to the findings of the Inspection was questioned and Members challenged the apparent decision to inform the Council's partners but not elected Members of the findings. An

officer advised Members that an Improvement Board had been established to work on the findings. The Portfolio Holder added that the closure of Harrow Magistrates' Court had not helped the delivery of the service.

- A Member sought clarification as to those areas where the Youth Offending Team (YOT) continued to under perform and the Portfolio Holder advised that such significant problems could not be resolved quickly. She added that the financial challenges faced should not be underestimated and that work in the YOT was focused on delivering improvement.
- The report stated throughout that there was substantial or drastic improvement required but there was no sense of ownership in the Improvement Plan or timescales and it was therefore questioned how this would be moved forward. The Interim Divisional Director of Targeted Services stated that the Inspection should be considered in the context that a number of YOTs across London were facing difficult issues and that the Improvement Plan had been put in place and was constantly refreshed. The YOT management team was overseeing progress. The Corporate Director added that names of the officers leading on the various aspects of the Improvement Plan could be provided to Members. She received fortnightly reports and reported to the Chief Executive on progress/issues.
- There appeared to be a 'culture' problem and until this was resolved performance would not improve. The Member added that there had been no YOT manager since 2010 and problems in the service appeared to have started in October that year. He questioned where the senior management intervention was and why it had taken a year to advertise for a YOT manager. The Corporate Director responded that culture remained an issue in the team and that its functions had been separated. The solutions introduced had not been successful but the performance data had given a different picture. In terms of recruitment, she accepted that in hindsight she should have perhaps requested permission to recruit externally for the manager role rather than fill it with an interim postholder.
- A Member requested that the Improvement Plan remain a regular item on the Committee's agenda given the level of Members concern at the Inspection report. The Portfolio Holder suggested that the relevant scrutiny leads meet with both her and the Corporate Director on a regular basis, noting that the notes of the leads meetings were submitted to the Committee. The scrutiny policy lead for Children and Families expressed her concern at the Inspection report and stated that both she and the performance lead would consider the progress being made on a regular basis.
- A Member questioned the root cause of Councillors not being made aware of the report and reported on the situation in Lambeth following receipt of a poor report. She also questioned whether the risks in

relation to the new model had been explored and the position in terms of funding. The Corporate Director advised that there had been no specific decision as to whether the Inspection report should or should not be submitted to Members but that it had been discussed with a number of Members and in her view required consideration by Cabinet. In terms of government funding, the Council had made up the shortfall. There was now a new manager of the YOT who would be considering the risks of the new model.

- A Member stated that the language used when dealing with families was important and that there needed to be an acknowledgement there were issues. Officers, not Members, were responsible for management and he sought a commitment that the Council would do everything it could to help young people secure jobs/ gain skills. The Interim Divisional Director stated that there was no room for complacency and that it was imperative to engage young people in education/ training. She stated that she would report again to the Committee on this issue if that would be helpful.
- In response to a Member's question as to whether those young people in contact with the YOT received mental health assessments, the Corporate Director advised that not every young person would receive counselling. There had been problems with the Health contribution to the funding of the postholder that would carry out the assessments.
- A Member indicated that, in his view, the Improvement Plan should be considered by the Performance and Finance Scrutiny Sub-Committee. He added that he would have expected to see mention of the Better Deal for Residents in terms of project management as well as PRINCE data.

The Chair thanked the Portfolio Holder, Corporate Director and other officers for their attendance and responses.

**Resolved to RECOMMEND:** (to Council)

That the Committee's comments be considered and noted.

## **RESOLVED ITEMS**

### **321. Report from the Performance and Finance Scrutiny Sub-Committee Chair**

The Committee agreed to consider the report from the Performance and Finance Scrutiny Sub-Committee Chair as a matter of urgency for the reasons set out on the supplemental agenda. The report provided a summary of issues that would be taken forward following their meeting on 12 September 2012.

In considering the report a Member stated that the CIPFA representative who had attended the Sub-Committee had been questioned on the resourcing of

the Finance department and had expressed the view that it was over resourced.

A Member stated that it was clear from the report that there was inadequate training of staff in the use of SAP and expressed concern at the apparent constant change in staff. This lack of training/ knowledge could result in corrupt data being provided. This view was endorsed by another Member who added that public money needed to be properly accounted for the Corporate Director of Resources advised that there was a team which provided generic support but that part of the issue was training on the more sophisticated elements of the system. A number of actions were being put in place in order to make better use of the system

**RESOLVED:** That the report be noted.

### **322. Scrutiny Lead Member Report**

The Committee received a report of the Divisional Director of Strategic Commissioning which accompanied the reports from the Scrutiny Lead Members.

**RESOLVED:** That the report be noted and the actions proposed therein be agreed.

### **323. School Expansion Programme**

The Committee received a report of the Corporate Director of Children and Families which set out a summary of the school expansion programme, with particular reference to the funding of the programme and to the consultations undertaken. The Chair welcomed the Portfolio Holder for Children, Schools and Families, the Corporate Director of Children and Families and officers from her team to the meeting and outlined the background to the programme.

The Corporate Director stated that the expansion programme was challenging and that the Council had a statutory duty to provide school places. To date, places had been provided for all children in Harrow but she recognised that aspects of the programme may be difficult for residents.

Members of the Committee expressed concern at the apparent lack of response to some residents' questions. Members then asked questions and made comments as follows:

- A Member questioned the capacity of the programme and what would happen if a planning application submitted by a school was refused or if the Planning Committee placed a financial contingency requirement on the permission. An officer advised that the report before Members was the first phase of the primary expansion programme and that Cabinet had recently received reports on the future phases. Each future phase would require further expansion and the ability to accommodate bulge classes. The Corporate Director stated that, as with any large programme, contingency was built in. Capacity had also

been built into the programme and bulge classes had been included in phase 2.

- A Member stated that it appeared that the consultation undertaken had been unsatisfactory and referred to the Statement of Involvement considered at a recent meeting of the Local Development Framework Panel. It appeared that a number of residents' questions remained unanswered although he acknowledged that residents were not going to be pleased if the Council built next door to their property. An officer responded that planning colleagues had provided advice on resident engagement. He added that Vaughan School was the only school that had requested an additional meeting and he apologised if there remained some unanswered questions. Officers gave an undertaking that those answers would be provided to those residents with a copy circulated to Members of the Committee.
- In terms of the extra funding provided, a Member stated that there was still a gap of £3.8 million and sought clarification on the contingency available. An officer advised that the original intention in terms of the Capital Programme had been to use section 106 receipts to provide contingency in the short to medium term. Since the approval of the Capital Programme in February 2012 additional funding had been received and officers were discussing further funding with the Department for Education.
- A Member challenged officers in terms of the rebuilding of Marlborough and Vaughan Schools, the 2 schools that most needed work, using Council resources, stating that unless a guarantee was received from Department for Education (DfE) that the grant would be received all building works should be halted. She expressed concern that by fulfilling the need, that is the completion of building works, using Council resources, the need for the grant would be removed. Residents had been advised that the building works to Vaughan School would commence in March and if the DfE had still not made a decision in terms of grant, the Council would be committed to paying contractors. In her view, building work should not commence until the outcome of the grant application was known and she sought clarification on the level of compensation that would be payable to the builders in the event that the works did not proceed.

The Corporate Director acknowledged the points made but stated that this had to be balanced with the statutory requirement to provide school places. She undertook to take advice from London Councils on this issue but added that planning permissions would still be required for expansions. The deadline date in terms of receiving a decision on the DfE grant was 28 February in order to allow sufficient time for the works to be completed by September. In terms of compensation, an officer advised that there was a framework agreement with Keepmoat and they were instructed in phases but that at the present time £250,000 would be payable. The builders were geared up to commence work as required.



- In response to a Member's question in relation to the 2 planning applications from schools due for consideration by the Planning Committee the following evening, an officer confirmed that these were definitive plans for the projects.
- A Member questioned whether the Council was considering building additional schools and, if so, what projections were being used. The Corporate Director clarified that the Council no longer received funding for new schools but advised that there may be interest in the development of a free school on the Kodak site. In relation to this aspect, work was being done with the West London Alliance to see if sponsorship could be attracted. An officer added that work was being done to increase the number of school places available and a series of projections had been used. Proposers of free schools had difficulty in finding suitable sites in Harrow.

**RESOLVED:** That the report be noted and that answers to residents unanswered questions would be provided to those residents with a copy circulated to Members of the Committee.

### **324. Academies School Conversions**

The Committee received a report of the Corporate Director of Children and Families which presented a summary of the main matters arising since the conversion of 7 schools to academy status and the Council's response.

In response to a Member's concern that the report did not address the risks to the Council in terms of Service Level Agreements (SLAs), the Corporate Director advised that academies did not have to purchase any of the Council's services but were currently choosing to opt in to many of the SLAs. There was a collegiate group of primary and secondary schools working with the Council on this issue.

A Member questioned when the responsibility for carbon emissions was likely to transfer to the academies and was advised that the legislation was not yet finalised.

The Chair thanked the officers for the report and their responses.

**RESOLVED:** That the report be noted.

### **325. Council Service Level Agreements**

The Committee received a presentation from the Corporate Director of Resources on Council Service Level Agreements (SLAs). Following the presentation, Members made comments and asked questions as follows:

- Managers required training in order to perform to the best of their ability in terms of promoting a service.

- Members were unaware there that schools had relationship managers and requested their details.
- In response to a question in relation to building maintenance charges, the officer advised that the charging mechanism had been changed so that the Council receives more money up front.
- A Member requested a follow up report detailing which services which services were commercially viable.
- A Member questioned the impact of the commercialisation of services and how staff could be incentivised. The officer advised that those staff who were experienced at promoting services were assisting those who were not. The Corporate Director added that the commercial agenda had financial and customer service drivers and that the Council did not necessarily charge the full cost to customers. The Council was not, for example, competitive in terms of providing a payroll service.
- The core charges were excessive and required consideration with a view to making savings. The Corporate Director responded that service charges were an issue in every Council but that as part of the budget process and medium term financial strategy charges and individual budgets were being considered.
- A Member questioned why some services remained in house if they could be provided more cheaply externally as demonstrated by some schools. The Corporate Director advised that all service areas were being actively considered and, more specifically, when a contract was due to expire.

The Chair thanked the Corporate Director and officer for their attendance and responses.

**RESOLVED:** That the presentation be noted.

### **326. Shaping a Healthier Future for North West London - Harrow's response to consultation by NHS NW London**

The Committee received a report of the Divisional Director of Strategic Commissioning which set out Harrow Council's response to the Shaping a Healthier Future consultation by NHS NW London. The work was led by scrutiny members and scrutiny's response had been adopted by the Executive-side and had been submitted to NHS NW London as a Harrow Council response.

A Member expressed concern at the low detection rate of diabetes in Harrow and stated that this needed to be addressed. He also challenged the diversion of £2.1 million directed for health improvement by the Council to other activities. The Member stated that whilst the Council was taking on health responsibilities it was not receiving the funding necessary to deal with them.



**RESOLVED:** That the response to NHS NW London be noted.

**327. Termination of Meeting**

In accordance with the provisions of Committee Procedure Rule 14 (Part 4B of the Constitution) it was

**RESOLVED:** At

- (1) 9.59 pm to continue until 10.30 pm;
- (2) 10.29 pm to adjourn until 10.34 pm and to continue until 11.00 pm;
- (3) 10.58 pm to continue to 11.30 pm.

(Note: The meeting, having commenced at 7.30 pm, closed at 11.28 pm).

(Signed) COUNCILLOR JERRY MILES  
Chairman

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**LONDON BOROUGH OF HARROW****OVERVIEW & SCRUTINY COMMITTEE – 14 NOVEMBER****REFERENCE FROM CABINET – 11 OCTOBER 2012****Response to Overview and Scrutiny Committee Report 'Private Rented Sector Housing in Harrow'**

Cabinet received a report of the Corporate Director of Community, Health and Wellbeing, in response to the Overview and Scrutiny Committee Review of 'Private Rented Sector Housing in Harrow'.

The Leader of the Council invited Councillor Marilyn Ashton, Chair of the Scrutiny Review Group, to address the meeting. Councillor Ashton referred to the report of the Scrutiny Review Group, which had been non-partisan and she hoped that the recommendations would be useful to any future administrations. She was pleased to learn that all the recommendation of the review Group had been accepted and she thanked Members of the Review group for their sterling work in this area. She thanked Heather Smith, Scrutiny Officer, for her work and support provided to the Review Group

The Chairman of the Review Group added that the report summarised the function and achievements of the Review Group, including how the Council should move forward. She was pleased with the manner in which a Residents' Panel had engaged with the Council and she thanked them for their participation. Councillor Ashton added that there were no easy answers that would ensure that excellent standards were maintained in the private sector rented housing but it was important to ensure that decent standards were maintained. She was of the view that one way to maintain high standards was through the developers and by applying the Local development Framework and national policies.

The Leader of the Council welcomed the response report to the recommendations of the Scrutiny Review Group. He added that the Review Group's report had been clear, practical and the approach taken had been 'bottom up'. He commended the Chair of the Review Group in her presentation of the report.

The Portfolio Holder for Housing thanked Members and residents of the Review Group for their original recommendations. He added that the report of the Scrutiny Review Group was timely, as the Directorate was finalising its housing strategies. He added that all the recommendations of the Scrutiny Review Group would be taken on board.

The Portfolio Holder added that the Council recognised the importance of the private rented sector in meeting the housing needs in the borough and it was therefore important that standards were improved and poor quality of housing was tackled. He added that due to limited resources, enforcement action had to be directed at tackling the worst conditions, and the Council looked forward to establishing a good relationship with landlords, developers and private tenants. The Portfolio Holder referred to the number of innovative and effective schemes that were already in place and assured Members that the Council would continue to build on these. A priority would also be given to bringing back empty homes back into use or finding housing uses for existing Council assets.

In concluding, the Portfolio Holder thanked the Scrutiny Review Group and officers in the Housing Department for their contributions on this important issue.

**RESOLVED:** That the report be noted and that the Corporate Director of Community, Health and Wellbeing, in consultation with the Portfolio Holder for Housing, be authorised to ensure that the responses outlined in Appendix 1 are included within the draft Housing Strategy and draft Private Sector Housing Strategy to be reported to Cabinet in December 2012.

**Reason for Decision:** To enable the response to be formalised in the draft Private Sector Housing Strategy and accompanying action plan.

**Alternative Options considered and rejected:** None.

**Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation granted:** None.

## **FOR INFORMATION**

### Background Documents:

Report submitted to Cabinet – 11 October 2012

Draft minutes of the Cabinet – 11 October 2012

### Contact Officer:

Daksha Ghelani, Senior Democratic Services Officer

Tel: 020 8424 1881

Email: [daksha.ghelani@harrow.gov.uk](mailto:daksha.ghelani@harrow.gov.uk)

(Signed) COUNCILLOR BILL STEPHENSON  
Chairman

# REPORT FOR: CABINET

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<b>Date of Meeting:</b>	11 October 2012
<b>Subject:</b>	Response to Scrutiny Review of “Private Rented Sector Housing in Harrow”
<b>Key Decision:</b>	No
<b>Responsible Officer:</b>	Paul Najsarek, Corporate Director of Community, Health and Wellbeing
<b>Portfolio Holder:</b>	Councillor Bob Currie, Portfolio Holder for Housing
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Enclosures:</b>	Appendix 1: Comments on recommendations made by the Overview and Scrutiny Committee review of ‘Private Rented Sector Housing in Harrow’

## Section 1 – Summary and Recommendations

This report responds to the Overview and Scrutiny Committee review of “Private rented sector housing in Harrow” presented to Cabinet on the 13<sup>th</sup> September 2012 and in particular to the recommendations contained within it. These are commented on individually in Appendix 1.

### Recommendations:

Cabinet is requested to:

Note the report and delegate authority to the Corporate Director of Community, Health and Wellbeing in consultation with the Portfolio Holder for Housing to ensure the responses outlined in Appendix 1 are included within

the draft Housing Strategy and draft Private Sector Housing Strategy to be reported to Cabinet in December 2012.

**Reason: (For recommendation)**

To enable the response to the recommendations to be formalised in the draft Private Sector Housing Strategy and accompanying action plan.

## **Section 2 – Report**

1. The final report from the “Private rented sector housing in Harrow” Scrutiny Review was reported to Cabinet on the 13 September 2012. It is an important and welcome report acknowledging the importance of the private rented sector in increasingly meeting the housing needs of households in the borough. It is an important aspiration to encourage the provision of additional good quality private rented accommodation as well as improve standards and tackle poor quality where it exists.
2. The Council is in the process of reviewing a number of its key housing policies and strategies to take account of the flexibilities offered through the Localism Act as well as the challenges it will face as a result of the various welfare reform proposals, many of which will disproportionately affect people living in the private rented sector on benefits.
3. Given the many changes proposed Cabinet has agreed that it would be appropriate to review all Harrow’s current housing strategies and policies to ensure that the Council has consistent and workable policies which operate together to increase the housing options available to the residents of Harrow, ensure that the most vulnerable continue to have priority and access to locally affordable housing and that they support the continued sustainability of local communities in Harrow. This includes a **Private Sector Housing Strategy** to strengthen our plans for ensuring there is a good quality private rented housing sector locally.
4. Officers have welcomed the opportunity to work with the Scrutiny Committee during the development of the Private Sector Housing Strategy. As a result all of the recommendations have been incorporated in the draft strategy. The draft strategy and accompanying action plan will be put out for formal consultation shortly. Appendix 1 sets out how the specific recommendations from the Scrutiny review have been addressed.
5. In view of the Council’s limited resources the Private Sector Housing Strategy will focus on what the Council can do to encourage and facilitate the continued provision of a good quality private rented housing sector working in partnership with other boroughs, landlords, developers and private tenants whilst using available enforcement resources to tackle the worst conditions.

## Legal comments

6. The Council, as a local housing authority, uses the powers afforded to it by the Housing Act 2004 to enforce property standards within the private rented sector. Under this Act the Council has a legal duty to take appropriate enforcement action where a category 1 hazard exists (as per the Housing Health and Safety Rating System (HHSRS)) on any residential premises, and this could result in the issuing of a formal improvement notice. The Act gives the Council the power to take certain types of enforcement action where it is considered that a category 2 hazards exists, which again could include serving of an improvement notice.
7. The Councils Housing Strategy and supporting documents are required to be in conformity with the London Housing Strategy. The final version of the London Strategy is awaited but our draft Private Sector Housing Strategy does address several of the Mayor of London priority initiatives such as bringing empty homes back into use, the London Landlord Accreditation scheme.

### 8. Equality duties

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
  - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
9. When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. An Equality Impact Assessment (“EqIA”) has been completed in relation to the Private Sector Housing Strategy and has helped inform its development. The majority of the actions set out within the strategy will have either a positive or neutral impact on protected groups.

## Financial Implications

10. Many of the actions detailed in response to the recommendations will have revenue costs, primarily through existing staff resources and budgets. Bids for new proposals where there is no existing budget will be made through the appropriate commissioning channels on the basis of invest to save.

11. Bids for capital to continue with existing initiatives such as Empty homes grants or start new projects will be made through the Capital Forum.
12. It is acknowledged that the availability of new resources is very limited and therefore utilising external funding opportunities and partnership working with the private sector will be key to delivering the objectives of the draft Private Sector Housing Strategy.

## Performance Issues

13. There are a number of Performance Indicators within the Housing Scorecard relating to housing demand and supply and the role of the private rented sector within this. Some of the outcomes to the draft Private Sector Housing Strategy will positively impact on performance in key areas, for example by minimising increase in the numbers of homeless families in Bed and Breakfast.
14. Current performance set out below reflects the pressures from rising homelessness and the difficulties in finding suitable private rented housing. These difficulties are projected to continue and will impact on future performance.
15. Whilst current supply of affordable housing shows good performance, future supply can only be maintained by continuing to explore a range of new supply models. Targets for future years will be significantly lower based on the Housing Capacity targets agreed for Harrow (350 new per homes per annum with a 40% policy affordable housing target = 140 new affordable homes per annum).
16. After the new strategies and policies are completed, including the draft Private Sector Housing Strategy, we will develop a new set of performance indicators to ensure we are able to monitor the ongoing impact of welfare reform and of the agreed policy changes in mitigating them.

<b>Performance Indicator</b>	<b>Q4 2011/12 Performance</b>	<b>Q1 2012/13 Performance</b>	<b>2012/13 Target</b>	<b>Red Amber Green</b>
Total number accepted as homeless and in priority need	110	25	150	Green
Average number of households in B&B	60	New PI	N/A	N/A
No of households with dependent children and/or pregnant woman in B&B for 6 weeks or more at end of quarter - snapshot (P1E)	N/A	18	N/A	N/A



No of households living in Temporary Accommodation	400	402	400	Amber
Number of households we assist with housing in the private rented sector	256	40	400	Red
Number of affordable homes delivered (gross)	408	86	139	Green
Empty private dwellings returned to use	271	58	200	Green

## Environmental Impact

17. The outcomes from completion of the Private Sector Housing Strategy contribute to the Council's Climate Change Strategy and Delivering Warmer Homes strategy through:

- Improving energy efficiency and reducing CO2 in all housing tenures.
- New affordable homes in London being required to achieve a minimum of level 4 of the Sustainable Building Code.
- Other environmental improvements often included in new affordable housing developments or retrofitting of existing social housing include: provision of green roofs, solar thermal hot water systems to meet the target for use of renewable resources and resulting reduction in CO2 emissions, improved biodiversity as a result of increased tree planting and landscaped communal open spaces, provision of Sustainable Urban Drainage Systems, and green travel plans to encourage use of public transport and walking.

## Risk Management Implications

Risk included on Directorate risk register? No

Separate risk register in place? No

18. Risk assessment will be undertaken for specific projects as recommended by Scrutiny Committee and risk registers maintained for major projects.

## Equalities implications

19. An overarching equalities impact assessment was published for the Housing Changes Review and an individual assessment has been completed for the draft Private Sector Housing Strategy. None of the actions proposed discriminate either directly or indirectly under the public bodies duty of the Equality Act 2010. The majority of the actions set out within the strategy will have either a positive or neutral impact on protected groups.

## Corporate Priorities

20. This report incorporates the following corporate priorities by involving residents in determining future housing policies and strategies that support people in priority housing need:

- United and involved communities: A Council that listens and leads.
- Supporting and protecting people who are most in need.
- Keeping neighbourhoods clean, green and safe.

## Section 3 - Statutory Officer Clearance

Name: Roger Hampson	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 27 September 2012		
Name: Paresh Mehta	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 28 September 2012		

## Section 4 – Performance Officer Clearance

Name: Martin Randall	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Partnership, Development and Performance
Date: 27 September 2012		

## Section 5 – Environmental Impact Officer Clearance

Name: Andrew Baker	<input checked="" type="checkbox"/>	On behalf of the Divisional Director (Environmental Services)
Date: 27 September 2012		

## **Section 6 - Contact Details and Background Papers**

**Contact:** Alison Pegg, Housing Partnerships and Strategy Manager, Tel 020 8424 1933 or email:

[Alison.pegg@harrow.gov](mailto:Alison.pegg@harrow.gov)

**Background Papers:** Private Rented sector housing in Harrow, Scrutiny review report presented to Cabinet 13 September 2012  
<http://moderngov:8080/documents/g61071/Public%20reports%20pack,%20Thursday%2013-Sep-2012%2019.30,%20Cabinet.pdf?T=10>

**Call-In Waived by the  
Chairman of Overview  
and Scrutiny  
Committee**

**NOT APPLICABLE**

*[Call-in applies]*

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**Appendix 1: Comments on recommendations made by the Overview and Scrutiny Committee review of Private Rented Sector housing in Harrow**

<b>RECOMMENDATIONS</b>	<b>ACTIONS</b>	<b>BY WHOM AND WHEN</b>
<p>Recommendation A: We recommend that the Council participate in the development of London-wide initiatives that enable councils to share intelligence about the quality and standards of emergency accommodation</p>	<p>Accepted and is included in the draft Private Sector Housing Strategy and action plan: The Council will continue to work collaboratively with members of the West London Housing Partnership, London councils and the GLA to tackle housing issues across local authority boundaries, share good practice, and carry out joint service procurement exercises in order to achieve economies of scale and to develop joint bids for funding.</p>	<p>Jon Dalton, Head of Housing Needs Ongoing</p>
<p>Recommendation B: We recommend that the Council continues to develop means to increase the financial, legal and other risks to landlords associated with deliberately providing sub-standard accommodation</p>	<p>Accepted on the basis this needs to be managed within current and predicted future resources and is included in the draft Private Sector Housing Strategy and action plan. Also the Council successfully uses the powers afforded to it by the Housing Act 2004 in terms of enforcing property standards within the private rented sector, but at a time when the Council is seeking to try to increase private rented supply, a purely enforcement based approach could deter some landlords from offering their properties to accommodate homeless households or those needing homes at the lower end of the market. The proposed approach is that the Council continues to make full use of its powers to take action against those landlords who clearly and deliberately flout their responsibilities, but its overall strategic</p>	

	<p>approach is one of enabling and encouraging landlords to make improvements to their properties.</p> <p>Harrow Council's Housing Enforcement Team is currently revising its fee structure in relation to enforcement action against landlords who do not respond to informal requests to improve the condition of their property. It is proposed that a fee be introduced where the Council issues formal improvement notices, (as the power to charge a reasonable amount for certain administrative and other expenses is provided for in the legislation) and this would be registered as a charge on the title of the property. It is hoped that this additional charge will deter landlords from non compliance and will result in a reduction in the number of formal notices served.</p> <p>Although under the provisions of the Housing Act 2004 the Council has a legal duty to take appropriate enforcement action (such as serving improvement notices) where properties are identified as having category 1 hazards as per the Housing Health and Safety Rating System (HHSRS), consideration is being given to the extension of formal notices to cover certain category 2 hazards. This is in recognition that some of the higher level category 2 hazards under HHSRS can also have a significant impact on the health and safety of residents.</p>	<p>Shankar Sivashankar, SM-Licensing, Housing &amp; Support Services by December 2012</p> <p>Shankar Sivashankar, SM-Licensing, Housing &amp; Support Services by April 2013</p>
<p>Recommendation C: We recommend that</p>	<p>Accepted and is included in the draft Private</p>	<p>Jon Dalton, Head of Housing Needs</p>

<p>the Council explores avenues for continuation of the successful leasing of properties from landlords through the Help2 Let model.</p>	<p>Sector Housing Strategy and action plan: The Help2Let scheme is critical in assisting the Council to meet its homelessness duties. We are considering options that can enhance the offer to landlords and encourage more lettings.</p>	<p>Ongoing</p>
<p>Recommendation D: We recommend that the Private Sector Strategy be explicitly linked to the Economic Development Strategy. This should reflect the role of housing in facilitating the labour market. This also addresses the future benefit cap, in that households on lower incomes are more likely to be able to retain their accommodation if they are in work.</p>	<p>Accepted and is included in the draft Private Sector Housing Strategy and action plan: The link between housing and employment is more important than ever in terms of enabling families to be able to continue to afford to live in Harrow. The Council is considering a variety of options that will create new opportunities and increase the range of employment opportunities for the families that will be hit hardest by the welfare reforms.</p>	<p>Jon Dalton, Head of Housing Needs Mark Billington, Head of Economic Development and Research  Ongoing</p>
<p>Recommendation E: We recommend the Council consider further initiatives for example through Help2Let, to help promote tenancy sustainability. This will be particularly important for households for whom the Council fulfils its homelessness duty through the private rented sector.</p>	<p>Accepted and is included in the draft Private Sector Housing Strategy and action plan:  For example we will continue to operate through the Help2Let scheme Tenant Training to sustain current tenancies and show landlords that we will support both them and tenants: 220 tenants trained with certificates - very well received and being copied by other Councils.</p>	<p>Jon Dalton, Head of Housing Needs  Ongoing</p>
<p>Recommendation F: We recommend that the Council use its best endeavours to encourage higher standards in the private rented sector by considering the following:</p> <ul style="list-style-type: none"> <li>• A landlord 'kitemark' or 'good landlord'</li> </ul>	<p>Accepted and is included in the draft Private Sector Housing Strategy and action plan:  Examples of current initiatives include:  The pilot Sustain Tenancy grant is intended</p>	<p>Jon Dalton, Head of Housing Needs Shankar Sivashankar, SM-Licensing, Housing &amp; Support Services  December 2012 and ongoing</p>

<p>scheme, which is branded and promoted locally;</p> <ul style="list-style-type: none"> <li>• A register of landlords;</li> <li>• A tenant and landlord 'charter', setting out rights and responsibilities;</li> <li>• Developing the 'arbitration' role of the council in bringing together tenants and landlords and identifying solutions;</li> <li>• Using enforcement action as a part of the suite of solutions to tackling poor standards.</li> </ul>	<p>to help prevent homelessness in cases where households in the private rented sector become homeless due to the condition of their property, and the landlord does not have the funds to pay for the cost of improvement. In return for a grant of up to £1,500 the landlord must agree to extend the tenancy period with the existing tenant to a period of two years. If the tenant leaves the property within this timescale the Council will have nomination rights on the property for the remaining nomination period to house those from the housing register.</p> <p>The London Landlord Accreditation scheme works to ensure that landlords are aware of their roles and responsibilities as landlords in the PRS. Members must prove that they are a fit and proper person to undertake the business of renting and to complete training sessions on required housing standards and good management practices. Work will continue in Harrow to encourage more landlords to become accredited and the scheme will be promoted through existing and new avenues such as local business forums. At the present time almost 100 landlords with properties in Harrow are members of the scheme.</p> <p>Planning Enforcement of substandard living accommodation is addressed in the planning enforcement policy.</p>	
<p>Recommendation G: We recommend that</p>	<p>Accepted and is included in the draft Private</p>	<p>Jon Dalton, Head of Housing Needs</p>



<p>the Private Sector Strategy include a specific objective to engage with residents living in the private rented sector.</p>	<p>Sector Housing Strategy and action plan: An initial meeting of the Harrow Private Tenants' Forum was held in Summer 2012 and will be continued in order to allow tenants within the sector to share their views and have an influence over the future development of housing and new initiatives within the borough. It is intended that future meetings will be held twice a year and new members of the panel will be sought to ensure that it is representative of Harrow residents.</p>	<p>April 2013</p>
<p>Recommendation H: We recommend that an objective pertaining to bringing empty homes back into use be included in future strategy.</p>	<p>Accepted and is included in the draft Private Sector Housing Strategy and action plan: Empty properties are a wasted asset at a time when demand for housing is high and bringing them back into use would add to the local supply. Long term empties are blight on local communities and can also lead to antisocial behaviour, such as vandalism which impacts on the surrounding neighbourhood. In the period 2009/10 to 2011/12 The Council brought around 800 properties back into use through a combination of grant assistance and collaborative working with landlords.</p> <p>For a number of years the Council has offered grant schemes, using Government funding, to private sector landlords to bring empty properties back into use. In April 2012 a new Council funded grant programme was introduced in response to challenges arising from the housing market and government reform, which aims to maintain the commercial appeal to landlords of grant</p>	<p>Alison Pegg/Jane Fernley, Housing Partnerships and Strategy Manager</p> <p>Ongoing</p>

	<p>initiatives and to encourage more landlords to work with the Council. We will continue to develop further initiatives and seek to secure funds including using our own capital resources, to bring more empty properties back into use.</p>	
<p>Recommendation I: We recommend that the council include conversion of existing council assets - such as garages - into its objectives regarding bringing empty homes back into use, subject to planning considerations.</p>	<p>Accepted and the detail relating to this is included in the draft Housing Strategy objectives relating to the provision of new housing supply.</p> <p>The Portfolio Holder for Housing is leading on the completion of a Garage Strategy which includes identifying sites that are no longer needed and will be made available as development sites. The list of sites is currently being prepared taking account of Planning advice and other site constraint information.</p>	<p>Cllr Bob Currie, Portfolio Holder for Housing Elaine Slowe, Housing Enabling Manager April 2013</p>
<p>Recommendation J: We recommend that Cabinet undertake an analysis of the risk involved before embarking on increasing the supply PRS in Harrow in the context of the council's debt and other inevitable demands for the council's capital.</p>	<p>Accepted and is included in the draft Housing Strategy and draft Private Sector Housing Strategy and action plan: The need to grow the sector has been recognised in the Government's national housing strategy and research was commissioned nationally to scope the barriers to institutional investment in the private rented sector. The Montague report (published in July) makes recommendations as to how the sector can be made more attractive to investors through the use of vehicles such as Real Estate Investment Trusts (REITs). Locally there may be scope</p>	<p>Alison Pegg, Housing Partnerships and Strategy Manager Phil Loveland-Cooper, Head of Corporate Estate Stephen Kelly, Divisional Director of Planning July 2013</p>

	<p>to use the Planning Policy Framework (PPF) to include market rental properties as a requirement of new housing developments within the borough. A range of potential options are being explored by a cross directorate group to identify whether they would be feasible within Harrow. These may require investment by the Council whether in the form of land/capital or a combination of both. Proposals will be reported to Cabinet for approval and will have undergone a thorough risk analysis during the development process and will be included on the appropriate risk registers.</p>	
<p>Recommendation K: For O&amp;S we recommend that the Standing Review of the Budget consider the policy objectives of the Private Sector Strategy as part of its work in reviewing the council's use of capital</p>	<p>Not applicable to the Cabinet response</p>	
<p>Recommendation L: We recommend that the Private Sector Strategy and forthcoming Climate Change Strategy be explicitly linked in order to ensure that tenants in the private rented sector can also benefit from energy efficiency and fuel poverty initiatives.</p>	<p>Accepted and is included in the draft Private Sector Housing Strategy and action plan and Climate Change Strategy: New guidance, issued in June 2012 under the Housing Energy Conservation Act (HECA) requires the Council to establish a programme that will improve the thermal efficiency of all housing types, for all residents. The HECA guidance states that the Council must develop and publish a report to the Secretary of State by 31<sup>st</sup> March 2012 setting out the energy conservation measures that the Council considers</p>	<p>Andrew Baker, Head of Climate Change Nadeem Din, Housing Strategy and Performance Manager</p>

practicable, cost-effective and likely to result in significant improvement to the energy efficiency of residential accommodation in the area. Progress reports will then be required at two-yearly intervals.

This is a significant challenge to achieve in view of the limited resources available to support it. The Green Deal, which is the government's flagship initiative to improve energy efficiency and reduce fuel poverty, will be introduced in Autumn 2012. The scheme will work on a 'Pay as You Save' basis, where finance is provided to install the measures and households repay the finance through the savings they make on their energy bills. This will be available to both owner occupiers and those living in the private rented sector. Active promoting of this initiative will be important in addressing this challenge.